

# Prominent Parrot Expert Pleads Guilty to Wildlife and Tax Felonies

*Snared by Nationwide Probe*

United States Attorney  
Northern District of Illinois  
Tuesday, January 30, 1996

Chicago -- James B. Burns, United States Attorney for the Northern district of Illinois, announced that TONY SILVA, 36, an internationally prominent Chicago area writer and lecturer on the plight of endangered parrots in the wild, pleaded guilty today in U.S. District Court to conspiracy to violate wildlife and customs laws and filing a false income tax return. Silva admitted his role in a far-reaching conspiracy involving his mother, GILA DAOUD, 63, and others to violate the Lacey Act and U.S. Customs requirements between 1986 and 1991 by smuggling or attempting to smuggle various highly protected species of birds trapped in the wild in South America, including a substantial number of Hyacinth Macaws, into the United States. In pleading guilty to the tax charge, Silva admitted under-reporting his income on his 1988 federal income tax return.

Silva faces a maximum term of imprisonment of five and three years on the conspiracy and tax charges, respectively, and a maximum fine totaling not more than twice the defendant's gross gain, or twice the gross

loss to any victim, whichever is greater. U.S. District Judge Elaine Bucklo set a two-day sentencing hearing for March 6-7, and set sentencing at 2:45 P.M. on April 26.

The Hyacinth Macaw, native to Brazil and likely in very small numbers in adjacent Bolivia and Paraguay, has become quite rare outside of captivity, with its wild population thought to number between 2,000 and 5,000. Because it is the largest species of psittacine (parrots, macaws and related birds), extremely intelligent, and among the most beautiful with its brilliant blue plumage, the Hyacinth Macaw has been a highly sought-after species by bird collectors. Individual birds have typically sold for between \$5,000 and \$12,000. The Hyacinth Macaws' rarity and precarious status in the wild has accorded it the highest level of protection provided under the Convention on International Trade in Endangered Species of Wild Fauna and Flora ("CITES"), an international wildlife treaty to which the United States and approximately 129 other nations are parties. Brazil, Bolivia and Paraguay, in addition to being parties

to CITES, have domestic legislation prohibiting the export of wild-caught Hyacinth Macaws and other psittacines. The Lacey Act, as well as U.S. Customs law, makes it a felony for individuals to import any species knowing that it is prohibited from import under CITES.

In the plea agreement filed with the court, Silva admitted that in 1989 he purchased a "substantial number" of wild-caught Hyacinth Macaws from co-defendant GISELA CASERES (a/k/a Ann Koopman) and paid her to hold them in Paraguay while scheming with another co-defendant, HECTOR UGALDE, to smuggle them into the United States. The conspirators were unsuccessful in their efforts to smuggle the birds into the United States, which focused on flying them to Mexico and moving them across the border. The government has alleged that Silva and the other co-conspirators were attempting to smuggle a group of at least 50 Hyacinth Macaws into the United States.

Silva also admitted to being involved as early as 1986 in successful efforts to smuggle highly protected species of birds, including Golden Conures, Vinaceous Amazons, Crimson-bellied Conures, Yellow-shouldered Amazons, Blue-throated Conures and other Hyacinth Macaws out of South America into the United States. Some of these species are so rare in the United States as to be unavailable in the lawful commercial market. Silva also stipulated that he willfully obstructed the government's investigation into his wildlife and tax crimes, and that he willfully and substantially under-reported his income in other tax years between 1986 and 1990.

Also today, Daoud pleaded guilty to one felony count of assisting Silva in the filing of his false 1988 income tax return. Daoud faces a maximum term of imprisonment of three years and a maximum fine of \$25,000. In her plea agreement filed with the court, Daoud also stipulated that she was a co-conspirator in the scheme to smuggle the Hyacinth Macaws and other protected wildlife into the United States.

Ugalde, from near Miami, pleaded guilty to conspiracy in January 1995 for his role in smuggling the group of Hyacinth Macaws into the United States. Ugalde has cooperated with the government's investigation and awaits sentencing. Caseres is a Paraguayan national and has remained a fugitive in

this case.

The government has alleged that not only were birds smuggled and sold for profit, but that many Hyacinth Macaws died shortly after being shipped from South America to the United States as a consequence of being trapped and secretly shipped. The government contends that the wildlife involved in the overall smuggling scheme, including several primates such as spider monkeys and marmosets in addition to various species of birds, had a retail value of between \$800,00 and 1.5 million.

Silva is the author of several books on the subject of birds including *A Monograph of Endangered Parrots*, published in 1989, in which he described the Hyacinth Macaw as "being worth its weight in gold." He also has written numerous articles including a 1993 piece in *American Cage-Bird Magazine*, entitled "The Hyacinth Macaw: Its status and Captive Breeding," in which he wrote: "Unless all of the pressures [including illegal trade] are brought under control, this species may be unable to survive in the world to greet the 21st century."

Silva, Daoud and Ugalde have been arrested and prosecuted as part of the Department of Justice's and U.S. Fish and Wildlife Service's ("FWS") nationwide crackdown on wildlife smuggling. As part of this investigation, the FWS's Special Operations Branch—which specializes in complex investigations of wildlife criminals—taped over 100 conversations between Silva or Daoud and a cooperating witness, many of which concern the smuggling.

Illegal wildlife smuggling is estimated to be a \$ 5 billion annual industry, generating more profit than illegal arms sales and second only to the world-wide drug trade.

The prosecution has been a joint effort led by the United States Attorney's Office in Chicago, investigated by the FWS and the Internal Revenue Service and assisted by the Wildlife and Marine Resources Section of the Environment and Natural Resources Division of the Justice Department.

U.S. Attorney Burns said: "It is disgraceful that Mr. Silva, who obviously understands the value of these rare birds, has engaged in activity that proved directly fatal to many Hyacinth Macaws and other highly endangered species that were smuggled illegally. It

is unconscionable that a person of Mr. Silva's stature in the avicultural community would contribute, ultimately, to the illicit process that threatens these exquisite creatures with extinction. We hope that others who might consider committing such crimes understand that we will not allow them to profit personally at the expense of such precious resources."

Lois J. Schiffer, the Assistant Attorney General in charge of the Department's Environment and Natural Resources Division, said: "The defendants were involved in nothing less than plundering the national treasures of other countries. These crimes threaten not only our ability but that of the international community to protect endangered species and global biodiversity. We are deeply committed to prosecuting these cases."

Burns and Schiffer praised the FWS's Special Operations Branch and the Internal Revenue Service's Criminal Investigation Division for the professionalism and dedication of their criminal investigators over the course of this lengthy and complex international investigation. ➔

## Deadline Schedule

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March 1 - editorial copy  
March 15 - display ADS

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May 15 - display ADS

**September/October '96**  
July 1 - editorial copy  
July 15 - display ADS

**November/December '96**  
Sept. 1 - editorial copy  
Sept. 15 - display ADS

**January/February '97**  
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**March/April '97**  
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