

United States v. Joseph Marty Toralba
Press Conference
February 21, 2008

On May 3rd of last year, a new federal law became effective in the United States. The Animal Fighting Prohibition Enforcement Act of 2007, made illegal the transportation of fighting animals across international or state lines. This law also increased the penalty for the promotion of dog and cockfights to a felony rather than a misdemeanor.

Finally, this new law made transportation of any fighting instrument used by birds for cockfighting a 3-year felony.

A gaff is such a fighting instrument, because it is basically a knife which is commonly attached to the leg of a fighting bird prior to a cockfight, which pits two fighting birds against each other in order for them to effectively duel to the death.

Possession of gaffs are illegal under Hawaii state law, and as of last year, it is illegal under federal law when sold, purchased, or transported in commerce.

Today, I announce the first case in Hawaii utilizing this new federal law, and it may very well be the first case in the Nation.

Today, Joseph Marty Toralba, age 39, and a resident from the state of Louisiana was indicted by a federal grand jury for the illegal transportation of approximately 263 gaffs from the Philippines to the United States.

Earlier this month, on Saturday, February 2nd, Mr. Toralba flew to the Honolulu International Airport from the Philippines.

While in the Customs Screening Area, he declared that all he was bringing

into the United States with him were boxes containing gas stoves. However, when his boxes were checked, Custom Inspectors uncovered approximately 263 gaffs, which had been hidden inside of these stoves.

Mr. Toralba thereafter admitted to investigators that he travels to the Philippines by invitation each year to attend major cockfighting events, and that last month, while attending a cockfighting event in the Philippines, he purchased these gaffs.

He said that he bought the gaffs for approximately \$125, and that he intended to use these gaffs for the fighting birds he owned back in Louisiana. Finally, he indicated that he had about 150 fighting birds on his farm, and that he also had another 500 birds being cared for by a friend at another location.

Mr. Toralba is a self employed landscaper, who earns approximately \$40,000 per year, and he supplements his income with earnings made from cockfighting.

After his initial court appearance on February 4th, he was released on bond by a Magistrate Judge and allowed to continue his travel home to Louisiana.

Now that he has been indicted, he will be summoned to reappear in Federal Court in Hawaii to answer to this charge. That date to appear has not been set yet.

Presently, cockfighting is illegal in 49 states. In August of this year, Louisiana will become the final state in the Union to outlaw cockfighting.

However, regardless of the fact of its legality in another state, the Defendant's bringing his gaffs into this state violated both Hawaii and Federal laws.

I would like to thank the U.S. Customs and Border Protection Agency and the Immigration and Customs Enforcement Agency for their fine work in this case.

Finally, this case has been assigned to Assistant U.S. Attorney Darren Ching from the Major Crimes Section of this Office, and in the future, he will make himself available to you to answer any questions you may have pertaining to this case.