

Netsuke Ivory

In 2015, 70 percent of Washingtonians voted in Initiative 1401, making the Washington Animal Trafficking Act (WATA) law. Under this act it became illegal to sell, offer to sell, purchase, trade, barter for, or distribute (a change in possession for consideration or a change in legal ownership) any covered animal species part or product in Washington State. See 1401 handout for more information about which species are covered under the act. One of the animal parts covered in WATA is **ivory**.

In late October of 2017, Washington Fish and Wildlife Detective Chris Clementson conducted an online search of Craigslist looking for ivory sellers. Websites like Craigslist and Ebay prohibit selling ivory so sellers will often use terms such as “bone, vintage, and netsuke (pronounced “net-skay”) to get around legal prohibitions and avoid being flagged by other website users.

Clementson used the search term “netsuke” (small figurines that were originally used as button-like fixtures on a man’s sash underneath the kimono). His search came up with the following Craigslist post:

Old Japanese Carvings – Netsukes for Sale - \$35 (Lynnwood)
A lot of Old & Vintage Japanese Carvings and about 60 Netsukes for sale.
NETSUKE & Carvings vary in Price from \$35.00 to \$150. each. **CONDITION:**
Very Good – some Minor wear from age but no damage or repairs. **SEE PHOTOS!**
SHOWN By APPOINTMENT. Send Email or Call (206) 683 [REDACTED] for more
information. There are too many to take a photo of each item. Thanks.

After looking at the photos posted with the advertisement, Clementson could not determine whether the pieces were ivory netsuke so he requested Detective Wendy Willette’s help. Together they reviewed the photographs and determined that at least one of the figurines in the photo was elephant-family ivory. They determined this Craigslist seller warranted further investigation.



One of the three pieces of elephant ivory netsuke Detective Willette purchased from Donald Rooney.

A few days later, Detective Willette arranged a meeting with the seller. Using a pseudonym and dressed in plain clothes, she met the seller, a man named Donald Rooney, at his home. Detective Willette used a keychain video camera to record the encounter. When she walked in, she saw thousands of pieces of ivory. "They were covering every surface of the home," she said. Some of the pieces even had labels which read, "ivory." Rooney told Willette that he had inherited the collection from his brother and sister-in-law.

Rooney told Willette that he had been selling the items online and had just sold 60 pieces to a local jeweler the day before. He stated later in the conversation that he had thousands of pieces and he wished she could have seen how many he had before he began selling them.

Willette told Rooney that she was interested in buying a few pieces of netsuke for her friend as a Christmas present. He directed her to a table filled with netsuke and she chose three pieces priced at \$100 each.



Two of the three pieces of elephant ivory netsuke Detective Willette purchased from Donald Rooney.

Back at the office, Willette and Clementson debriefed about the encounter. Clementson sent the three pieces of netsuke to the U.S. Fish and Wildlife National Fish and Wildlife forensic laboratory in Ashland, Ore. to find out if they were ivory, or just bone. The lab used DNA testing to confirm that all three pieces were from African elephants (*Loxodonta africana*). A search was conducted of Rooney's home and over 1,600 pieces of ivory were confiscated.

In March of 2019, Washington Attorney General Bob Ferguson filed charges under WATA. This was the first case to be filed under the new law. Rooney pleaded guilty to the felony and was sentenced to 14 days in jail, a month of house arrest and \$14,000 in fines.

In the past decade, Ivory poaching and habitat loss has led to a steep decline in African elephant populations. "Illegal poaching and trafficking is decimating wildlife species across the globe, and we applaud the attorney general's office for filing these criminal charges," said Dan Paul, the Washington senior director for the Humane Society of the United States.