

[Take Action](#) [Membership](#) [Donate](#)[Take Action](#) [Membership](#) [Donate](#)[Our Work](#)[How to Help](#)[Birds & Guides](#)[Magazine & News](#)<https://insightcrime.org/news/brief/birds-venezuela-trinidad-tobago/>

From the Magazine

Fall 2018



Wildlife agents working undercover seized more than 400 birds from traffickers in the Miami area during the course of Operation Ornery Birds. The birds received clean cages and care until the healthiest could be released back into the wild. Photo: Karine Aigner

News

Meet the Undercover Crime Unit Battling Miami's Black Market of Birds

Multimillion-dollar sales of songbirds heap pressure on species already in decline. We go inside the covert investigation to capture traffickers.

**By Rene Ebersole**

Contributing Editor, Audubon Magazine

Fall 2018

[Disponible en español](#)[Birds in This Story](#)

Blue Grosbeak

Latin: *Passerina caerulea*

Painted Bunting

Latin: *Passerina ciris*

Popular Stories

[How to Tell a Raven From a Crow](#)

[How to Make Hummingbird Nectar](#)

[What Should Be Done About Flaco, the Eurasian Eagle-Owl Loose in New York?](#)

[13 Fun Facts About Owls](#)

[Get to Know These 20 Common Birds](#)

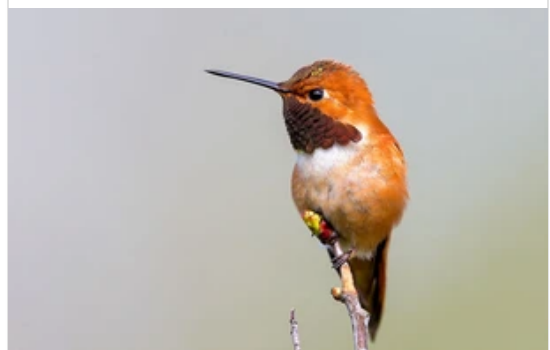
On May 28, 2014, an undercover cop trawling the Internet read an advertisement about a bird for sale by someone calling himself “El Doctor.” The bird was a male **Puerto Rican Spindalis**, a colorful yellow-and-black island endemic that fills the highest treetops of its homeland with a sharp, melodious *seet see seet see seet see seet see seet*. The officer, a special agent with the U.S. Fish and Wildlife Service, called the number in the ad and arranged to buy the spindalis. Later that day he drove to the seller’s home, a single-story beige house in Homestead, Florida, about 35 miles southwest of Miami. Court documents show the agent secretly recorded El Doctor, whose real name is Juan Carlos Rodriguez, as he exchanged the bird for an undisclosed sum of cash and talked about others he’d sold, including 60 Northern Cardinals to a California buyer the previous week.

By selling the spindalis, as well as the cardinals, Rodriguez broke the law. The **Migratory Bird Treaty Act (MBTA)**, which Congress passed a century ago, prohibits a host of activities considered to be harmful to birds, including their pursuit, hunting, capture, killing, possession, sale, barter, purchase, shipping, exportation, and importation. That hasn’t stopped birds from becoming a hot commodity on the black market for wildlife—which, valued at more than \$19 billion, is the **fourth-largest global illicit trade** (after narcotics, human trafficking, and counterfeit products), according to the nonprofit World Wildlife Fund.

Birds Tell Us to Act on Climate

Pledge to stand with Audubon to call on elected officials to listen to science and work towards climate solutions.

[Sign the Pledge](#)



Songbirds are especially sought after for their colorful markings and lilting songs. Their small size allows traffickers to sneak them through customs crammed inside hair curlers, hidden under clothes, and packed by the dozens in false-bottom suitcases and boxes. In addition to being smuggled into the country, some birds are illegally captured here; migratory or not, the MBTA protects most birds native to the United States. Trappers, like Rodriguez, use such techniques as baiting specially constructed cages with seed or live birds; setting up mist nets; or spreading an adhesive called *pega*, a Spanish word for stickum, on branches where birds perch.

With the spindalis sale, the undercover agent had gotten lucky: His work would soon reveal that Rodriguez was one of the top-tier bird traffickers in Miami, a hotspot of illicit trade because of its proximity to Latin America and the Caribbean. Over the next four years, Rodriguez sold the agent more than 180 birds for a total of nearly \$11,000.



leaked into the country inside containers concealed beneath clothing. Photo: Karine Aigner

At the same time, FWS agents were working additional suspects. Court documents detail emails, phone calls, videos, and conversations in which agents struck deals with traffickers selling a total of 40 protected migratory bird species, including Painted Buntings, Blue Grosbeaks, and Bobolinks. Rodriguez was among six defendants recently nabbed in the ongoing investigation, called **Operation Ornerly Birds** (there were copyright concerns about “Angry Birds”). The effort is one of the biggest in U.S. history to expose the multimillion-dollar underground market for songbirds.

“The vast majority of these songbird species are in decline because their habitats in their breeding and wintering grounds are decreasing,” says David Pharo, the FWS agent in charge of the operation. “Now you have these additional stressors during migration—traffickers trapping the birds and selling them, and taking more and more out of the wild. I’m hoping these arrests send a strong signal that we’re taking these crimes very seriously, and it causes some people to ponder whether it’s really worth going to jail for making a few bucks selling some birds.”

Investigations into South Florida’s illegal songbird market first began in the early 2000s, around the time when Pharo, then an Everglades park ranger, stumbled upon some bird traps hidden in the trees on the edge of the park.

He waited for the trappers to collect their quarry, reported what he'd seen to authorities, and then tailed the suspects in his car for about an hour to an address in Hialeah, a city northwest of Miami. Wildlife agents arrived and questioned the trappers in the driveway, gathering intelligence that would ultimately contribute to an investigation that was nicknamed Operation Bunting.

Tom Watts-FitzGerald, who runs the environmental crimes division at the U.S. Attorney's Office, Southern District of Florida, was the federal lawyer on the case. "At that time, U.S. Geological Survey biologists were doing long-term field studies on migratory species, particularly buntings," he recounts. "They turned to Fish and Wildlife and said, 'Where the hell are they?' Well, they were all being trapped and showing up at a place informally called the Hialeah Bird Market, a weekend sale in an empty parking lot. There were literally hundreds and hundreds of these protected birds there."

By 2006 Operation Bunting had netted six bird dealers and three pet stores illegally selling protected species. After those convictions, news about songbird trafficking went quiet for a while. Then in 2012 a 76-year-old man returning to Miami from Cuba was caught with **16 Cuban Bullfinches sewn into his pants**. Two years later **FWS agents seized 34 migratory birds**, largely cardinals and buntings, from the estate of coffee heir Jose Souto, whose family emigrated from Cuba in 1960 and grew a business that at one time supplied 80 percent of the espresso beans sold in the United States.

The agents discovered Souto's passion for illegal birds after receiving a tip from a birder who had attended an estate sale at his mansion. Souto eventually pleaded guilty to violating the MBTA and was ordered to pay a \$15,000 fine, serve one-month probation, and make a \$7,500 donation to **Tropical Audubon Society**. "He got the maximum criminal fine," Pharo says. "He had birds from all over. He even had a **Cuban Trogon—Cuba's national bird**."

Souto's lawyer told the press that his client was just a bird lover. Many traffickers profess a love of birds. They fondly recall childhood homes filled with birdsong and say they want to bring that tradition with them to the United States. "Their actions speak far louder," Pharo says. "We have seen birds being held in captivity in terrible conditions by the subjects we have targeted." Open sores, broken legs, mite infestation, large numbers of missing feathers, and severe emaciation are all "distressingly common."

Like Souto, many traffickers are from Cuba, and birds smuggled from there are often considered to be especially valuable—even more valuable than the same species captured in the United States. Bloodlines are sometimes tracked to determine which individuals should command top dollar. Cuban Bullfinches, which **are considered near-threatened in their native range** at least in part due to trapping, are in high demand because of their sweet voice and bulldog aggression—traits that help them reign at underground gambling competitions that judge birds on the quality of their vocals.

"There's an entire local network of people who go and come from Cuba, smuggling birds in their clothes, strapped to their legs, or, very commonly, in their underwear," Watts-FitzGerald says. "They make it into this subculture that meets at places around Florida."

One of those places is a public park in Hialeah. With one of the nation's largest concentrations of Cubans and Cuban-Americans, Hialeah is the place to go if you're looking to buy a Cuban songbird—or one of the songbirds native to the United States, such as buntings and grosbeaks, that traffickers sometimes try to pass off as one. On Sunday mornings, men gather at the far end of the park's parking lot to display their birds in hand-carved lacquered birdcages. It's a hotspot for unscrupulous bird fanatics—and for law enforcement hoping to catch them.

A

passionate birder since he was a kid, Pharo grew determined to crack down on bird trafficking in 2012, when he became the resident agent in charge of the South Florida FWS office. His staff of roughly 20 includes wildlife

inspectors and special agents operating throughout Southeast Florida, Puerto Rico, and the U.S. Virgin Islands. “I really wanted my folks to dig deep,” he says. “We worked for several years to get things in place—establishing undercover identities, setting up bank accounts. It takes a while to start following leads to catch small fish, and then getting them to cooperate to get bigger fish.”

One of the early fish snagged by Operation Ornery Birds was [a man named Hovary Muniz](#), a U.S. citizen who had arrived at Miami International Airport on a flight from Havana in January 2016. A customs officer carefully reviewed Muniz’s entry declaration, then inspected his duffle bag. He asked Muniz to empty his pockets and place any belongings on a table. Muniz unfastened a black fanny pack hidden beneath a guayabera, the style of loose-fitting shirt popular in Latin American and the Caribbean. When the officer unzipped the bag, he found six plastic hair curlers concealing live songbirds. Upon further inspection, he found several more bird-filled curlers hidden in Muniz’s underwear.

In total, Muniz had nine birds—five Cuban Melodious Finches (better known as Cuban Grassquits), one Cuban Bullfinch, one Yellow-faced Grassquit, one Indigo Bunting, and one Blue Grosbeak. He was arrested and released on a \$50,000 bond. A subsequent flyover of Muniz’s property detected signs of trapping. When agents searched it they found three Indigo Buntings, three Yellow-faced Grassquits, several cages, and a mist net.

At Muniz’s sentencing hearing in July 2016, Watts-FitzGerald and Pharo sat at a table surrounded by cages containing some of the birds that had been confiscated from his property. Watts-FitzGerald explained to the judge that birds illegally brought into the United States are often subjected to cruelty. He held up hair curlers. “Birds that are smuggled in this way have an 80 percent mortality rate because of the stress,” he said.

Even if they survive the trip, he continued, often the birds have to be euthanized because they’ve skipped the quarantine process to keep avian-borne illnesses like Newcastle disease from sneaking into the country. Capable of infecting both wild and domestic birds, Newcastle causes respiratory and nervous system problems. It is also transferable to humans. Experts are concerned that such exotic diseases could go rogue, threatening people, wildlife, and domestic birds sold legally as pets or for food.

Even if they survive the trip, often the birds have to be euthanized because they have skipped the quarantine process.

Birds that slip past inspectors pose an additional threat to the environment, Watts-FitzGerald said. If they escape, they can wreak havoc on an ecosystem and even wipe out native wildlife, as the Burmese python [has done in Florida’s Everglades](#).

Ultimately, the judge ruled that Muniz would receive three years of probation, four months of home detention, 200 hours of community service, and a \$100 fine. It was a victory for the feds, and with several other big cases in the works, they felt confident that there would be more convictions soon.

Over this past year the long slog of painstaking undercover work culminated in a series of indictments. Carlos Hernandez was charged in October 2017 with catching and attempting to sell more than a dozen wild-caught Blue Grosbeaks. The following March Reynaldo Mederos was accused of trading and selling a mix of 19 Painted and Indigo Buntings and Blue Grosbeaks.

The following week Miguel Loureiro, whom one officer called “a trapping machine,” was charged in a 36-count indictment for capturing birds daily in multiple locations, including outside of his house in Homestead and on the edge of nearby Everglades National Park. Many of the traps he used were assembled in his kitchen and equipped with solar-powered, electronic birdcall-broadcasting systems to lure species. He warehoused his captives—sometimes more than 100 at a time—behind his home in several large aviaries and shipped them, packed in false-bottom boxes, to buyers as far away as California.

At Loureiro's initial court appearance in April, Assistant U.S. Attorney Jaime Raich, who works with Watts-FitzGerald, submitted a piece of evidence that he believed would be especially damning: a graphic image that Loureiro had posted on a private Internet chat group showing a Loggerhead Shrike staked to a wooden cross and the words "Por Matar Pajaros"—for killing the birds. Loureiro purportedly believed the shrike, true to its **"butcherbird" nickname**, was skewering the songbirds he'd trapped.

Muniz was still on probation from his 2016 conviction when in April agents charged him with using a private Facebook group to sell birds, including Yellow-faced Grassquits and a Lazuli Bunting, without a permit. Acting on a tip that someone might be getting hauled away by Immigration and Customs Enforcement, a local NBC TV news crew arrived at the mansion where Muniz lives to find FWS agents in bulletproof vests carting cages of birds to a government truck instead. Muniz's mother tearfully told a reporter that her son was breeding the birds as a hobby. Raich successfully argued to the contrary, and the court judge set bail at \$100,000.

In a warehouse facility across town, FWS officers were processing the last of the birds seized that morning. They held each bird in front of a dated placard and photographed it, then added it to one of several large cages with other birds. Dirty, used traps and ornately carved wooden cages were labeled with evidence tags and stowed in a locked room.

Forensic ornithologist Ariel Gaffney, in a white lab coat and pink-laced sneakers, had flown in from FWS's forensic lab in Ashland, Oregon. She squatted next to one of the cages, paging through a bird guide as she closely examined a yellow bird with black markings. **Spot-breasted Oriole**, she confirmed (a species that had been introduced to and likely trapped in Southeast Florida). She also took note of the general condition of some of the newly arrived birds. "These Rose-breasted Grosbeaks are really messed up," she said. "Their rough appearance is an indicator of being in a cage for a while."

Wildlife smuggling often goes hand in hand with other types of trafficking, which can make undercover work especially dangerous.

A couple of the agents in the room who'd worked undercover asked not to be identified or photographed, partly because the investigation is ongoing but also because they value their safety. Wildlife smuggling often goes hand in hand with other types of trafficking—guns, drugs, humans—which can make undercover work especially dangerous. "I want to go home to my family," one agent said. "I don't want to get beat up, stabbed, shot, or worse."

The next day a small crew of agents returned to the warehouse to load a truck with cages containing roughly 130 birds native to the United States (other species are held until they can be shipped back to their countries of origin, placed in zoos, or, if there is a public-health concern, euthanized). One cage held Blue Grosbeaks and Rose-breasted Grosbeaks. A second contained Indigo Buntings, Painted Buntings, and House Finches. The birds would be transported to Everglades National Park headquarters and released during a media event. "It's really exciting," said Stacey Witherwax, a wildlife inspector for 11 years. "It's good to see them go back to where they belong."

Upon arrival, officers in khaki uniforms and brown boots carried the cages behind the building, where sawgrass prairie provided a bucolic backdrop for the news cameras. An assemblage of law-enforcement officers from multiple state and federal agencies lined up next to a podium flanked by U.S. and Interior Department flags, a poster for Operation Ornerly Birds, and a "Wanted Fugitive" sign with a photograph of Alberto Iran Corbo Martinez, who had arrived in Miami with five Cuban Bullfinches and one Yellow-faced Grassquit taped to his legs in hair curlers but fled before he was charged.

It was more than 80 degrees and sunny and Pharo was sweating in a black suit and tie. At the podium he thanked the various agencies that had contributed to Operation Ornerly Birds—Florida Fish and Wildlife Conservation Commission,

U.S. Customs and Border Protection, U.S. Postal Inspection Service, National Park Service, and U.S. Fish and Wildlife Service with support from the U.S. Attorney's Office for the Southern District of Florida. Finally, it was time to do the release.

"Is everybody ready?" Pharo asked, leaning over one of the cages. "Here we go...1, 2, 3," and he opened the door. The birds flapped straight for the closest stand of trees. Then he opened the second cage. Everyone clapped and cheered.

To date, more than 400 migratory birds have been seized in the course of Operation Ornery Birds. Corbo Martinez turned himself in to federal custody in late April, and by the end of June all of the defendants had pleaded guilty to trafficking. In July, Corbo Martinez was sentenced to three months in jail, three years of probation, and a \$200 fine. Muniz, who was already serving eight months in prison for his parole violation, received an additional seven-month sentence for his recent bird crimes.

Reached by phone a few weeks before the hearing for his parole violations, Muniz said he was through with his songbird business. "I'm not doing it anymore. Not even legal. Nothing. In my case, no more birds for me," he said. "I like birds, but I quit."

Pharo's team and other agencies continue to work toward shutting down songbird trafficking in South Florida and beyond. Though he can't comment on the ongoing investigation, Pharo says: "This is just the beginning." In May 2017 a man arriving in Los Angeles from Vietnam [was caught with 93 Asian songbirds in his luggage](#). This past April, authorities arrested [two men smuggling 26 finches in hair curlers in their socks](#) from Guyana to New York City.

Though he can't comment on the ongoing investigation, U.S. Fish and Wildlife Service agent David Pharo says: "This is just the beginning."

Many bird trappers, meanwhile, operate below the radar of law enforcement. One problem is that the traps themselves aren't illegal, Pharo says, only their use in capturing protected species. "So someone walking down the street with an empty bird trap in hand is not doing something illegal," he says. "The poachers know this, and we're seeing these traps becoming more prevalent in many states—Texas, Arizona, California. They're being sold in pet stores, made here, and imported from other countries."

Ultimately Pharo hopes public education might spur laws that would require a permit to own traps. He'd also like help from the public to spot trappers, but he emphasizes that people need to report signs of trafficking to the authorities. "Sometimes well-meaning people take things into their own hands and smash the traps," he says. "We can catch more bad guys when people report what they've found."

On the Sunday morning after the big Everglades bird release, the Opa Locka Hialeah Flea Market was filled with the scent of fried food and fresh Cuban coffee. Shop owners selling everything from T-shirts and lingerie to religious items and parrots were setting up their displays. El Musico Pet Shop, with its aisles of common canaries, finches, and lovebirds, was ready for business. At the back of the store several wooden traps and cages hung on a wall. One cage contained a Cuban Bullfinch. The others held nearly half a dozen Yellow-faced Grassquits. All of the birds were \$350, the owner said.

At a nearby park, about two dozen guys with birdcages hanging from trees sat on the ground along a pathway. One man named Osmani yelled out to a passerby who had stopped to look at his bullfinch. "A hundred dollars!" he said. "There's nowhere else you can get this bird. Not in pet shops—not anywhere. It's from Cuba."

This story originally ran in the Fall 2018 issue as "Operation Ornery Birds." To receive our print magazine, become a member by [making a donation today](#).

How you can help, right now

Get Audubon in Your Inbox

Let us send you the latest in bird and conservation news.

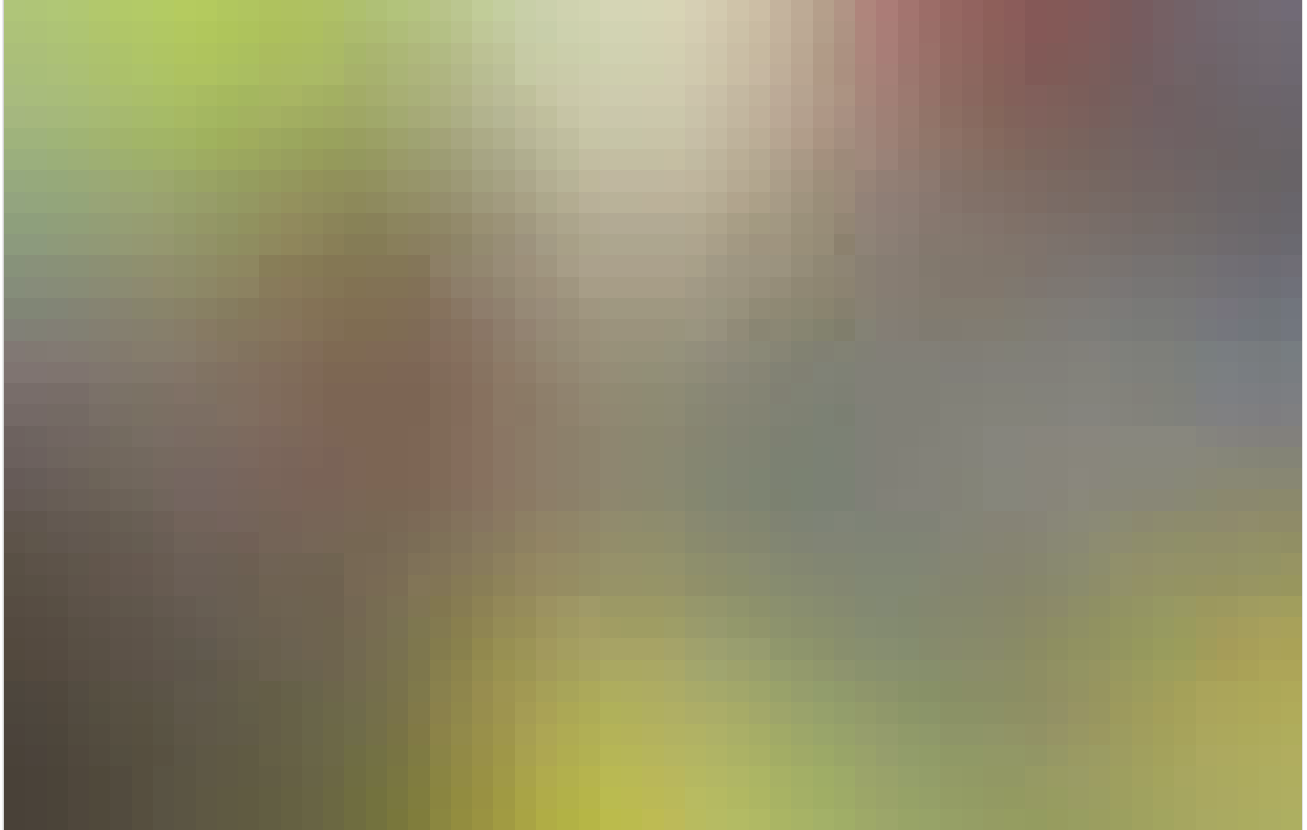
Email address

Sign Up

Find Audubon Near You

Visit your local Audubon center, join a chapter, or help save birds with your state program.

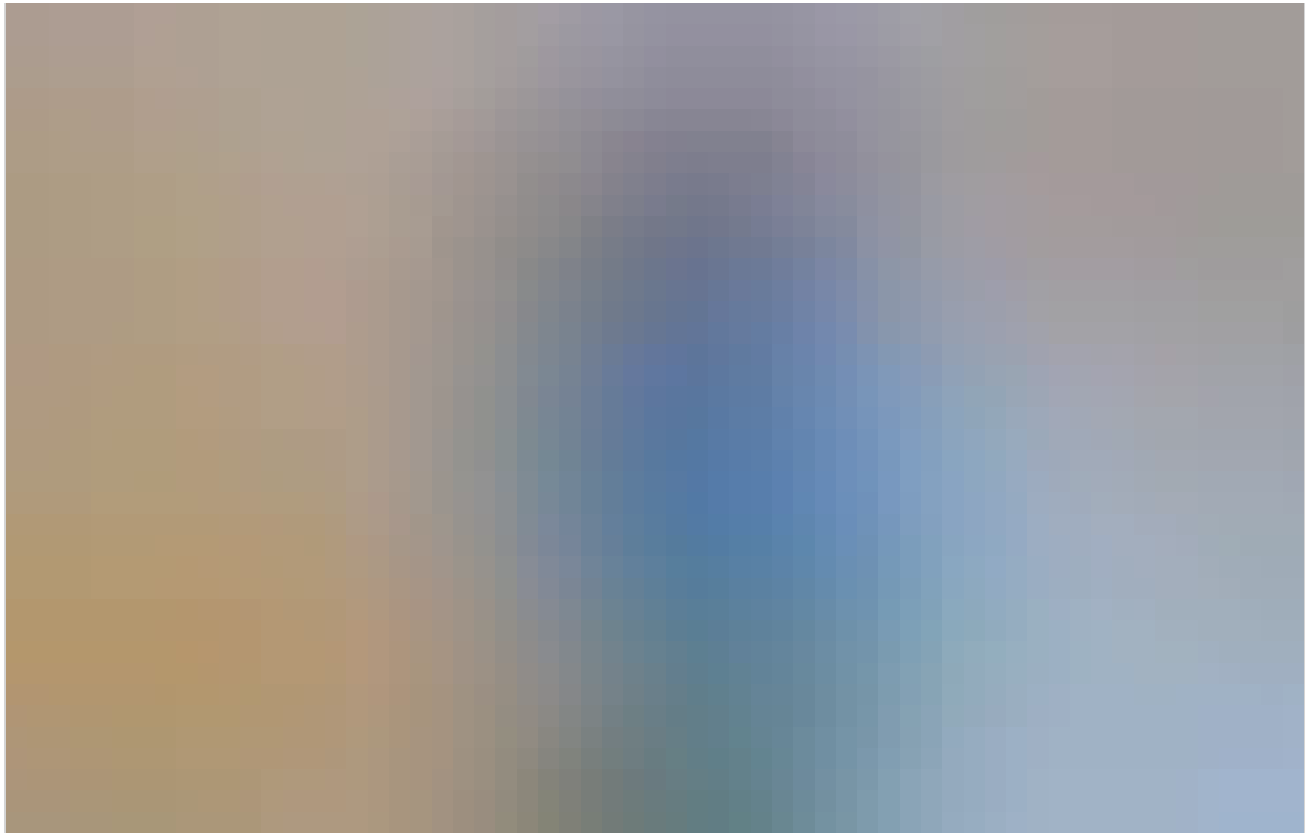
Explore the Network



Become an Audubon Member

Membership benefits include one year of *Audubon* magazine and the latest on birds and their habitats. Your support helps secure a future for birds at risk.

Join Today



Spread the word. It's the least you can do.



Stay abreast of Audubon

Get updates about our conservation work and how to help birds.

Email address

Sign Up

National Audubon Society

Audubon protects birds and the places they need, today and tomorrow.

[Home](#)

[News](#)

[Birds](#)

[Conservation](#)

[Get Outside](#)

[Magazine](#)

[About Us](#)

[Press Room](#)

[Careers](#)

[Audubon Near You](#)

[Notice of Annual Meeting](#)

[Donate Now](#)

[Renew Membership](#)

[Join Audubon](#)

[Monthly Giving](#)

[Adopt a Bird](#)

[Legacy Gift](#)

[Audubon Products](#)

[Online Store](#)

[Take Action](#)

EN

[National Audubon Society](#) [Legal Notices](#) [Privacy Policy](#) [Contact Us](#)