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PRESS RELEASE

Six indicted for trafficking songbirds

Thursday, August 31, 2023

For Immediate Release

U.S. Attorney's Office, Southern District of Texas

HOUSTON – A federal grand jury has returned indictments charging six Cuban nationals who resided in Houston with illegal trafficking of migratory songbirds, announced U.S. Attorney Alamdar S. Hamdani.

Over the past week, authorities took into custody Antonio Cabrero Ruano, 56, Roberto Guimary Machado, 59, Luis Valdez Machado, 22, Iran Almarales Garcia, 53, Ediel Barroso Quintero, 27, and Alexander DeJesus Lechuga, 45.

The six separate indictments, returned Aug. 24, allege violations of the Migratory Bird Treaty Act and/or the Lacey Act.

The scheme allegedly involved the illegal trapping and selling of protected songbirds, including indigo buntings, painted buntings, rose-breasted grosbeaks, blue grosbeaks and house finches, among others.

The Fish and Wildlife Service (FWS) reports that the birds are often used in singing competitions in which the participating owners gamble thousands of dollars on the winning bird, a common practice in Cuba and elsewhere. The birds migrate from Canada, through Texas, to South America. They are trapped as they pass through the Houston area, commonly using a live “bait bird” whose singing attracts other birds to the trap.

The investigation led to the seizure of over 300 illegally trapped songbirds. They were turned over to the Houston Zoo and Moody Gardens where they were evaluated and photographed. Healthy birds were released to the wild, while those that were too sick or injured to survive unaided will remain under the care of the zoos.

According to FWS, the illegal trapping has a significant impact on the wild songbird populations. The birds are poorly suited to captivity and typically die soon after being confined to a cage.

“We are pleased to see a positive outcome in this case as the plight of native birds is just now becoming clear. It is our core role as an Association of Zoos and Aquariums accredited organization to preserve natural resources and protect threatened and endangered wildlife,” said General Curator Greg Whittaker of Moody Gardens.

“The illegal wildlife trade doesn’t just happen behind closed doors – many of our native species are being traded out in the open in flea markets and online marketplaces like Facebook,” said FWS Special Agent in Charge Victoria Owens. “In addition to seeking justice for our native wildlife and the American public, we want the prosecution of these cases to help educate the public about wildlife laws and deter people from committing these crimes in the future. We will pursue and hold accountable anyone who violates fish and wildlife laws for commercial gain.”

The Migratory Bird Treaty Act was enacted in 1918 for the protection of migratory birds. The Lacey Act prohibits trafficking in wildlife that was taken in violation of federal, state, tribal or foreign law.

If convicted, they each face a maximum penalty of five years in prison for violating the Lacey Act, two years for violating the Migratory Bird Treaty Act and possible fines of up to \$250,000.

Two others - Reydel Cabrales Rosa, 36, a Cuban national, and Luis Alonzo Martinez, 56, an El Salvadorian national, who resided in Houston - were previously charged and have pleaded guilty.

FWS conducted the investigation with the assistance of Texas Game Wardens. Assistant U.S. Attorney Robert S. Johnson is prosecuting the case.

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