

U.S. Department of Justice
United States Attorney
Southern District of Florida, Miami

October 30, 1998 News Release

Thomas E. Scott, United States Attorney for the Southern District of Florida, Lois J. Schiffer, Assistant Attorney General for the Environment and Natural Resources Division of the U.S. Department of Justice and Jorge Picon, Resident Agent in Charge for the U.S. Fish and Wildlife Service in Miami, announced that a federal Grand Jury sitting in Miami has returned an 11 Count Indictment charging Dwayne D. Cunningham, 41 of Pembroke Pines, and Patricia E. Cunningham, 35 and Robert A. Lawracy, 32, both of West Palm Beach, Florida with illegally trafficking in reptiles protected under domestic and international [law] in violation of the Lacey Act (the Federal anti-wildlife trafficking statute) and the Endangered Species Act (ESA), as well as charging the defendants with conspiracy and smuggling. Each of the ten felony charges in the indictment are punishable by up to 5 years in jail and up to a \$250,000 fine, while the single misdemeanor, the ESA violation, is punishable by up to a year in jail and a \$100,000 fine. Dwayne Cunningham is named in seven felony charges and a single misdemeanor; Patricia Cunningham faces four felony charges and a single misdemeanor; and Robert Lawracy faces four felony charges. Lawracy surrendered to federal authorities today. According to statements in Court, arrest warrants are pending against the remaining two defendants.

According to the Indictment, from 1992 through December 1997, the defendants engaged in trafficking reptile species that originated on various West Indies islands and that are protected under an international treaty known as "CITES", the Convention On International Trade in Endangered Species of Fauna and Flora, which is implemented in the United States through the Endangered Species Act. Several species of *Cyclura* (Ground Iguanas), including the Exuma Island Rock Iguana and the Virgin Island Rock Iguana and Red-footed Tortoises, are alleged to have been smuggled into the United States aboard cruise ships touring the Caribbean and the Bahamas that employed Dwayne Cunningham and Lawracy. The species of *Cyclura* listed in the Indictment, are species currently threatened with extinction, and listed on Appendix I of CITES, the highest level of protection available under the treaty. According to the allegations in the Indictment, the defendants held none of the required documents for the species they imported, possessed and sold.

The Indictment further alleges that in an effort to conceal the smuggling of Exuma Island Rock Iguanas, the Cunninghams procured from the U.S. Fish & Wildlife Service a permit for the "captive breeding" of species listed under the Endangered Species Act to create the impression their sale of these reptiles stemmed from a viable domestic breeding program rather than smuggling of wild-caught animals. Moreover, the Indictment also charges that in furtherance of the conspiracy to trade in smuggled Caribbean reptiles, Dwayne Cunningham and Lawracy stole mature red-footed tortoises in 1995 from the Curaçao Zoo and smuggled them to the United States.

A second part of the indictment centers on the smuggling of highly protected Madagascan Tree Boas, Madagascan Ground Boas, Radiated Tortoises and Spider Tortoises, from Madagascar into Germany, and ultimately into Florida. The Cunninghams are alleged in the indictment to have been couriers, purchasers and sellers of these reptiles. Other members of this smuggling ring, including several German citizens, have already been the subject of Indictments in the Middle District of Florida.

Mr. Scott commended the work of Special Agent Chip Bepler of the United States Fish and Wildlife Service for his work on the case.

The United States was represented in this matter by Thomas Watts-Fitzgerald, Chief of the Environmental Crimes Section at the U.S. Attorney's Office and Peter J. Murtha, Senior Trial Attorney, United States Department of Justice, Wildlife and Marine Resources Section.