



# News Release

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Southwest Region (Arizona • New Mexico • Oklahoma • Texas) [www.fws.gov/southwest/](http://www.fws.gov/southwest/)

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## OPERATION FREEBIRD NETS FOUR SUBJECTS

### *Four Sentenced in San Antonio for the Unlawfully Selling of Migratory Birds*

On September 21, 2015, 60-year-old Tomas G. Perez of Devine, Texas was sentenced to three years' probation by Senior U.S. District Judge David A. Ezra at the San Antonio U.S. District Court after pleading guilty to felony charges for the illegal selling of migratory birds of prey. Perez also was ordered to pay restitution in the amount of \$2,000 to a San Antonio based raptor wildlife rehabilitation facility. Perez was the last of four individuals who were investigated for the trafficking of federally protected migratory birds.

In an undercover investigation dubbed Operation Freebird, U.S. Fish and Wildlife Service and Texas Parks and Wildlife Department undercover officers infiltrated the bird of prey (commonly referred to as raptors) black market trade in the San Antonio and Austin areas. Many of the raptors were sold to be used in the cult practice of Santa Muerte – a Mexican folk belief where an image of death, in a female form, provides healing to the devotees.

During the investigation at least eleven raptors comprised of great-horned owls, red-tailed hawks, and Cooper's hawks were purchased or seized from the targets of the investigation. Several of the birds had to be euthanized or ultimately died because of the condition the birds were in, however, some were released back into the wild. The wildlife rehabilitator cited that most of the birds suffered from malnutrition, broken bones and other abuses during the illegal captivity process. An undercover officer of the U.S. Fish and Wildlife Service reported alarming news that the traffickers would even offer to sell the carcasses of raptors that died in their possession.

In late August of 2015, 50-year-old Jorge Rocha of Natalia, Texas, 67-year-old Juan Luis Guerra of San Antonio and 56-year-old Francisco Guerrero of Cuero, Texas were sentenced for similar crimes. Rocha received a two years' probation and ordered to pay \$1,000 restitution; Guerra one year probation and \$2,000 restitution; and Guerrero two years' probation and \$2,000 restitution. Each defendant admitted in open court to knowingly and unlawfully selling a migratory bird(s) to an undercover agent on various occasions in 2011 and 2012. All the raptors are protected species under the Migratory Bird Treaty Act. "One of our highest priorities is to investigate individuals that are involved in the unlawful commercial trafficking of our Nation's fish and wildlife," said Special Agent in Charge Nicholas Chavez. "The successful outcome of this investigation is also the result of working jointly with the Texas Parks and Wildlife Department to ensure the protection of our migratory birds. With our law enforcement partnership, information sharing, and investigative technology, we can disrupt wildlife trafficking on the internet and smuggling through our airports or our land borders."

This investigation was conducted by agents with the Southwest Region of the U.S. Fish and Wildlife Service and the Texas Parks and Wildlife Department. Assistant United States Attorney Bud Paulissen prosecuted this case on behalf of the Government.

Migratory Bird Treaty Centennial 1916-2016

100 Years of Migratory Bird Conservation, conserving today's birds for tomorrow.

[www.fws.gov/birds/MBTreaty100/](http://www.fws.gov/birds/MBTreaty100/)

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