



U.S. Department of Justice

United States Attorney
District of Hawaii

Room C-242, United States Courthouse
300 Ala Moana Blvd., Box 50183
Honolulu, Hawaii 96850

808/546-7170

December 11, 1984

National Marine Fisheries Service
Law Enforcement Branch
P. O. Box 50246
Honolulu, Hawaii 96850

Attn: Gene Witham
Senior Agent

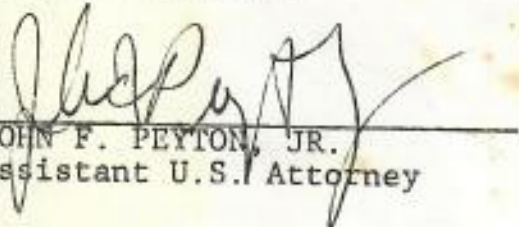
Gentlemen:

Re: United States of America v.
[REDACTED] and [REDACTED]
Cr. 84-02779

Enclosed please find a copy of the Judgment and Probation/Commitment Order for each of the above-named defendants.

Sincerely,

DANIEL BENT
United States Attorney
District of Hawaii

By 
JOHN F. PEYTON, JR.
Assistant U.S. Attorney

JFP/om
Enclosures

DOCKET NO. [REDACTED]

UNITED STATES GOVERNMENT AND PROBATION COMMISSION DISTRICT OF HAWAII

In the presence of the attorney for the government the defendant appeared in person on this date

MONTH DAY YEAR
November 16, 1984

COUNSEL

WITHOUT COUNSEL However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel.
 WITH COUNSEL Eric Seitz, Esq. (Name of Counsel)

UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

PLEA

GUILTY, and the court being satisfied that there is a factual basis for the plea, NOLO CONTENDERE, NOT GUILTY

NOV 16 1984
at 4 o'clock and 30 min P.M.
WALTER A. Y. H. CHINN, CLERK

FINDING & JUDGMENT

There being a finding/verdict of NOT GUILTY. Defendant is discharged.
 GUILTY.

Defendant has been convicted as charged of the offense(s) of having on or about July 16, 1984 at Punaluu Hawaii County, in the District of Hawaii, knowingly and intentionally took within the United States or territorial sea of the United States, a green sea turtle, a species of wildlife determined to be threatened with extinction, in violation of Title 1 United States Code, Section 1538(a)(1)(G) and 50 Code of Federal Regulation, Section 227.71(b) as charged in the Information.

SENTENCE OR PROBATION ORDER

The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: The defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of
IT IS ADJUDGED that the defendant pay a fine to the United States in the sum of \$1,000.00.
The execution of the sentence as to \$750.00 is hereby suspended and the defendant placed on probation without supervision for a period of ONE (1) YEAR.

SPECIAL CONDITIONS OF PROBATION

ADDITIONAL CONDITIONS OF PROBATION

In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT OR DETENTION

The court orders commitment to the custody of the Attorney General and recommends,

It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U S Marshal or other qualified officer.


Bert S. Tokairin November 16, 1984

ENDANT

DOCKET NO

JUDGMENT AND PROBATION COMMITMENT ORDER

In the presence of the attorney for the government the defendant appeared in person on this date

MONTH DAY YEAR November 16, 1984

COUNSEL [] WITHOUT COUNSEL However the court advised defendant of right to counsel and asked whether defendant desired to have counsel appointed by the court and the defendant thereupon waived assistance of counsel. [X] WITH COUNSEL Eric Seitz, Esq. (Name of Counsel) UNITED STATES DISTRICT COURT DISTRICT OF HAWAII

PLEA [X] GUILTY, and the court being satisfied that there is a factual basis for the plea, [] NOLO CONTENDERE, [] NOT GUILTY NOV 16 1984 at 4 o'clock and 20 min. PM WALTER A. Y. H. CHINN, CLERK

FINDING & JUDGMENT There being a finding/verdict of [] NOT GUILTY. Defendant is discharged. [X] GUILTY. Defendant has been convicted as charged of the offense(s) of having on or about July 16, 1984 at Punaluu Hawaii County, in the District of Hawaii, knowingly and intentionally took with the United States or territorial sea of the United States, a green sea turtle, a species of wildlife determined to be threatened with extinction, in violation of Title 16 United States Code, Section 1538(a)(1)(G) and 50 Code of Federal Regulation, Section 227.71(b) as charged in the Information.

SENTENCE OR PROBATION ORDER The court asked whether defendant had anything to say why judgment should not be pronounced. Because no sufficient cause to the contrary was shown, or appeared to the court, the court adjudged the defendant guilty as charged and convicted and ordered that: The defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of IT IS ADJUDGED that the defendant pay a fine to the United States in the sum of \$1,000.00. The execution of the sentence as to \$750.00 is hereby suspended and the defendant placed on probation without supervision for a period of ONE (1) YEAR.

SPECIAL CONDITIONS OF PROBATION In addition to the special conditions of probation imposed above, it is hereby ordered that the general conditions of probation set out on the reverse side of this judgment be imposed. The Court may change the conditions of probation, reduce or extend the period of probation, and at any time during the probation period or within a maximum probation period of five years permitted by law, may issue a warrant and revoke probation for a violation occurring during the probation period.

COMMITMENT AND SENTENCE The court orders commitment to the custody of the Attorney General and recommends, It is ordered that the Clerk deliver a certified copy of this judgment and commitment to the U.S. Marshal or other qualified officer.

BY: Bert S. Tokairin November 16, 1984

Killing Turtles

If Bonnie Eyre and the other paddlers and swimmers think the endangered green sea turtles have diminished in number because the spear fishers have frightened them off, think again!

The decrease in number is due to the slaughter of these beautiful aumakua (guardians/family gods) by a few uncaring people who would rather see the turtles on their dinner tables than gracing our shore waters.

There's a cage at the Honolulu Zoo that is labeled "The World's Most Dangerous Animal." You look into the cage and a mirror shows the truth!

Sheila M. D. Lo

Sea turtle spearing

This letter was prompted by recent articles on the spearing of a green sea turtle within the Waikiki-Diamond Head Shoreline Fisheries Management Area (FMA).

We, like our fishing community, were appalled and share the same concern about the senseless spearing of a green sea turtle in the FMA by a local fisherman. That the incident occurred in the FMA, however, has raised some questions about our concept of shoreline fisheries management and shared use of our resources.

First of all, it should be made clear that the green sea turtle is designated as a federally threatened species and thus is fully protected by federal and state law anywhere and at anytime. It is illegal for anyone to harass, harm, kill or take green sea turtles.

This applies to our FMA as well as areas outside the FMA. That the turtle spearing took place in the FMA should not imply that the department, as managers of the FMA, is responsible for the illegal action of an irresponsible fisherman or argue for the wholesale prohibition of fishing activities within the FMA.

Free access to, and use of, our ocean resources is part of Hawaii's heritage. The state Constitution emphasizes the protection of the public's use and enjoyment of the reefs. We must not allow a few individuals, fishermen who lack resource conservation ethic or individuals who want to deny others use of our nearshore resources because of self-interest, to erode our cultural use of the ocean.

The unfortunate turtle-spearing incident should serve to remind us about the need to protect and conserve our valuable marine resources. We commend the concerned citizens, Honolulu police and National Marine Fisheries Service enforcement officers for taking quick action leading to the arrest and citation of the fisherman.

EDGAR HAMASU, Deputy Director
Department of Land and Natural Resources

6-25-86
Honolulu
Advertiser

Wounded green turtle patched up

A young green turtle shot by a poacher with a spear gun off the Big Island around Memorial Day is recovering in Honolulu — with a fiberglass patch on its shell.

"Chances are good it will make it," biologist John Henderson of the National Marine Fisheries Service said yesterday. "We're hoping."

Scientists plugged the hole in the turtle's shell with "biologically compatible" foam, then coated it with fiberglass resin, similar to repairing a dinged surfboard.

The turtle is "still unable to dive, so we feed it squid," Henderson said.

"It's still got air in its body cavity," he said, "but hopefully it will start to stabilize and get its equilibrium."

The turtle, he said, can

biologically rid itself of the gas in a couple of weeks.

The young turtle, about 18 inches long, was found near Kailua-Kona by a Mauna Kea Beach Hotel dive-boat crew and placed in Mauna Lani Bay Hotel's pond for safekeeping.

"We decided to fly the turtle to Honolulu for treatment," Henderson said.

The turtle was treated with antibiotics; the damaged shell and muscle tissue were removed.

"After we were confident there was no infection, we patched the hole," Henderson said.

He said most turtles found with spear holes die.

If this one recovers, it will be tagged and released, possibly in the area it was found.

A-8 Honolulu Star-Bulletin Wednesday, June 25, 1986 •

Quick Action by Many Saves a Sea Turtle

A young green sea turtle injured by a spear gun may survive because of quick action by many concerned people, a fisheries official says.

The turtle was found near Kailua-Kona by a dive boat operated by the Mauna Kea Beach Hotel, said Richard Shomura, director of the Honolulu Laboratory of the National Marine Fisheries Service.

Personnel on the boat rescued the animal after noticing it was unable to submerge and had a hole in its shell just behind the head.

The turtle was turned over to Russell Yim, with the Hawaii State Division of Conservation and Resource Enforcement. He notified Francis Ruddle at the Mauna Lani Bay Hotel, which held the turtle in a hotel pond.

The Honolulu Laboratory was notified and decided to fly the turtle to Honolulu for treatment, said John Henderson, NMFS fishery biologist. Otis Butler, board member of the Pacific Gamefish Research Foundation in Kona, helped get the turtle to the Kona Airport and Mid-Pacific Airlines flew the turtle free of

charge, Henderson said.

VETERINARIAN Patrick Leadbeater said the animal was too buoyant to submerge and feed because air had gotten into its body. The wound was treated and patched with a foam plug and a fiberglass coating, he said.

The turtle is recovering at the NMFS Kewalo Research Facility. When it is well enough, it will be tagged and released.

Many turtles with spear holes have been recovered during the last few years and most have died.

HAWAII CLIPPING SERVICE
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Victoria Carter Elaine Stroup
HONOLULU ADVERTISER

AUG 1 1986

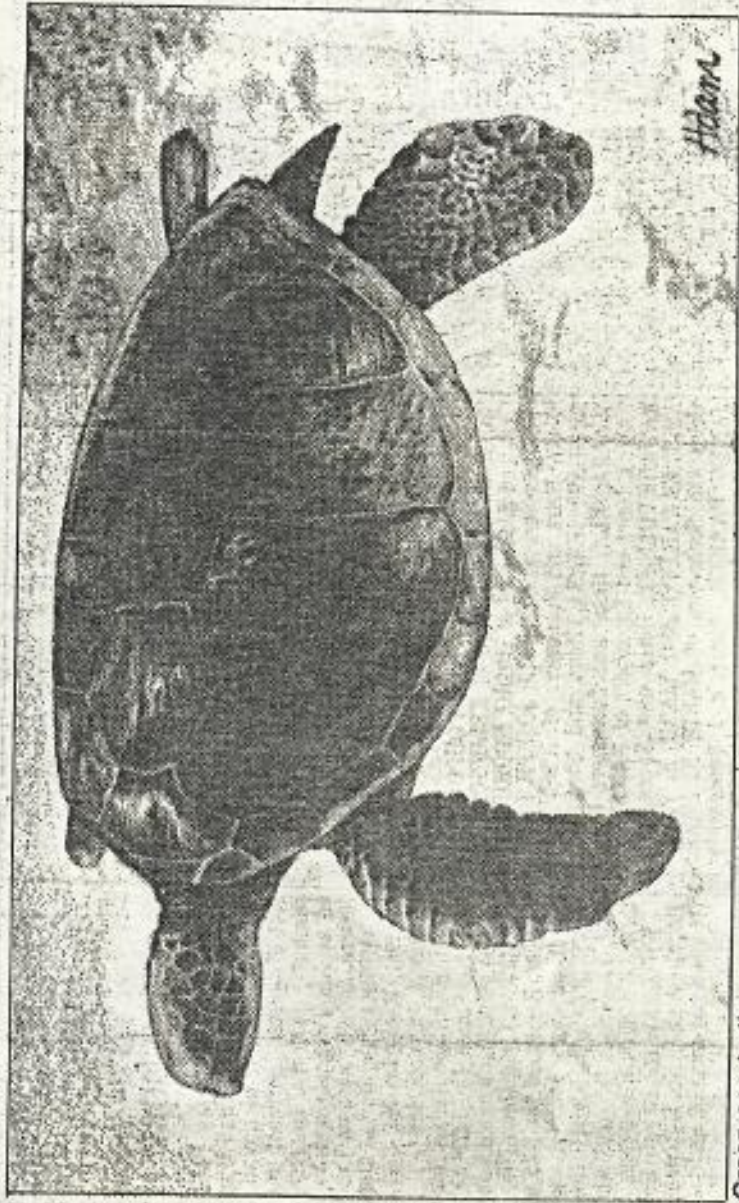
Two men get probation in turtle killing

HILO — Two men who were charged early in the year with killing a green sea turtle Jan. 31 struck a plea bargain with the prosecutor's office and were sentenced this week to a month on probation.

One of the protected turtles — whose shell measured 3½ feet by 2½ feet — got caught in the net of the two Big Island fishermen and was butchered and eaten.

For that, Judge Shumichi Kimura sentenced William Kaihama, 51, and Victor Kaii, 42, of Keaukaha to a month's probation, a fine of \$250 or 50 hours of community service each and granted them deferred acceptance of their no-contest pleas. The law provides for a sentence of up to a year in jail and a \$1,000 fine.

State law protects the green sea turtle as an indigenous animal under the endangered species regulations. The men also could have faced federal



Green sea turtle

charges since the turtle also is a federally protected species. Under federal law, they would be subject to a fine of \$10,000.

Police investigators said they went to Kealahou Beach Park in the late afternoon of Jan. 31 in response to an anonymous com-

plaint. They found the men with the turtle shell and a University of Hawaii tag, which was confiscated. The tag was part of a turtle study program at the UH.

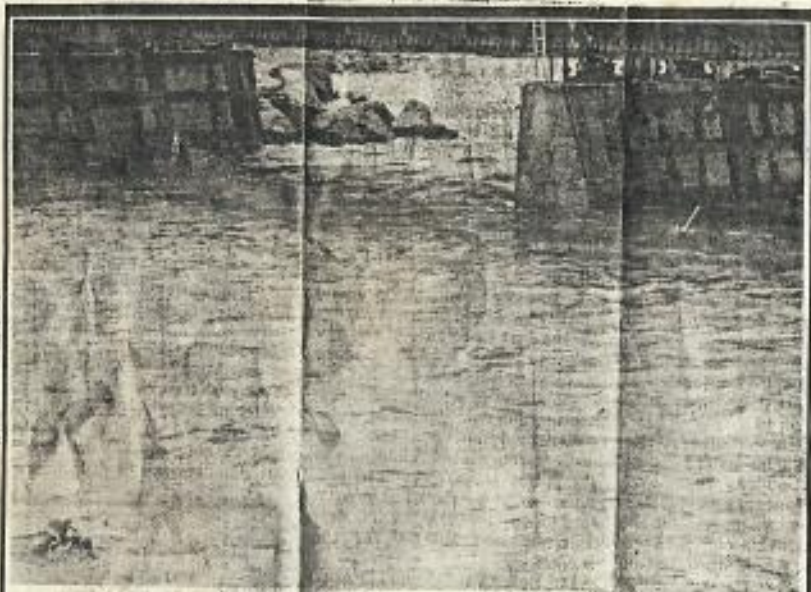
The state Land and Natural Resources enforcement unit

then took over the case that reached 3rd Circuit Court this week.

The men told the judge they did not intentionally kill the turtle, that it drowned in the fishing net before they discovered it there.

Honolulu

SEP 8 1989



—T-H photo by Shirley Spencer
INJURED TURTLE — At top right is a green sea turtle that has been shot with an arrow. At bottom left is a scuba diver who attempted unsuccessfully to help the turtle Wednesday at the mouth of the Wailuku River.

Experts: Turtle with arrow in its neck should not be helped

By Dave Smith
Tribune-Herald

A green sea turtle with an arrow stuck in its neck that has been seen in waters around Hilo shouldn't be helped, say state and federal officials.

Criticism of marine experts for not doing anything to help the turtle is unfound-

ed, the officials say.

A caller to the Tribune-Herald this week complained that officials contacted about the situation appeared callous and unresponsive. The caller and others said they didn't appreciate advice to leave the injured animal alone.

See **INJURED TURTLE**,
Page 10

From Page 1

But according to humane society and state and federal conservation officials, the turtle appears basically healthy. They believe the most prudent action at this time is just to continue to monitor the situation.

The turtle has been seen with what appears to be an arrow protruding from its neck for two weeks coming in with the tide to feed at the mouth of the Wailuku River on the west side of Hilo.

Observers have described the animal as "quite large," in the neighborhood of 175 pounds. But because the turtle also appears vigorous, authorities say the best thing to do is to leave it alone.

"This turtle doesn't need rescue necessarily," said George Balazs, a zoologist with the Fisheries Division of the National Oceanic and Atmospheric Administration office in Honolulu.

The Big Island aquatic biologist for the Department of Land and Natural Resources, Robert Nishimoto, said the turtle continues to be active, despite its appearance.

"If it was sluggish or just hanging around we would pick it up and take it to a veterinarian," he said. But if the situation remains unchanged, it's best to take no action, he said.

Balazs said yesterday all the information he has received from Big Island Humane

Society and Department of Land and Natural Resources officials suggests that although the arrow appears "gruesome," it presents "no great hazard" to the turtle.

"Its routine is what a normal turtle does," he said, noting the animal would not be expected to have the power it's exhibiting if it had suffered a significant injury.

Because the animal does not appear to be showing any debilitating effects from the wound, attempting to remove the arrow would probably cause further injury to the turtle, Balazs said. And because of the size and strength of the turtle, the attempt could also lead to injury to the rescuer.

"This is not a delicate fish, it's a big, tough reptile that's been known to sustain massive shark bites and recover."

Pat Gorman of the East Hawaii Humane Society said he has received numerous calls from persons wanting to help the animal. He said some callers have even been "ready to jump in" to help the turtle.

But Gorman said he is deferring to the experts, and is advising callers not to take any action at this time.

Balazs said the turtle's injury can hardly compare to a turtle's flipper "being ripped right off" by a shark, which has been known to occur with the animal still surviving.

Balazs said that if the arrow had pierced any crucial areas such as the trachea (windpipe) or esophagus, the animal would

have long ago drowned or died from blood loss. That suggests the arrow, slowed by the turtle's "quite tough" hide, is stuck in muscle and gristle, he said.

The turtle, which Balazs said appears full grown and could be 25 years old or older will likely shake the arrow loose eventually, possibly after it becomes snagged.

The zoologist stressed that he is "not perfectly content" to leave the arrow embedded in the turtle.

"But when you weigh the options, I have to conclude it's mainly a superficial wound."

But Balazs does advocate some official action.

"Probably the best thing to do is find the dimwit who did this and prosecute him to the full extent of the law," he said. "It's horrible — totally malicious and detestable what someone has done."

The person who shot the turtle is flirting with serious penalties, according to fisheries enforcement officials.

Injuring or killing a green sea turtle is a violation of both state and federal law. The state marine conservation statute calls for penalties of up to \$1,000 and/or a year in jail. And fisheries enforcement officers on Oahu said those injuring a green sea turtle, which falls under the Endangered Species Act, could result in the assessment of a fine of up to \$25,000 and a year in jail for each offense.

HAWAII CLIPPING SERVICE
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HONOLULU ADVERTISER

SEP. 1 2 1989

Man faces fines for taking 2 turtles

LAHAINA — A Lahaina man caught with two Pacific green sea turtles in the back of his truck will be prosecuted in Federal Court for a violation of the Endangered Species Act, state enforcement officers said yesterday.

Daryl Nacua, 19, faces a maximum fine of \$25,000 for each of the turtles that he tried to take home with him on Sept. 3. Police said a witness reported a man took two turtles from a net off Mokuleia Point near Honolulu

Bay. Nacua was stopped by a police officer, who found the two turtles in the back of his pickup truck. State enforcement officer Keith Keau said both turtles were still alive. They were photographed and released apparently unharmed, Keau said.

Sea turtles are protected by state and federal law, but the case was turned over to the National Marine Fisheries Service, Keau said.

Dad, son freed on bond in turtle hunting case

A Maui father and son accused of hunting endangered green sea turtles were released on signature bonds after pleading not guilty in federal court yesterday.

Assistant U.S. Attorney John Peyton said David Nuesca, 50, and

his son Daryl, 19, hunted sea turtles daily for food.

David Nuesca is charged with possession of three turtles, and his son is charged with capturing two turtles. The charges are misdemeanors, but if convicted, the men face up to a year in jail and fines of up to \$50,000. Trial has been set for Nov. 14.

Peyton asked that the men be held in jail pending trial because death threats have been made against a 9-year-old witness in the case.

He also said other threats have been made against four or five other witnesses. He said the FBI is investigating the threats.

Peyton said the Nuescas of Lahaina have been violating the federal Endangered Species Act daily, or at least weekly, by killing and eating green sea turtles.

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HONOLULU STAR BULLETIN

SEP 1 3 1989

Turtles land Maui man in hot water

LAHAINA — A 19-year-old man caught with two Pacific green sea turtles in the back of his pickup truck faces possible federal penalties for violating the Endangered Species Act, state officials said.

If convicted in federal court, Daryl Nuesca of Lahaina could be fined as much as \$20,000 and face up to a year in prison.

He is accused of trying to take the turtles to his home on Sept. 3.

A witness told police a man took two turtles from a net off Mokuleia Point near Honolulu Bay on Maui. A policeman later stopped Nuesca and allegedly found two turtles in the back of the pickup.

Both state and federal laws protect sea turtles. In this case, the matter was turned over to the National Marine Fisheries Service.

A 8 □ Saturday, September 16, 1989

HAWAII CLIPPING SERVICE

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Victoria Carter Elaine Stroup

MAUI NEWS

JUN. 07 1990

Green turtle back at sea; two men in hot water for alleged theft

WAILUKU (AP) — A green sea turtle was returned to the ocean following the arrest of two men charged with its theft, police reported.

Another turtle found in the possession of the Wailuku men was dead.

The men have been charged with

violating state and federal laws protecting the turtle, an endangered species, police said.

Arrested Monday were Renwick Tassil, 32, and Daine Kane, 27. They were released after posting \$250 bail.

The pair were taken into custody

after state enforcement officers found the turtles at their Pukalani home, police said. The men allegedly brought the turtles in after catching them in a net over the weekend, said Keith Keau, a state enforcement agent. The net and truck used to transport the turtles were confiscated

as evidence.

If convicted, the men face prison terms of one year each and a fine up to \$1,000 for a first offense. The offenders can be fined \$50,000 and sentenced to a year in jail if convicted of violating the federal Endangered Species Act.

Green sea turtle case goes to feds

By GEORGIA MOSSMAN
Staff Writer

LIHUE—A case involving two Kilauea men who ate an endangered Green Sea Turtle they said they found dead in their net, has been turned over to federal authorities for possible prosecution.

According to police, on March 2, a visitor turned in the license number of a truck she saw two men load a green sea turtle into on the beach fronting Kaua'i Sands in Waipouli on Feb. 27.

Police notified Department of Land and Natural Resource Conservation officers and they went to the men's home. DLNR Enforcement Branch head Mac Andrade said the men admitted taking the turtle, saying it was dead when they hauled in their fishing net, and that they had eaten it because they didn't realize it was against the law.

Andrade said they then turned the case over to the National Marine Fisheries Service in Honolulu. Special Agent Vic Honda said they will conduct a

(See Turtle on Page 2)

Turtle: (Continued from Page 1)

further investigation, then probably turn the case over to their General Counsel or the U.S. Attorney for prosecution.

Honda said the maximum civil penalty for taking such a turtle is \$25,000 and/or six months in jail and \$50,000 and a year in jail if it is handled as a criminal case. He added though that the

penalty for this type of violation has been averaging \$500 to \$700.

Andrade said reports of people taking Green Sea Turtles on Kaua'i, which have been on the endangered list for many years, is infrequent. But he did say these turtles seem to be multiplying and aren't as rare as they once were.

The Honolulu Advertiser, 7 March 1991

Men who took sea turtle fined by district court

□ The prosecutor says super cooperation wrapped up the case

By Helen Altom
Star-Bulletin

The case of a speared Hawaiian green turtle found in a car trunk last month has ended happily for the turtle and not so happily for two Ewa Beach men.

The spear was removed after the Feb. 27 incident and the animal was released "in fairly good shape," said George Balazs, National Marine Fisheries Service turtle specialist.

He said the turtle had a slight "limp" in its right front flipper, but he believes it will heal and "do just fine — far

better than it was doing with the spear still stuck in it, in the trunk of a car, headed for Ewa Beach."

The turtle was in a car with brothers-in-law James V. Borja and Andrew Sagucio of Ewa Beach.

Borja pleaded guilty at arraignment and was fined \$50, said city Deputy Prosecutor Lynne Jenkins. Sagucio was found guilty of violating the state endangered species law and fined \$250 in a District Court trial March 11, she said.

Police Sgt. Gary Miyakawa stopped their car on the freeway above Kahala Mall after an anonymous caller reported seeing the two men put a speared turtle into the trunk.

The caller provided a clear description of the car, the occupants and the license number, and the officers reacted quickly, Jenkins said.

Joining Miyakawa were police Sgt.

Randall Locke, officer Mark Wynne and officer Prince Kekaulike, she said. Also arriving from the state Department of Land and Natural Resources were conservation enforcement officers Robert Fernandez, Michael Lapilio and Kevin Kong.

The turtle — about 5 to 8 years old and weighing less than 60 pounds — had a 4½-inch barbed tip in its shoulder area, Jenkins said.

Officers took the animal to Kewalo Basin, and no one was there to treat it, so they took it to Balazs at the fisheries service's Honolulu Laboratory, she said.

"The reason the turtle was saved is these guys were so great," Jenkins said, referring to police and conservation enforcement officers. "They felt strongly about this case. All the officers showed up in court."

She said she had only a weekend to

prepare and "it was not a good case" to prosecute because no one at the beach offered to testify when police queried them. But she said, "I'm personally an animal lover, and I took this case personally."

She said Borja "admitted full responsibility" for taking the turtle, claiming he accidentally speared it while looking for kawa fish at Sandy Beach.

District Judge Barry Kurren, however, found Sagucio guilty under the state endangered species act of transporting, harassing and possessing the animal, Jenkins said.

"If they had been sentenced under the federal law, the minimum fine runs into thousands," she said.

Jenkins added:

"I can't stress enough how interested everyone was in this case. The cooperation was incredible. They were Johnny on the spot."

3/22/91

HONOLULU STAR-BULLETIN

A3

Reward offered in turtle death

HILO, Hawaii — Greenpeace Hawaii yesterday announced it is offering a reward for information that may help wildlife officials secure a conviction in the recent death of a green sea turtle.

Denver A. Leaman, executive director of the environmental organization, said the rare turtle apparently was taken alive from the ocean and then abandoned near Shower Drive in the Hawaiian Paradise Park subdivision, where it died.

The animal, which is protected under the federal Endangered Species Act, was found by conservation en-

forcement officers on July 1. The 250-pound turtle — one of an estimated 750 females in Hawaii — was tagged in 1984 and had been observed nesting in the French Frigate Shoals, Leaman said.

Enforcement officers reportedly found two smaller turtles that apparently died under similar circumstances along Kahakai Boulevard in Hawaiian Beaches last April, he said.

Greenpeace Hawaii is offering a reward of an unspecified amount in hopes of obtaining information that will help officials arrest and convict those responsible for the deaths.

Endangered turtle found dead in lot

An endangered species of sea turtle, found dead in a vacant lot in Puna earlier this month, has caused outrage and the offer of a reward for whoever is responsible for the death.

The 250-pound female, Pacific green sea turtle was apparently abandoned alive in a vacant area off Shower Drive in Hawaiian Paradise Park on July 1, according to a spokesman for the environmental group Greenpeace Hawaii, which is offering to pay up to \$2,500 for information about the killing.

The Pacific green sea turtle is a threatened species fully protected under state and federal laws, said Denver E. Leaman, executive director of Greenpeace Hawaii, an

independent organization based in Hilo.

It is illegal to take, harass or impact a sea turtle in any manner, according to the law. Even grabbing onto their shells while swimming or diving is a violation of state and federal laws, Leaman said.

Under the federal Endangered Species Act, a person found guilty of harming a turtle is subject to penalties of up to \$25,000 and/or one year in jail.

The turtle found earlier this month had been tagged and observed at various times from 1984 to 1989 at French Frigate Shoals where it nested twice. And because this turtle was a proven breeder, Leaman said its

death is "particularly devastating."

The female turtle could have laid up to 100 eggs three separate times per nesting season for the rest of its life, Leaman said. Only 750 mature females of this turtle species exist in the state.

"The turtle was very healthy," said Leaman. Recently, many turtles of the same species has been plagued with a tumor-causing disease. The dead turtle had not been afflicted with the disease, however, and had no apparent injuries, Leaman added.

From flipper marks, state officials deduced the sea turtle had been alive when it was abandoned miles from the ocean.

There are no leads as to who may have been responsible for taking it. Because of the turtle's weight, Leaman

HT-H
07-31-91

See TURTLE,
Page 12

TURTLE: Endangered species found dead

From Page 1

said no one person would have been able to carry or drag it without help.

"I'm just appalled that somebody would do this," he said. The turtle was just left there to rot and was not even used for subsistence, he added.

Collecting the turtle's shell

could have been a motive for removing the turtle from the ocean, Lehman said. However, the turtle was discovered intact.

The state Division of Conservation and Resource Enforcement, provided Greenpeace with information concerning the turtle, Leaman said.

man said.

After talking with state officials, Greenpeace Hawaii learned that two smaller green sea turtles were found dead in April on the side of Kahakai Boulevard in Hawaiian Beaches. The turtles also had no visible signs of injury.

If anyone is convicted of the latest incident of violence against the protected turtle, 10 percent of the fine assessed will be allocated toward the Greenpeace reward, Leaman said.

State officials could not be reached for comment.

HSB

POLICE/FIRE

A6 Thursday, November 14, 1991 The Honolulu Advertiser

POLICE BEAT

Man, woman shot to death on Maui

A man and woman were shot to death last night in Happy Valley, Maui, police said.

Police believe the shootings occurred in a residence, Maui Police Sgt. Brian Kaya said.

No other injuries were reported and no one was arrested, Kaya said.

Police had a tentative identification of one of the victims but did not know the identity of the other, he said.

Other details were not immediately available late last night.

Turtles injured: Five Oahu men were arrested at 4:30 p.m. yesterday by U.S. Fish and Wildlife agents after an endangered green sea turtle was allegedly speared or stabbed.

The arrests occurred at a Hawaii Kai address; all five men, ranging in age from 22 to 35, were being questioned at the Honolulu Police Department cellblock last night.

2 found dead on Maui; believed murder-suicide

WAILUKU — A man and woman were found shot to death in an apartment in the Happy Valley area of Wailuku last night. Police are investigating the case as a murder and suicide.

Police did not release the identities of the victims, both 49. They died of gunshot wounds, said Acting Capt. Creighton Kamana.

He said the victims once were married but had been divorced for some time. They lived in different apartments in the same building.

The shooting, reported at 7:30 p.m., occurred in the woman's apartment, Kamana said. He said police believe the man did the shooting.

5 charged with taking turtle off Kuliouou park

Four of five men charged by police yesterday after they allegedly captured an endangered green sea turtle off Kuliouou Beach Park are illegal aliens and will be turned over to immigration officials today after arraignment in District Court for cruelty to animals.

Police said that only Sefita Teakalau, 35, of 94-246 Aniani Place in Waipahu could produce a green card issued by the U.S. Immigration & Naturalization Service.

The others charged were Sione Aholeilei, 36, of 6002 Kalaniana'ole Highway; Sione Moala, 22, of no local address, and Sione Talinga, 24, and Tevita Tupou, 35, of 94-125 Pahu Street.

U.S. Fish & Wildlife agents and police went to Kuliouou Beach Park about 4:30 p.m. yesterday after a witness saw the suspects trying to capture the turtle.

"They had trapped the turtle and had it tied down," said special agent Carroll Cox of the Fish & Wildlife Service.

The turtle was taken to Sea Life Park for further examination. Cox said it was about 2 feet wide and weighed 18 to 20 pounds.

"Federal charges of taking an endangered species will also be pursued," Cox said.

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HONOLULU ADVERTISER

NOV 15 1991

INS gets involved in sea turtle attack case

By Thomas Kaser
Advertiser Staff Writer

One and possibly two of five Tongan men, arrested at Kuliouou Beach Park Wednesday and accused of cruelty to animals and trying to capture a "very sick" and species-endangered green sea turtle, are in this country illegally, according to the Immigration and Naturalization Service (INS).

The five were arrested after a woman said she saw them trying to capture the turtle in the waters off the park. They were:

- Stone "Paea" Aholeilei, 36, who the INS said has a green card but did not have it with him at the time of the arrest — a violation in itself;

- Sefita Teakalau, 35, whose application for a green card is still under consideration by the INS. But he is authorized to be here and work here in the meantime;

- Stone Moala, 22, who came here as a visitor in 1990 and is here illegally now;

- Stone Talinga, 24, also known as Amalaki Lauaki, who has a green card but did not have it with him when he was arrested; and

- Tevita "Sefita" Tupou, 35, whose im-

region, called Honolulu police for assistance.

"They were on the scene before I was in force, and had the situation under control by the time I arrived," he said.

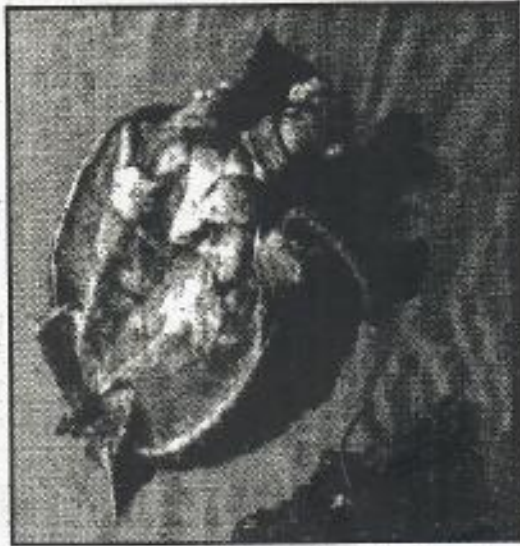
According to Cox, the woman said she saw the men go into the water with a knife and rope and stab the turtle. Cox said he waded out about 150 feet and found a green sea turtle tied to a rock.

The rope was tied around the turtle's neck and the animal appeared to have been stabbed through one of its eyes, he said. It was turned over to Sea Life Park, and yesterday afternoon the National Marine Fisheries Service took it to its Kewalo Basin facility.

"This is a very sick turtle, not just because it was stabbed in the eye but mostly because it has many tumors, including one that has totally overgrown the eye that was not stabbed," said Steve Kaiser, Sea Life Park curator of fish and reptiles.

He guessed that the turtle is a female, at least 10 years old, and weighs about 35 pounds, "although it should weigh closer to a hundred pounds."

"I can't tell if she's going to survive. She's very thin. Her tumors are very grotesque."



Officials found this green sea turtle tied to a rock and stabbed in the eye.

migration status was still being investigated by the INS yesterday.

Carroll Cox, a U.S. Fish and Wildlife Service special agent, said a woman called his office after she saw the men wrestling with the turtle. Cox, the only special agent for the service in the Pacific

POLICE/FIRE**Early morning downtown crash injures police officer**

A police officer was injured early this morning when a pickup struck the Cushman she was operating in downtown Honolulu.

The 3:30 a.m. accident occurred at the intersection of South Hotel and Bishop streets. The officer was treated at Queen's Hospital and released.

The Cushman was traveling east on South Hotel with its blue light on but no siren when it entered the intersection on a red light. The pickup was going south on Bishop Street when it hit the Cushman.

The pickup's driver was uninjured.

Two injured when truck hits a tree on Sand Island Road

Fire rescue crews used the "Jaws of Life" to free two women trapped in a pickup after it slammed into a monkey-pod tree last night on Sand Island Road, police reported.

The 21-year-old driver and 23-year-old passenger were listed in fair condition this morning at Queen's Hospital, a nursing supervisor said.

The accident occurred at 6:40 p.m. when the truck sped past another truck on the Sand Island Bridge and hit a monkey-pod tree in the medial lane, the driver of the other truck told police.

Lt. Col. John Thatcher, his wife Elizabeth and son were at home when the fire started.

Charges pending in standoff with police on Aala Street

Charges are pending today against a 26-year-old man involved in a brief standoff with police yesterday.

Police arrested the man after patrol officers persuaded him to surrender. The man reportedly held his estranged girlfriend against her will in an Aala Street apartment, police said.

The woman, 24, of Waikiki had been hit by the man. She left Queen's Hospital before fully treated.

State officers question pair who admit eating sea turtle

ANINI BEACH, Kauai — State conservation officers took in for questioning two Kilauea men who allegedly took a dead green sea turtle from Anini Beach last Wednesday, transported it to their homes and ate it.

The officers didn't arrest the men, both in their late 20s, because they didn't see them take the turtle. The men admitted eating the turtle.

A mainland visitor took down the license plate numbers of two trucks driven by the men and reported the incident to the police on Sunday.

The state Department of Land and Natural Resources has turned the case over to county prosecutors.

One agency officer said the men thought they had a right to take the turtle because it was found in their net at the beach. The officer said people should contact the department or police when they come across a dead or injured turtle.

Men who took sea turtle fined by district court

□ The prosecutor says super cooperation wrapped up the case

By Helen Altom

Star-Bulletin

The case of a speared Hawaiian green turtle found in a car trunk last month has ended happily for the turtle and not so happily for two Ewa Beach men.

The spear was removed after the Feb. 27 incident and the animal was released "in fairly good shape," said George Balazs, National Marine Fisheries Service turtle specialist.

He said the turtle had a slight "imp" in its right front flipper, but he believes it will heal and "do just fine — far

better than it was doing with the spear still stuck in it, in the trunk of a car, headed for Ewa Beach."

The turtle was in a car with brothers-in-law James V. Borja and Andrew Sagucio of Ewa Beach.

Borja pleaded guilty at arraignment and was fined \$50, said city Deputy Prosecutor Lynne Jenkins. Sagucio was found guilty of violating the state endangered species law and fined \$250 in a District Court trial March 11, she said.

Police Sgt. Gary Miyakawa stopped their car on the freeway above Kahala Mall after an anonymous caller reported seeing the two men put a speared turtle into the trunk.

The caller provided a clear description of the car, the occupants and the license number, and the officers reacted quickly, Jenkins said.

Joining Miyakawa were police Sgt.

Randall Locke, officer Mark Wynne and officer Prince Kekaulike, she said. Also arriving from the state Department of Land and Natural Resources were conservation enforcement officers Robert Fernandez, Michael Lapillo and Kevin Kong.

The turtle — about 5 to 8 years old and weighing less than 60 pounds — had a 4½-inch barbed tip in its shoulder area, Jenkins said.

Officers took the animal to Kewalo Basin, and no one was there to treat it, so they took it to Balazs at the fisheries service's Honolulu Laboratory, she said.

"The reason the turtle was saved is these guys were so great," Jenkins said, referring to police and conservation enforcement officers. "They felt strongly about this case. All the officers showed up in court."

She said she had only a weekend to

prepare and "it was not a good case" to prosecute because no one at the beach offered to testify when police queried them. But she said, "I'm personally an animal lover, and I took this case personally."

She said Borja "admitted full responsibility" for taking the turtle, claiming he accidentally speared it while looking for kawa fish at Sandy Beach.

District Judge Barry Kurren, however, found Sagucio guilty under the state endangered species act of transporting, harassing and possessing the animal, Jenkins said.

"If they had been sentenced under the federal law, the minimum fine runs into thousands," she said.

Jenkins added:

"I can't stress enough how interested everyone was in this case. The cooperation was incredible. They were Johnny on the spot."

A3

HONOLULU STAR-BULLETIN

3/22/91



2-28-91 A7
T.H.A.

**POLICE
BEAT**

Wounded turtle rescued

Honolulu Police officer Rogelio Mata attempts to remove a spear from a Hawaiian green turtle that was recovered from the car of two Ewa men who were arrested and charged with violating a state law that prohibits possessing or carrying such threatened species. Andrew Sagucio, 36, and James V. Borja Sr., 45, were arrested on the H-1 Freeway after someone reported seeing the turtle taken from Sandy Beach.

Advertiser photo by Charles Okamura

Green sea turtle case goes to feds

By GEORGIA MOSSMAN
Staff Writer

LIHUE—A case involving two Kilauea men who ate an endangered Green Sea Turtle they said they found dead in their net, has been turned over to federal authorities for possible prosecution.

According to police, on March 2, a visitor turned in the license number of a truck she saw two men load a green sea turtle into on the beach fronting Kaua'i Sands in Waipouli on Feb. 27.

Police notified Department of Land and Natural Resource Conservation officers and they went to the men's home. DLNR Enforcement Branch head Mac Andrade said the men admitted taking the turtle, saying it was dead when they hauled in their fishing net, and that they had eaten it because they didn't realize it was against the law.

Andrade said they then turned the case over to the National Marine Fisheries Service in Honolulu. Special Agent Vic Honda said they will conduct a

(See Turtle on Page 2)

Turtle: (Continued from Page 1)

further investigation, then probably turn the case over to their General Counsel or the U.S. Attorney for prosecution.

Honda said the maximum civil penalty for taking such a turtle is \$25,000 and/or six months in jail and \$50,000 and a year in jail if it is handled as a criminal case. He added though that the

penalty for this type of violation has been averaging \$500 to \$700.

Andrade said reports of people taking Green Sea Turtles on Kaua'i, which have been on the endangered list for many years, is infrequent. But he did say these turtles seem to be multiplying and aren't as rare as they once were.

The Honolulu Advertiser, 7 March 1991

POLICE

Waipahu motorcyclist killed near Sand Island

A 39-year-old Waipahu man, who died from injuries after his motorcycle crashed last night on Sand Island Access Road, is Oahu's sixth traffic fatality this month.

Traffic investigators suspect that speed and alcohol were contributing factors in last night's accident, which occurred before 6:43 p.m. near Auliki Street.

The victim, who was not wearing a safety helmet, was traveling east on Sand Island Access Road when he apparently lost control on a bend in the road. His 1992 Harley Sportster struck the curbing before crashing into a streetlight pole and wire fence.

The victim was taken to Queen's Hospital with critical chest injuries. He was pronounced dead at 9:30 p.m.

Two of this year's six deaths involve motorcyclists, and both cases involved speed and alcohol. Four others killed this year in traffic accidents were pedestrians.

The medical examiner's office, meanwhile, identified a Date Street man killed Wednesday as Bert T. Uratake, 90.

about retaliation," Mrs. Coston said, "but it was really bad what he (the suspect) did."

Killers of two green sea turtles on Kauai sought

LIHUE — State law enforcement officers are looking for the killers of two green sea turtles whose carcasses were found in Waikomo Stream Wednesday.

The turtles, an adult and a juvenile, were killed for food and discarded in Koloa, said officials from the state Department of Land and Natural Resources.

A passer-by spotted the remains, including a shell and flippers.

The turtles are a threatened species and are protected by law. Those convicted of the crime face a one-year jail sentence and up to \$20,000 in fines.

POLICE BEAT

THE HONOLULU ADVERTISER

1-23-92 A4

Pedestrian, 90, killed

Oahu suffered its fifth 1992 traffic fatality yesterday when a 90-year-old Date Street man was hit in a crosswalk at Date near Olokele by a car driven by a 73-year-old Kapahulu man.

The victim, who was not immediately identified, was taken to The Queen's Medical Center where he was pronounced dead at 7:17 a.m., police said.

Police said neither alcohol nor speed were factors in the accident, which was still under investigation.

There were two traffic fatalities on Oahu by this date last year, police said.

Mauí slaying: A Kahului man was arraigned yesterday on charges of robbery and murder in the death of Jerry Canada, who drowned Nov. 22 after he allegedly

was chased into the ocean near the Kahului sewage treatment plant.

Reginald "Reggie" Medeiros, 25, is the second person charged in the case. He was arrested yesterday on indictments returned by a Maui grand jury last week.

Roy Kaiama, 18, of Waihee, was charged with murder in November after he and Medeiros were questioned by police. Police said both men gave statements implicating the other in the death.

According to Detective Tony Funes, Kaiama said he and Medeiros had been drinking with Canada, 41, at the beach area. When Canada made a sexual proposition, the two men struck Canada and chased him into the ocean, Funes said.

Fire damage: The electrical fire that shut down the state's Kalanimoku Building Tuesday caused an estimated \$110,000

in damage to a Hawaiian Electric Co. transformer and a related switch, the company said yesterday.

Policeman surrenders: Honolulu police officer Samson Mahi, indicted last week on a charge of negligent homicide in the death of a motorcyclist, turned himself in to state Public Safety authorities yesterday.

Mahi was booked and released on \$1,000 bail.

He is charged in the death of Michael Louderback, whose motorcycle was struck by a car on April 27, 1991, in Waianae.

Two green sea turtles killed

LIHUE, Kauai - State officials recovered the remains of two slaughtered green sea turtles Tuesday at Koloa.

The heads, tips of flippers and other parts of the turtles had been dumped into Waikomo Stream, near the intersection of Waikomo and Kapau streets.

Don Hoacock, state aquatic biologist for Kauai, said any edible meat had been carefully removed and the shells were missing.

It is illegal to take green sea turtles, which are federally protected.

Persons with information about the case can call the state Division of Conservation and Resources Enforcement or the National Marine Fisheries Service.

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HAWAII TRIBUNE HERALD

MAR. 9 1982

Man arrested for killing green sea turtle

Police arrested a 28-year-old Naalehu man yesterday on suspicion of killing a green sea turtle which is on the endangered species list.

A woman reported to Ka'u police that she saw two men

pull a turtle out of the water at Punaluu Beach Park and later kill it, police said.

Police located one of the men but no charges were filed against him and the turtle has not been found.

The case has been turned over to the National Marine Fisheries Service.

Discovery of turtle remains sparks investigation

By Dave Smith
Tribune-Herald

State wildlife enforcement officers are investigating the cause of death of a small green sea turtle whose remains were discovered Sunday night along the

Hilo Bay shoreline.

Brian Sugiyama of the Division of Conservation and Resources Enforcement, the enforcement arm of the state Department of Land and Natural Resources, said yesterday that the turtle was believed to be the

"victim of foul play."

"It apparently wasn't taken for the meat," Sugiyama said.

The turtle, with a shell about 1½ feet in length, was a juvenile about two years old, Sugiyama said. Full-grown turtles can have shells more than three feet

long, he said.

The turtle was found decapitated and with the two front flippers cut off. It was found on the shoreline near the Mooheau Bandstand and reported to police.

THA A3
Isle wildlife
police hunt
turtle-killers 3/26/92

Young one found
hacked to death

By Hugh Clark

Advertiser Big Island Bureau

HILO, Hawaii — State wildlife police are searching for "vicious killers" who hacked a young green sea turtle to death recently in Hilo Bay.

Lenny Terlep, chief of the law enforcement division for the state Department of Land and Natural Resources on the Big Island, said the 2-year-old turtle was found in Hilo Bay Sunday evening.

It was beheaded and its two front flippers had been axed off.

Terlep said the killing appears unrelated to fishing or inadvertent contact with a boat's propeller.

Nor did the turtle die for its meat. The animal's flesh had not been removed.

"It was malicious," Terlep said. Killing the turtle can result in a felony conviction that carries a possible \$25,000 fine and a year in prison.

Terlep and his staff are seeking a suspect or suspects after Big Island police turned the case over to the state this week.

The Pacific Green sea turtle is a threatened native species with only about 750 believed to be living in Hawaii waters. They can live to 100 years and do not reach reproductive maturity until age 25.

Terlep said this is the fourth recent green sea turtle death his office has investigated on the island this year.

A Puna woman was arrested last month after a fresh turtle shell was seized at her home. She now awaits trial in a Big Island court on state charges.

The turtle slain last weekend was about half the size of a fully grown adult turtle. Its shell measured 18 inches in length.

The animals deposit their eggs in the sand along the east and southern coast of the Big Island, particularly at Punalu'u black sands Beach in Ka'u where a 28-year-old Naalehu man was arrested earlier in the month for allegedly killing a turtle after yanking it from the water.

Terlep's responsibility ranges from hunting down marijuana growers on state conservation lands to managing the protection of endangered species for the Division of Conservation and Resources Enforcement, popularly known as DOCARE.

Isle wildlife police hunt turtle-killers

Young one found hacked to death

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Advertiser Big Island Bureau

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3/26/92 Advertiser

State launches hunt for killers of turtles

Associated Press

State conservation officers are seeking information about the recent killing of green sea turtles in the Hilo and Puna districts of the Big Island.

"We are concerned that people are killing green sea turtles, and we want to find out who is doing it," said Lenny Terlep, Hawaii District chief of the Department of Land and Natural Resources' Division of Conservation and Resources Enforcement.

He said the most recent incident was Jan. 31 when conservation enforcement officers

found a turtle hooked on a flagline off the Puna coast. The officers removed the hook and released the dying turtle.

Terlep said it is not known if the turtle was accidentally or intentionally hooked.

Two turtles were found slaughtered on a Keaukaha Beach in the Hilo area on Jan. 22, he said, and another turtle was found swimming in the Wailuku River with an arrow through its neck last August.

Green sea turtles are listed as a "threatened" species and persons found guilty of killing or harming them are subject to a possible \$10,000 fine.

Council to vote on Kaloko

By JASON ARMSTRONG

West Hawaii Today

HILO — The County Council could accept dedication of the Kaloko Bypass Road, approve two new planning commissioners and restrict roadside vending in Waimea during its 10 a.m. meeting today.

Members must allow Y-O Partnership to dedicate its portion of the 2.5-mile Kaloko Road before the county may assume liability and open the \$5.3 million roadway.

Mayor Stephen Yamashiro said the county will open the road linking Mamelahoa and Queen Kaahumanu Highways at 9 a.m. Thursday, provided a majority of County Council members vote to accept the dedication deed.

Former Puna Councilman Eddie Alonzo and retired U.S. Army administrator Melvin Martinson, both nominated

by Yamashiro to fill Planning Commission vacancies, could receive final confirmation to the five-year positions.

Alonzo would fill the Puna seat formerly held by past Vice Chairman Dennis Holt, while Yamashiro has tabbed Martinson to assume the Kohala post vacated by former Chairman Mike Luce.

The Committee on Planning unanimously approved a recommendation for Martinson Feb. 8, while members voted 3-2 to support Alonzo after several Puna residents questioned the auto mechanic's credentials.

A bill proposed by Council Chairman Spencer K. Schutte, up for the first of two required readings, would outlaw peddling, soliciting and canvassing on public property in Waimea.

The bill, similar to a recently enacted law prohibiting roadside vending near the Lucy Henriques Medical Center, would

Game wardens seeking turtle killers

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Yamashiro moves

hired into another
 ding to county officials,
 is was hired contractually
 a landfill overseer and
 job after a few hours.
 was hired by P&R as a
 maintenance worker.
 't know how many peo-
 a choice like that unless
 ve connections," Rod-
 aid. "I guess when you
 nnections, you can pick
 ose your job."
 shiro, as well as offi-
 ith Public Works and

P&R, have acknowledged that
 the mayor asked cabinet mem-
 bers to consider hiring
 Manliguis.
 Rodrigues said the administra-
 tion's actions generate "substancial
 morale problems in govern-
 ment service which detrimen-
 tally affects effectiveness and
 efficiency of public service."
 Yamashiro was off-island yester-
 day and unavailable for com-
 ment. Davis, Yamashiro's
 second-in-command, said he
 would not comment until he saw
 the UPW's complaint.

of public utilities

Unrealistic alternative was
 accomplish that as an
 she said.
 yashi said she's also
 taking her assignment as
 of the Executive Ap-
 nts Committee.
 yashi said she's con-
 sider ouster as Ways and
 Committee chairman was
 h her for her efforts to
 asteful spending and to
 the state's procurement
 believes her ouster was
 ult of Hawaii's "old boy
 " wanting her out, she
 yashi described the "old
 work" as political insid-
 ose interests are not
 ily those of the general
 s a whole. She declined
 fy any of the insiders by
 yashi said she wants Ha-
 Legislature to consider
 ia's move toward a

performance-based budgeting
 process under which state agen-
 cies have to demonstrate their
 past achievements in order to
 get continued funding.
 Matsuura said another exam-
 ple of the control special inter-
 ests will have under the Senate's
 reorganization is the makeup of
 the Ways and Means Committee
 under its new chairman, Sen.
 Donna Ikeda, he said.
 The independent voices on the
 committee, including himself
 and Sens. Ann Kobayashi, Bert
 Kobayashi and Mike McCart-
 ney, have been eliminated, leav-
 ing it stacked in favor of the
 state administration, Matsuura
 said.
 The committee now includes
 Gerald Hagino as vice chairman
 and as members, Sens. Lehua
 Fernandes Salling, Carol Fuku-
 naga, Holt, Iwase, Brian Kanno,
 Andrew Levin, Malama Solo-
 mon, Joe Tanaka and Mary
 George, the only Republican.

3 suit against cop

ording to the letter.
 ilua said he felt that
 attorney handling both
 county would end up
 ss than with two attor-
 representing him, and he
 ve had a more consis-
 nse.
 ailua said he wants to
 ivil and criminal actions
 as quickly as possible
 back to doing the job I
 st," he said in the letter.
 ing also wrote a letter

duty" and whether he too can
 receive county-paid legal
 counsel.
 Both letters are listed on
 Thursday's Police Commission
 agenda but are scheduled for
 discussion during an executive
 or secret session.
 Seitz confirmed that he met
 with county attorneys yesterday
 and the case was resolved, but
 he referred questions to the Cor-
 poration Counsel's office.

The five passengers of the van-like bus were treated and then released for minor injuries at Lucy Henriques Medical Center.
 The 32-year-old Waimea woman who drove the school van was not injured, police said.
 Alaska's car was heading north on Route 190 when he made a U-turn and was broadsided by the northbound van near the 10-mile marker, police said.
 The island's traffic death toll stands at 28 compared to 24 during the same time last year.

Big Isle police make arrests

Big Island police arrested and charged the following persons:
 ● Hector Ortiz, 24, of Paauilo with unauthorized control of a motor vehicle and contempt of court.
 ● Jack Laringa, 28, of Hilo with revocation of probation.
 ● Rigoberto Lopez, 25, of Kailua with contempt of court.
 ● Jack Napeahi Jr., 29, of Hilo with contempt of court.

Trial for video teacher in March

A video production teacher who was arrested while filming a protest at the Prince Kuhio Plaza last month is scheduled to go on trial in March.
 Juan "John" Morales Jr. yesterday pleaded not guilty to charges of disorderly conduct, second-degree criminal trespass and resisting arrest.
 Morales teaches a video production class at Waialae High School. His students last year won awards for projects they submitted to KGMB's News 101.
 Morales and two students were filming the Oct. 9 demonstration at the plaza for a News 101 project. Native Hawaiians and others were protesting the policies of the state Department of Hawaiian Home Lands which leased property to the plaza.
 The complaint charges Morales with remaining on the premises after being told to leave.
 Morales told the Tribune-Herald that after he was stopped by security guards, he left the inside of the plaza and went outside to another part of the property to film a disturbance.
 He was later arrested in the parking lot as were dozens of others.
 He was also charged with elbowing one police officer in the mouth and attempting to strike other officers, according to the complaint.
 Morales said he was trying to prevent his camera and other equipment from being damaged.
 The case was transferred from Hilo District Court to Third Circuit Court after Morales demanded a jury trial.
 The four-day trial is scheduled for March 14 before Circuit Judge Riki May Amano.

Month in jail for killing turtle

A Big Island man received a one-month jail term yesterday for killing an endangered green sea turtle.
 Anthony Barro, 35, of Naalehu admitted taking the turtle from waters off Punaluu Beach in March 1992 and later killing him at a beach pavilion. The turtle never was found.
 Green sea turtles are protected by the federal Endangered Species Act.
 —By AP, T-H staff

State won't hunt for shark that attacked Kauai surfer

LJHUE (AP) — State offi- it's capture wouldn't do much

Two Big Islanders plead guilty to seizing sea turtle

Two Big Island men who pleaded guilty to capturing a federally protected green sea turtle will be sentenced Nov. 15.

Anthony Lee Barro and Clyde Agres Jr. face a maximum penalty of six months in prison and fines up to \$25,000, the U.S. Attorney's Office said.

Barro and Agres entered their plea Monday before U.S. Magistrate Francis Yamashita. They admitted taking the turtle from water near the Big Is-

land's Punaluu Beach Park in March 1992, said U.S. Attorney Elliot Enoki.

Another Big Island man, John Quintal, admitted he transported the turtle from the park in his pickup truck. Quintal was sentenced immediately to six months' probation and a \$750 fine.

The turtle was never recovered.

Green sea turtles are protected by law because they are threatened with extinction.

Hon. Agres 11 Aug 1993 A.9

Crushed turtle a rare, endangered hawksbill

Continued from Page A1

offer is for motorists in the Kihei area to slow down if they see a turtle until the nesting season runs its course through November.

"We can't put up a fence alongside the road," conceded Balazs, referring to how close the beach runs adjacent to North Kihei Road.

People who spotted the turtle killed last week on the road apparently tried to save it by calling police. Witnesses said it looked like it weighed 400 pounds.

But the turtle was struck and killed before help arrived. Balazs said at the time he thought it was a hawksbill turtle because one had been reported nesting in the same area in 1991.

A definite identification was made by studying the shape of the dead turtle's beak and head in photographs, Balazs said.

There are probably no more than two dozen hawksbill turtles in Hawaii, according to Balazs, who said last week's death was particularly tragic because a mature adult female turtle is so vital to perpetuating

the species.

More than 170 eggs were recovered at the accident scene. Balazs said the eggs have been buried in a safe, undisclosed location and could hatch if conditions are right.

"She was worth literally thousands of hatchlings in her lifetime," he said of the turtle that was killed.

The National Marine Fisheries Service considers the hawksbill turtle one of the most endangered of all marine turtles because of how tortoise shell is coveted in Japan.

A recent U.S. Interior Department study found that Japan imported more than 18,000 hawksbill shells as recently as three years ago. Japanese craftsmen use tortoise shell in jewelry, eyeglass frames and other products.

Crushed turtle was a rare hawksbill

By STEVEN TAMAYA
Staff Writer

HONOLULU — A huge sea turtle killed when a vehicle ran over it in Kihei last weekend belonged to the extremely rare and endangered hawksbill species, authorities said.

Photographs of the turtle were used to make the positive identification, said George Balazs, a zoologist with the National Marine Fisheries Service in Honolulu.

The turtle was found crushed on Aug. 27 on North Kihei Road. It appears the turtle was searching for a nesting site.

"They're very, very rare in the Hawaiian Islands and very, very endangered under the (U.S.) Endangered Species Act," said Balazs, leader of the federal agency's marine turtle research program.

Balazs said he is now concerned for the safety of a second sea turtle, probably also from the hawksbill species, that was seen nesting in the same area two nights after the first turtle's death.

"This is a terrible tragedy. It would even be worse if it happened a second time," he said.

Balazs said the only advice he can

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*THE MAUI NEWS
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Punishment was painless

As a 60-year resident of Hawaii and a long-time member of The Nature Conservancy of Hawaii, I am outraged at the so-called punishment the four men received for cooking a green sea turtle at Hale Nanea in Kahului.

What they really got as punishment was a neat deal. They got a clean safe place to sleep, good hot food to eat, a shower and clean clothes for two days. That's all! They claimed the turtle was already dead. Oh, sure!

I can imagine that the enforcement officers of the Department of Land and Natural Resources are just as outraged as I am.

Bear in mind, a hot meal is served at Hale Nanea to the homeless almost daily. They also

could have walked to the Kahului Salvation Army for a free lunch, shower and laundry. Free lunches are served almost daily there. They didn't have to cook the turtle for food.

So, has a precedent been established? From now on, if someone is found with a dead green sea turtle, all they have to say is they found it dead and they're homeless. Nothing will be done in the way of real punishment.

I am disgusted with this whole incident.

**Clare Merrill
Kahului**

MAUI NEWS
1/20/94

Sick, endangered turtle stolen from Hulihee Palace

1994

By MEKI S. COX
West Hawaii Today

A Hawaiian green sea turtle from the pond at Hulihee Palace is missing.

"I want whoever took it to know they robbed the children of West Hawaii of a marine education," said palace Curator Fanny Au Hoy. "We are broken hearted."

The turtle, which was allegedly stolen early Friday morning, was found washed up the beach eight months ago because of a buoyancy problem. It might have digested styrofoam, Au Hoy said.

"Turtles do not know what to eat and what not to eat," she said. While nursing the turtle, palace staff has been able to teach children the importance of keeping the beaches and ocean clean, Au Hoy said.

Veterinary skills are not available to cure a buoyancy problem, said National Marine Fisheries Service George Balazs. The best solution has been to keep the turtle in a protected environment, he added.

"If it is released, it is at the mercy of winds and waves; it is like a balloon that washes to shore," he said.

Palace staff seemed to see the turtle as a good luck symbol, Balazs said. And since the palace pond was of adequate size and the turtle could be closely watched, it was an ideal place, he explained. It would also give the public an opportunity to see a sea turtle, Balazs added.

After being in the palace care for almost a year, the turtle was probably ready for release, Balazs said.

But if someone did let the turtle loose in the water thinking it was best for the animal, they were wrong, he said. They took into their hands what only scientists can judge, he said.

If someone has handled the endangered species, they have violated federal and state laws, Balazs added.

"We appreciate the concerns of harboring the turtle, but they may have done more damage," Au Hoy said.

After nursing the turtle to health, plans have been made to allow the palace to receive another turtle from Sea Life Park on Oahu.

"I hope this does not affect our young turtle project," Au Hoy said. She received a permit Thursday to keep a young turtle in the pond.

Hulihee Palace has taken fine care of the turtle and was extremely close to it, Balazs said.

To: Geo Balazs 943-1290

From: Fann Au Hoy 929-1321

Re: Missing hana

Fyi - story in our local

Newspaper - This Am -

... Turtle stolen from Hulihee Palace

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"I am sure they wanted the privilege of letting it go themselves and knowing they have done something good," Balazs added.

The next time someone is concerned about an animal, they should ask about it first before taking into their own hands, Au Hoy said.

Police said they are investigat-

ing the theft complaint. The turtle has been tagged, so it may be possible to see the turtle at one of the turtle study sites along the Kona coast if it was released in the water, Balazs said.