



INTERPOL ENVIRONMENTAL CRIMES COMMITTEE

5 June 2007

Re: Sentencing Advocacy Memo for Environmental Prosecution

Dear Colleague:

Frequently, law enforcement and prosecutors are frustrated after successfully prosecuting an environmental crime; only to see a sentence imposed that fails to reflect the gravity of the harm, the culpability of the defendant, and the economic gain derived by the violation. Interpol's Environmental Crimes Committee established a project to aid prosecutors around the world to reverse this trend. The project, lead by Norway, with strong assistance from New Zealand, Austria, Canada, Israel, Australia, the Netherlands, Finland, South Africa, Sweden, Belgium, Portugal, United Kingdom and Wales and the United States prepared an advocacy memo that can be used by prosecutors in any country to argue effectively for penalties that are commensurate with the crime. This memo underwent several drafts and peer review. It is modeled after advocacy memos that have been used effectively to persuade judges to impose sentences that provide deterrence for these crimes. The final version was edited by a veteran environmental prosecutor from the United States Department of Justice.

I am enclosing this advocacy memo with this letter to assist you in your prosecutions of environmental offenses. Please use it in any manner that meets your needs. As drafted, this memo is geared for pollution crimes, but can easily be adapted to wildlife crimes as well. In fact, the Interpol Environmental Crimes Committee is comprised of two active working groups, one dealing with wildlife crimes and the other focusing on pollution crimes. The Wildlife Crimes Working Group can provide assistance to you in your prosecution of wildlife crimes.

In addition, the Interpol Environmental Crimes Committee can provide you with case examples for your prosecution. This will allow the judge to compare the facts and ultimate sentence in the present case with similar prosecutions in other jurisdictions. We can also provide you with names and contact information of environmental prosecutors to assist you in sentencing strategies. Please let us know if we can be of any help.

Sincerely,

Andrew E. Lauterback
Chairman, Environmental Crimes Committee