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DA VANCE ANNOUNCES GUILTY PLEAS OF DEALERS FOR SELLING ILLEGAL ELEPHANT IVORY

Seized Ivory Valued at More than \$2 Million Retail; Underground Trade of Illegal Ivory Harvested from Threatened and Endangered Elephants Has Sharply Risen Since 2007 *DA Vance: "Poachers Should Not Have a Market in Manhattan"*



Pictured: Ivory seized by Manhattan District Attorney's Office, New York State Department of Environmental Conservation, and the United States Fish and Wildlife Service

Manhattan District Attorney Cyrus R. Vance, Jr., today announced the guilty pleas of two ivory dealers and their businesses for selling and offering for sale illegal elephant ivory with a retail value of more than \$2 million. MUKESH GUPTA, 67, pled guilty to one count of Illegal Commercialization of Wildlife, an E felony under the Environmental Conservation Law. GUPTA's company, RAJA JEWELS, INC., pled guilty to two counts of Illegal Commercialization of Wildlife. JOHNSON JUNG-CHIEN LU, 56, and his company, NEW YORK JEWELRY MART CORP., each pled guilty to one count of Illegal Commercialization of Wildlife.

"Poachers should not have a market in Manhattan," said District Attorney Vance. "It is unacceptable that tusks from elephants wind up being sold as mass-produced jewelry and unremarkable decorative items in this city. Despite efforts to protect populations of endangered and threatened species, poachers are pushing them to the brink of extinction. This is an international problem that requires local solutions. In order to curb the poaching of elephants in Africa and Asia, we need to curb the demand side of the illegal ivory trade right here at home. Today's cases are a small, but important, step in protecting endangered and threatened elephant species. This investigation is part of an ongoing and focused effort by my Office to combat environmental crimes and clamp down on the illegal ivory underground marketplace, which fuels the international poaching crisis."

Under their plea agreements, GUPTA and RAJA JEWELS must forfeit elephant ivory with a retail value of nearly \$2 million. They are also required to pay \$45,000, which will be donated to the Wildlife Conservation Society (WCS) for use in the organization's projects involving elephant population protection, anti-poaching efforts, and combating the illegal ivory trade. Under their respective plea agreements, LU and NEW YORK JEWELRY MART must forfeit ivory valued at approximately \$120,000, and pay \$10,000 to be donated to the WCS.

The charges are the result of a collaboration between the Manhattan District Attorney's Office, the New York State Department of Environmental Conservation (DEC), and the United States Fish and Wildlife Service (USF&W). In total, the investigation has resulted in the seizure of close to one ton of illegal ivory articles and items.

Neil Mendelsohn, Acting Special Agent in Charge, U.S. Fish and Wildlife Service, Northeast Region, said: "This case shines a spotlight on the plight of the African elephant and the ongoing efforts within the law enforcement community to control illegal trade of elephant ivory. Today, we mark a success in our cooperative efforts with the State and the Manhattan District Attorney's Office to stop ivory trafficking in New York City."

DEC Commissioner Joe Martens said: "The cooperative efforts of DEC's Bureau of Environmental Crimes Investigation, the U.S. Fish and Wildlife Service and the Manhattan District Attorney's Office uncovered the illegal activity of trafficking elephant ivory, and in doing so, prevented more than \$2 million worth of illegal ivory from entering the market place in violation of State law. As an endangered species, the existence of elephants is threatened

whenever opportunists kill them recklessly for their valuable ivory. DEC will not tolerate the illegal commercialization of wildlife for personal gain.”

John G. Robinson, Wildlife Conservation Society Executive Vice President for Conservation and Science, said: “Whether it’s here in Manhattan or in the Congo, partnerships with local law enforcement are the key to fighting back ivory poachers and securing a future for elephants. We thank District Attorney Cyrus Vance Jr., the New York State Department of Environmental Conservation, and the U.S. Fish and Wildlife Service for taking on the important issue of wildlife crimes and ivory smuggling.”

Under the New York State Environmental Conservation Law, it is illegal to sell, offer for sale, or possess with intent to sell any articles made of endangered or threatened wildlife species unless the seller has been granted a license or permit from the DEC. A condition of any such permit is that the applicant or licensee may only sell ivory that meets strict federal requirements regarding proof that the ivory is antique or pre-dates the listing of the species under the U.S. Endangered Species Act (ESA). In 1976, the Asian Elephant was listed as an endangered species under the ESA; in 1978, the African Elephant was listed as a threatened species under the ESA. All elephants today fall into one of these two species listed on federal endangered and threatened species list. Therefore, the sale of any elephant ivory is prohibited without a permit from the DEC.

According to TRAFFIC, a wildlife trade monitoring organization, in 2011, more than 24 tons of ivory was seized, making it the worst year in elephant death since the 1989 ivory ban. Between 2002 and 2006, 4 out of every 10 dead elephants were killed by poachers, but today 8 out of 10 dead elephants are killed by poachers, according to the Convention on International Trade in Endangered Species of Wild Fauna and Flora. The largest demand for this illegally traded ivory comes from China and Japan, and popular uses for the ivory include billiard balls, piano keys, carved art, and jewelry.

According to their signed plea agreements and documents filed in court, none of the defendants had DEC permits to sell ivory. Defendant LU illegally sold elephant ivory items at his retail store, NEW YORK JEWELRY MART, located at 26 West 46th Street in Manhattan. Investigators and agents from the DEC and USF&W seized \$120,000 worth of elephant ivory items and articles, including strands of beads, intricately carved tusks, bracelets, earrings, and animal carvings from NEW YORK JEWELRY MART and LU.

According to their signed plea agreements and documents filed in court, defendant GUPTA illegally sold elephant ivory from his store, RAJA JEWELS, located at 7 West 45th Street in Manhattan. GUPTA and RAJA JEWELS also supplied elephant ivory to defendants LU and NEW YORK JEWELRY MART. Investigators and agents seized elephant ivory articles being offered for sale by RAJA JEWELS AND GUPTA, including bracelets, carved tusks, earrings, charms, pendants, carvings, and beads. The elephant ivory items seized from RAJA JEWELS—which filled more than 70 bankers’ boxes—had a retail value of more than \$2 million.

The global demand for elephant ivory jewelry, carvings, and articles has resulted in a significant reduction in both species' populations. Despite international efforts to halt elephant poaching and stem the illegal ivory trade, the black market for elephant ivory is thriving.

Assistant District Attorney Julieta V. Lozano led the investigation under the supervision of Polly Greenberg, Chief of the Major Economic Crimes Bureau, and Christopher Conroy, Principal Deputy Chief of the Major Economic Crimes Bureau. Trial Preparation Assistant Elizabeth Daniels and Investigator Sam Ahdout assisted in the investigation.

District Attorney Vance thanked the New York State Department of Environmental Conservation and the United States Fish and Wildlife Service for their contributions and expertise in this investigation. Lt. John Fitzpatrick of the New York State Department of Environmental Conservation and Special Agent Paul Chapelle of the United States Fish and Wildlife Service handled the investigation for their respective agencies.



CYRUS R. VANCE, JR.
DISTRICT ATTORNEY

POACHING TODAY

- **8,571 carcasses** of illegally killed elephants were found from **49 monitoring sites** in **27 countries** across Africa between 2002 and 2011.
- **4 out of 10** dead elephants were killed by poachers between 2002 and 2006. Today, it's every **8 out of 10**.
- In 2011, there were **14 large-scale ivory seizures**, a double-digit figure for the first time in more than two decades. These seizures resulted in **24.3 tons of ivory** – more than in any previous year.
- **China and Thailand** are the two primary destinations for illegal ivory consignments exported from Africa.

SOURCE: ELEPHANT CONSERVATION, ILLEGAL KILLING AND IVORY TRADE, Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), June 21, 2012