



A RASH OF SEIZURES OF LEGAL HUNTING TROPHIES SPARKS CONCERN.

If you'll be hunting in another country this year, especially for species listed under CITES (such as bears, some African antelopes, and most big cats), make absolutely certain that you have all of the necessary paperwork to bring the trophies home, and be certain it is filled in correctly—down to having the last I dotted and T crossed.

John J. Jackson III of Conservation Force (conservationforce.org), an invaluable organization that stands up for and litigates on behalf of hunters, reports that the U.S. Fish & Wildlife Service has a zero-tolerance policy on all document errors or omissions for trophy import shipments. That means that even the smallest error, no matter who commits it or how seemingly insignificant, will cause the shipment to be seized.

The Service no longer allows the hunter to return the trophy for re-export and corrected paperwork once they have examined the shipment. Because all trophy seizures are treated as contraband by the Service, the hunter loses all legal property rights to the shipment. In 2009 alone, hundreds of trophies worth millions of dollars were detained and seized or forced into forfeiture by the Service.

To help hunters and their outfitters and shipping agents prevent the seizure of their trophies, Jackson has created a Trophy Problem Checklist For Importation To The U.S. Download it and send it to your hunting operator and ship-

ping broker before your trophy is shipped. You can find the checklist at www.sportsafield.com/content/bringing-it-back.

Jackson recently talked to The Hunting Report (huntingreport.com) about litigation he is currently working on regarding a seizure that occurred last year. He reports: "The Department of Justice's position in trophy seizures in the Ninth Circuit Court of Appeals is alarming. In that case the safari hunter had a list of CITES trophies. When they were being copied onto the export permit form, one of them, a lion, was missed by the government employee. He jumped lines and a tsessebe was carried over from one document to another in its place. When it was discovered upon import, the exporting government was informed, recognized its own mistake, and immediately rushed over an export permit to the United States. It was not accepted.

"Over a period of months, the foreign CITES authority and even its Director of Wildlife wrote the U.S., but USFWS would not even respond. The trial court rubber-stamped the seizures. Now in the Ninth Circuit, the government's position is explicit and must-know info for all traveling hunters.

"Under the 2007 USFWS CITES regulations, all errors of any kind render the trophy 'contraband or illegal to possess.' That is the underlying basis for forfeiture the USFWS is relying upon. If it is 'contraband or illegal to possess,' the 2000 CAFRA reform measure Congress

passed to provide protection to all innocent owners of property subject to forfeiture, does not apply. If it is 'contraband or illegal to possess,' none of the Bill of Rights of the United States Constitution provide any protection . . . It must be forfeited.

"A FOIA (Freedom of Information Act) response has disclosed that the contraband position is part of a deliberate Law Enforcement strategy to avoid the innocent owner defense provided by CAFRA. It wholly originates as a reaction to what Congress intended to protect property owners from, namely fundamental unfairness in seizures and forfeitures. We will have to wait and see if the Appellate Courts 'rubber stamp' this unconscionable infringement on hunters' rights and threat to conservation when the typo or paperwork error is a government-level clerical mistake that is innocent and harmless."



USFWS

More and more hunters attempting to import legally taken game are having their trophies seized as a result of small errors in their paperwork. The U.S. Fish & Wildlife Service routinely confiscates illegally taken wildlife products like the skins above; don't let your legal hunting trophy meet the same fate.