

**TIMBER THIEVES BEWARE: YOUR BOOTY LIKELY TO
QUALIFY AS GRAND LARCENY
06/22/99**

This is a sad tale of woe and one all too familiar to me in my roles of forest ranger and forester. It is about possible timber theft and trespass and one of many I have witnessed in over 45 years of stump jumping.

It began last week with an e-mail from a lady in Florida. She contacted my partner for some advice on her woodlot near Parish.

A logger had contracted her to inquire about a right-of-way across her property to another person's woodlot. At the same time he offered her a large sum of money for her timber. His entreaties ended with the line, "You may as well sell it to me because someone will steal it anyway."

Her father had left the property to her. She knew little about it and was only familiar with the narrow portion along a county road. She faxed us a map and asked us to check the site and give her our recommendations on a timber sale. We promised to check it out within the next two weeks.

Two days later, an unexpected rain and wet conditions moved our inspection up much sooner. It turned out to be a lucky break for the landowner.

Entering the property from the roadfront and armed with her map, we started our inspection. What we found was shocking, but not totally unexpected. Many of the prime high-value trees had been cut.

Luckily for the owner, the job was still in progress. The trees were being skidded out to another lot on the highway. After checking out where the landing and logs were located, we went to the phone and notified the landowner.

She assured us that no one had been given her permission to enter the property or remove the trees.

The state police were contacted at her insistence and a trooper went to the scene and inspected the site with us. A state police investigator was waiting for us when we came back out to the road. He took a statement from my partner and they left to confront the perpetrator. The state police contacted us later that evening and reported their actions.

The logger was told to stay off the property and not to remove the logs from the landing. We were asked to take control of the logs and do an inventory of the total volume of timber removed. Returning to the scene the next morning, we were just in time to see the last four logs being loaded on a truck. We insisted they not leave until the state police arrived.

We ended up with three sheriff's deputies and a state trooper ordering the unloading of the logs. The following day we had them removed to a secure location. We are free to sell them for our client.

Where this will all end up is anyone's guess. The value of the logs is well over the amount to qualify the possible offense in the grand larceny category.

I have witnessed many such incidents of timber trespass over the years, but never any so open or blatant. Usually, the loss is not discovered until months or years later and the culprits are never found. This is particularly true in the case of nonresident owners.

There are several things one can do to prevent this from happening. The first is to have your property surveyed and painted. It should be posted in accordance with conservation laws and inspected at least twice a year.

In addition to Article 155 of the State Penal Law, which classifies the theft of property with a value exceeding \$1,000 as grand larceny, the state now has a new law. It requires DEC environmental conservation officers to enforce trespass laws against timber thieves.

This incident has not reached a conclusion yet. I am reporting it as a warning to other potential victims. When the smoke settles, I will let you know the outcome.