

Fossil discovery leads to fine — and child-porn charge

By Nathan Gorenstein
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It was far up the Kokolik River in the Alaskan wilderness that Robert Franz's trip started to go wrong.

As the retired research chemist canoed through the icy water in 2007, he spotted what looked like a giant elephant tusk lying on the riverbank. It was actually a 20-pound, 10,000-year-old fossilized mammoth tusk.

Franz picked up his find, posed for a photo,

and took his trophy home to Plymouth Meeting.

Problem was, fossil hunting in the area, a federal forest, is forbidden. Worse, the photo ended up on a commercial website, where it was seen by agents from the Bureau of Land Management.

Long story short, the photo led to a search of his house, where the self-described anarchist greeted the agents with a sarcastic "Heil Hitler!"

Bad move, particularly given that along with e-mails in which Franz discussed his fossil hunting, the agents allegedly discovered two 1970s-era Danish magazines titled "Child Love," according to a separate federal indictment.

Franz, 65, paid a first penalty Monday when he was fined \$100,000 and sentenced to three years' probation for stealing the tusk valued at \$4,000.

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"While the facts may conjure images of Indiana Jones," Assistant U.S. Attorney Alicia M. Freind told U.S. District Judge Berle M. Schiller, "he used his wealth to gain access to protected lands and willfully pillaged artifacts."

Franz is retired after a career at GlaxoSmithKline P.L.C. That, plus a settlement from an age-discrimination lawsuit, left him able to roam the nation pursuing his love of hiking.

Franz's first backpacking trip to Alaska was in 1988, one of many "trips into places that few people ventured," defense attorney Richard Q. Hark said.

His goal was not to steal "federal or state paleontological property, but to be in com-

plete isolation," Hark wrote.

In all, Franz has spent 243 days hiking in Alaska and an additional 557 days on trips in the lower 48 states.

After the hearing, Hark said: "The judge clearly understood that Mr. Franz accepted responsibility" and indicated the case was a "deterrent."

"Mr. Franz does feel the pain of the lesson," he said.

BLM agents got on the trail in 2009, when they spotted the photo of Franz holding the tusk on famed Alaska guide Karen Jettmar's website.

An undercover agent went on a trip with her that summer — Franz was on it, too — and saw Jettmar remove another fossil from the riverbank and put it in the canoe

she shared with Franz.

Franz was indicted in Alaska last year, and when he opened negotiations for a guilty plea, a defense letter to federal prosecutors in Fairbanks described him as "a pensioner with a very low income, living on a fixed income, with no side income."

Franz has \$2.6 million in cash and securities, Freind said. She argued that federal sentencing guidelines required a 14-month prison term.

Along with the fine, Franz will have to perform 300 hours of community service. Still unresolved is a child-pornography charge filed last month.

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