



State of Washington
DEPARTMENT OF FISH AND WILDLIFE

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January 13, 2020

The Honorable Kevin Van De Wege
Washington State Senator
212 John A. Cherberg Building
Post Office Box 40424
Olympia, WA 98504

The Honorable Brian Blake
Washington State Representative
314 John L. O'Brien Building
Post Office Box 40600
Olympia, WA 98504

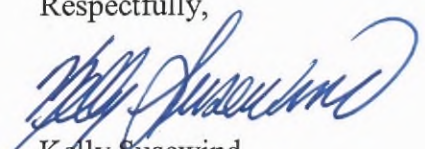
Dear Senator Van De Wege and Representative Blake:

In 2015, Washington State residents passed Initiative Measure No. 1401, which concerns the trafficking of animal species threatened with extinction. Later known as the Washington Animal Trafficking Act, this measure makes the selling, purchasing, trading, or distributing certain animal species threatened with extinction, and products containing such species, a gross misdemeanor or class-C felony.

Initiative Measure No. 1401 directed the Department of Fish and Wildlife to "... *provide a comprehensive report outlining current and future enforcement activities and strategies related to this act, including recommendations regarding any necessary changes, to the relevant policy and fiscal committees of the Senate and House of Representatives.*"

Please find the report included in this document. If you have any questions regarding this report, please contact Thomas McBride, Legislative Director at (360) 902-2226.

Respectfully,



Kelly Susewind
Director

Enclosure

Implementing Initiative 1401 -Wildlife Trafficking

Report to the Legislature



January 15, 2020

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Background

Global Wildlife Trafficking

Wildlife trafficking- the illegal trade of animal products and parts - continues to push numerous species towards extinction around the world. It threatens state, national, and international conservation priorities by eroding biodiversity, reducing ecosystem integrity, and threatening many iconic species most at risk of extinction. The multi-billion dollar international criminal market which fuels wildlife trafficking exploits vital natural resources while denying communities jobs, growth, and opportunities for rural development.

In 2014 the United States federal government created a task force to address increased wildlife trafficking. This resulted in a report entitled *United States Strategy and Implementation for Combating Wildlife Trafficking*, which identified three primary strategies: strengthening domestic and global law enforcement, reducing demand for wildlife products, and building international cooperation. Each strategy identified state and local enforcement activities as crucial elements for success in combatting wildlife trafficking.

That report reflected growing awareness of the increasing threat wildlife trafficking poses to endangered species around the world, and increasing understanding of the importance of state, local, and international cooperation. The report generated significant public response, including a number of citizen initiatives across the country, including Initiative 1401 in Washington state.

Initiative 1401

In 2015, Washington State residents passed Initiative Measure No. 1401, the Washington Animal Trafficking Act (WATA), which concerns the trafficking of animal species threatened with extinction. This measure makes the selling, purchasing, trading, or distribution of certain animal species threatened with extinction, and products containing such species, a gross misdemeanor or class-C felony, with exemptions for certain types of transfers.

The Washington Animal Trafficking Act provides Washington Department of Fish and Wildlife (WDFW) Police with the authority to protect certain subspecies of the world's most illegally traded endangered species, including:

- Elephants
- Rhinoceros



- Tigers
- Lions
- Leopards
- Cheetahs
- Pangolins
- Marine turtles
- Sharks
- Rays

WDFW Implementation of the Washington Animal Trafficking Act

WDFW Police is the law enforcement agency tasked with the authority to enforce the Washington Animal Trafficking Act, representing a significant responsibility for the agency. The work is a natural fit for the Department, with detectives specializing in investigating illegal trade in local natural resources, as well as a presence at border crossings, marine ports, and airports.

Department efforts to address wildlife trafficking support the act's emphasis on eliminating markets for illegal goods and reducing the profits of those who procure, traffic, and sell them by engaging in outreach and education among the public. WDFW continues enforcement of the act through the authority the WATA grants, in partnership with international enforcement bodies to protect remaining animals currently at risk.

Ongoing success protecting endangered and threatened species, both globally and locally, depends upon bolstering cross-border partnerships, outreach and education, strong relationships with state and local prosecuting attorneys, and continued resources to investigate and eliminate markets for wildlife trafficking.



Current Activities: 2019 - present

Outreach and Education

Department outreach and education regarding wildlife trafficking in 2019 focused on partnering with community members and zoos. The Department partnered with the Woodland Park Zoo, Northwest Trek, and the Point Defiance Zoo and Aquarium in order to increase public awareness and create opportunities for the public to appropriately leave items made from endangered animal parts in a secure and legal way. Examples of these efforts are provided below.

- **Toss the Tusk Event**, Woodland Park Zoo, April 6, 2019

Washington Department of Fish and Wildlife Police partnered with the Woodland Park Zoo for a one day “Toss the Tusk” event. This first of its kind event allowed the community to drop off unwanted items such as ivory, pelts, or other animal artifacts or trinkets made from endangered animal parts. The Department received more than 500 items from donors, that will be used for training purposes or destroyed.

- **Bear Affair**, Northwest Trek, April 18-19, 2019

Detective Wendt and K9 Officer Benny spent the day meeting with the public and giving live demonstrations highlighting Benny’s nose in locating ivory. 600 people attended that day and read WATA materials at our Turn in a Poacher (TIP) public education and outreach trailer, and watched the live demonstrations.

- **Summer Safari**, Woodland Park Zoo, September 7, 2019

WDFW enforcement officers presented information on wildlife trafficking, identifying items from endangered species and the impacts of trafficking on critically endangered animals.

- **Criminal Justice 101**, Everett Community College, April 25 and October 21, 2019

A WDFW detective hosted a WDFW recruitment introductory animal trafficking training session for groups of community college students.



Enforcement Activity Highlights

Two charges in cases resulted from several search warrants executed by WDFW officers in relation to wildlife trafficking. The associated charges were the second case brought under WATA, and the first prosecuted solely by county a prosecutor.

These charges originated from early 2018, when WDFW officers and detectives executed a search warrant regarding a Lewis County individual selling a carved elephant tusk. While no WATA charges were subsequently filed, the case was referred to a local joint task force for follow-up. WDFW officers and detectives executed a search warrant on an antique and collectible mall in Centralia, confiscating fourteen (14) elephant ivory pieces, which included the tusk trafficked by the Lewis County party.

Separately, WDFW officers partnered with the USDA, FDA, USFWS, and NOAA during February 20 – 21 2019 in inspecting approximately 100 traditional East Asian market, acupuncture, and massage entities.

WDFW also provided ivory and animal trafficking scenario-based training sessions for attendees of the Wildlife Investigators Covert Academy.

International Cooperation

Many of the most acute negative conservation, security, and economic outcomes that result from wildlife trafficking occur at the local level where animals and animal parts are poached. In addition to efforts within the United States, WDFW partnered with the Attorney General Alliance (formerly the Conference of Western Attorneys General) and the African Alliance Partnership to protect living endangered animal populations where they remain.

A WDFW detective traveled to Mosi-oa-Tunya National Park in Livingstone, Zambia and Kasungu National Park, Malawi to provide investigative training to game wardens/rangers and prosecutors. The trainings included crime scene processing, evidence collection and handling, covert camera installation, impression casting, animal time of death and entomology, covert operations, case organization and management, and a mock trial.



Washington Animal Trafficking Act Funding and Expenditures

WDFW received \$300,000.00 ongoing spending authority in the Fish and Wildlife Enforcement Reward Account to increase enforcement actions inhibiting wildlife trafficking related to the Washington Animal Trafficking Act. WDFW utilized that authority to engage in outreach and education, coordination with federal and other state enforcement agencies, inspections and investigations, and staff training. Table 1 outlines how that authority was exercised in fiscal year 2019.

Table 1.

WATA Funding SFY19: Fund 001-392		
Staffing	\$ 191,612	64%
Officer Equipment Costs	\$ 47,070	16%
K9 Expenses	\$ 12,325	4%
Training	\$ 5,923	2%
Administrative Funding	\$ 43,070	14%
Total Expenses	\$ 300,000	100%

The 2019 biennial budget gave the Department \$298,000 of expenditure authority for wildlife trafficking prevention enforcement activities. However, the fund source identified for the expenditures is the Fish and Wildlife Enforcement Reward Account. The pre-existing fund balance in this account will provide sufficient funding through the 2019 – 2021 biennium only. In future biennia this fund source will be overspent, and unable to support that spending authority on an ongoing basis, as reflected by the negative fund balance starting in the 2021-2023 biennium. In order to maintain the enforcement actions described in this report, an alternative fund source will need to be identified.



Table 2.

WATA Funding Projections

	Appropriations	19-21BN Authority	Fund Balance	21-23BN Authority	Fund Balance	23-25BN Authority	Fund Balance
Funding	General Fund	\$300,000	N/A	\$300,000	N/A	\$300,000	N/A
		\$298,000		\$298,000		\$298,000	
IT Investment Pool	Enforcement Reward Account	\$67,000	\$239,000	-	\$(6,000)	-	\$(251,000)
Existing Authority		\$447,000		\$447,000		\$447,000	

Table 2 details spending authority and fund balance projections related to wildlife trafficking activities. Spending authority for each biennium is shown in the 19-21BN Authority, 21-23BN Authority, and 23-25BN Authority columns. Each Fund Balance column shows the projected fund balance for each biennium, assuming status quo revenue for the Enforcement Reward Account, which is the current fund source for \$298,000 of biennial spending in support of anti-trafficking enforcement activities.

Anti-Trafficking Activities Beyond 2020

The Washington Department of Fish and Wildlife continues to fight wildlife trafficking in support of Initiative 1401, which identified eliminating associated markets and profits as the most effective way to discourage wildlife trafficking. To directly address wildlife trafficking profits, the Department has conducted inspections, investigations, and provided support for prosecutions. To limit the market Washington state presents for illegal trafficking, the Department has partnered with community members to offer public outreach and education opportunities to spread awareness of wildlife trafficking and its impacts. In recognition of the national and international elements of wildlife trafficking, as well as the expertise and experience of Department officers, Department staff have provided training and expertise for federal and international enforcement partners.



The \$298,000 spending authority noted in Table 2 will remain an important part of those efforts, and is funded through a pre-existing balance in the Enforcement Reward Account. This account will be exhausted by the end of 2021. In order to maintain the enforcement activities supported by that spending authority, additional fund sources will need to be identified.

These Department enforcement activities and related strategies will continue through the 2019-2021 biennium and beyond. The Department acknowledges the serious and urgent threat wildlife trafficking presents to many iconic species that face extinction and will continue to lead Washington's contribution to the national and international fight to preserve and protect these species.

