LOGGER CONVICTED OF TIMBER THEFT ON FEDERAL LAND

Timber Security: theft  
October 2002

INTRODUCTION: Law enforcement officers made a case for the theft of 112 trees cut illegally on the Wayne National Forest in Ohio. The logger pled guilty to two theft-related charges, received an eight-month jail sentence, and was ordered to make restitution.

SECURITY BREACH/DAMAGE: The logger had a contract to cut timber on private land adjacent to the national forest. U.S. Forest Service personnel, realizing that the boundary lines in that area were somewhat fuzzy, flagged the boundary between private and USFS property. When the private timber was cut, the logger directed his crew to tear down the sale boundary ribbons and continue cutting another eight acres, this time on national forestland. The logs were taken to a nearby sawmill, where they yielded 28,610 board feet of lumber.

RECOGNITION: The illegal logging was temporarily halted after USFS personnel recognized the trespass and warned the logger. However, the logging crew resumed logging several days later. The illegally cut trees included maple and red and white oaks, with some trees over 100 years old.

ACTIONS TAKEN: Federal probation officers recommended a six-month sentence in a halfway house. That would have allowed the logger to work during the day but serve his time at night and on weekends. But the U.S. District Judge saw it differently and rejected the call for leniency. He sentenced the logger to eight months in prison. After his release, the logger will be on three years of supervised release, the federal version of parole. During that time, he will be prohibited from being in the logging business. The judge also ordered the logger to pay the government $7,520 in restitution for the value of the trees and the cost of restoring the eight acres of national forestland.

The judge commented that “Trees have an intrinsic value beyond their commercial value … This is very serious conduct.” The Assistant U.S. Attorney who prosecuted the case stated: “It’s important that environmental crimes are treated with the same seriousness as other criminal cases.”

RECOMMENDATIONS: The timber theft occurred when a logging crew knowingly crossed a boundary into a different ownership with the intent to take timber. In this case the timber was stolen from an unsuspecting landowner. All landowners need to be aware of active harvesting operations, not only on their property, but also on adjacent ownerships. Good boundary line marking helps prevent the accidental trespass and greatly aids the investigation and prosecution of intentional trespass and theft.

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