

# Two years in prison and \$1.5 million in restitution

**I**N LATE 2015, Washington Department of Fish and Wildlife Detective Julie Cook received a tip indicating Hoon Namkoong, the owner and operator of Orient Seafood Products in Fife, WA, was grossly under-reporting the amount of purchased sea cucumbers. He had purchased them from both State and Tribal divers. The tip also indicated that Namkoong wrote detailed notes on bank checks, including the name of the diver, pounds purchased, and cash supplementation. Used for Chinese medicinal purposes or sushi, sea cucumbers are bottom-feeding relatives of starfish and are primarily coveted by Chinese consumers. Once sea cucumbers are boiled, salted and dried/dehydrated, they will sell for upwards of \$200 per pound.

State and Tribal divers split the state sea cucumber quota 50-50. Of interest was that the state-licensed divers, with a fleet of 25 boats, reached their quota within a month. Meanwhile, the more

than 40 Tribal divers with a larger fleet never reached their quota. While many tribes participate in the fishery, the Lummi Tribal divers harvest the vast majority. Such success is credited to their geographical proximity to rich harvest areas.

Working from the informant's tip, Detectives Julie Cook and Wendy Willette conducted an inspection of Orient Seafood Product's inventory and documentation. On the surface, everything seemed to be in order. The owner possessed both fish tickets and invoices. When asked in what manner he paid divers, Namkoong said he paid by check and volunteered to show the detectives his check register with duplicate check copies. Detective Cook observed copies of checks and noted that a name, cash paid, and a number



(pounds purchased) were noted on the memo lines, thus substantiating the tip. Detective Cook asked Namkoong what the number was. He studied the check image and said, "I don't know, it's just some

number!" When pressed, he admitted he sometimes paid cash in addition to the checks because fishermen preferred cash. The detectives also found Namkoong did not fill out tribal fish tickets himself, but rather the tribal members acted as their own buyers and completed the fish tickets.

Using the tip and the observed information, Detective Cook obtained a search warrant for financial documents for two seasons. Nearly all of the checks written to Lummi Tribal fishermen had "Product Lummi, paid (varied) cash"



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# on ordered in Washington sea cucumber case

a name and alleged pounds written in the memo section. Checks paid to State fishermen had a fish ticket number in the memo line.

Detective Cook obtained fish tickets for both state and Lummi fisher/buyers and formulated a spreadsheet with matched checks and fish tickets. Not an easy task considering each boat had four aboard and a check might have been written to only one and a fish ticket filled out by another.

After lengthy analysis, Detective Cook found that Namkoong wrote over 1,300 checks to Lummi divers during two seasons. Of those, 766 checks had no associated fish ticket and 289 fish tickets documented fewer pounds than harvested. All of this added up to over 240,000 pounds of undocumented sea cucumber harvest during two seasons to the tune of \$1.2 million wholesale value.

Wholesale fish buyers must complete a state of Washington fish receiving ticket for: (c) Purchase of fish or shellfish from a fisher who is also a dealer, if the fisher/dealer has not previously completed a fish receiving ticket or has not provided a copy of the fish receiving ticket or ticket number as proof. It was also determined that Namkoong profited

approximately \$2.4 million from retail sales.

Namkoong also purchased sea cucumbers from eleven non-tribal fishermen. Four non-tribal fishers engaged in the undocumented harvest and sale of sea cucumbers. The four divers sold an undocumented 12,000 pounds during the same two seasons.

Namkoong was observed buying sea cucumbers from state divers in Port Angeles. Detectives later learned through interviews that divers would sell to Namkoong at the docks, and then drive away to sell Namkoong the over the quota product down the road. Surveillance and vehicle trackers revealed no additional evidence. Namkoong never purchased tribal product during the two months the trackers were deployed. It was rumored that he had a falling out with the divers.

In November 2016, WDFW Officers served a search warrant on the Orient Seafood Products facility and interviewed Namkoong. He admitted, during a taped statement, that the number next to the name



was the pounds purchased and that the cash amount was in addition to the check given to the diver. He confirmed that sometimes the “natives” wrote less on the fish ticket than harvested, and sometimes failed to fill out a fish ticket. He said that he knew he could get in big trouble for it and that it was “our fault.”

Detective Cook collaborated with NOAA Special Agent Brubaker. Together they presented the case to the Whatcom County Prosecutor, Lummi Po-

lice Officers and the Lummi Prosecutor. The prospects for prosecution were less than positive, so the case was prepared for presentation to the US Attorney’s Office. SA Brubaker conducted further analysis, found additional evidence, and coordinated with the AUSA.

Namkoong, at the advice of his attorney, plead guilty in US Court to one charge of conspiracy to violate the Lacey Act. He was sentenced to 2 years in prison and ordered to pay \$1.5 million in restitution.

Four state divers were charged and received sentences of 30-days community service, \$700 fines and restitution (varied with their involvement but roughly \$2,000 each). ☪

