

## Part II The Fidel Obsession

*“With Fidel, there is neither marriage nor divorce.” Che Guevara*

### Chapter Five: The Pediatrician and The Exterminator

Standing at the front door of his modest home in the early spring of 2006, Orlando Bosch, Fidel’s Castro most determined would-be assassin, offered his hand and a weak smile. Although never a handsome man, age had softened his rough features. His huge brown eyes, hovering behind his trademark oversized black plastic eyeglasses, were almost childlike now.

Once upon a time, Bosch said he spoke pretty good English, but those days were long gone. He was foggy too about some of the details of his life. In 1952, he began a two year medical internship in Toledo, Ohio followed by his residency "in the hospital where Martin Luther King died - but I can't remember the name." That was long ago – before he gave up pediatrics for terrorism, as his 45-year career as a paramilitary commando has been described by the FBI and Justice Department.

Bosch had another view of his career, suggesting to me that a book on his life be called 'Orlando Bosch the Good.' "*Soy luchador y patriota,*" he said, "I am a fighter and a patriot." Nor did he have second thoughts about the collateral damage he inflicted. "The war [we] wage against the tyrant, you have to down planes, you have to sink ships," Bosch said on Miami television. "You have to be prepared to attack anything that is within your reach." When I asked whether he had regrets about the many civilian casualties resulting from his strikes, Bosch exhaled a long sigh. "We were at war with Castro," he explained. "And in war, everything is valid."

On August 18, 2010, Bosch turned 84, following in the footsteps of his college classmate and lifelong nemesis. "Fidel is only five days older than me," he noted glumly, holding up the fingers of his right hand. But Bosch's body was failing him and he fretted he would not live to see the demise of Fidel. His lower lip appeared bruised and droopy, the consequence of a series of strokes he had in the previous year. There were heart problems, as well, and prostate cancer.

Bosch lives in a tidy, working class suburb on the western outskirts of Miami, a stone's throw from the roaring turnpike that slices through The Sunshine State. His paintings line nearly every wall, most simple pastorals of Las Villas, the verdant, graceful province in the midsection of Cuba where Bosch was born. Many were done while he was behind bars for *la lucha* – the struggle, he said, serving time in Venezuela, Atlanta and Miami "Nineteen years in prison, all told," Bosch told me, speaking slowly.

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At the time of my first meeting with Bosch in 2006, his comrade-in-arms, Luis Posada Carriles, was two thousand miles away, in an immigration jail in El Paso, Texas. For two years, Posada would pace his small cell, far from friends and family in Miami. He had nothing but time to ponder his long career as an intelligence operative and failed assassin of Fidel Castro.

Meanwhile the Justice Department of George W. Bush dithered – trying to decide whether to prosecute their high-profile prey, set him free or ship him off to a friendly Central American country. Their preference was for the latter, but international pressure obviated that possibility. There had been another option: to detain him under the terms of the Patriot Act.

They could easily have prosecuted Posada for crimes of terrorism or, if their knees buckled – as proved to be the case, merely charge him with illegal entry. Posada and Bosch, conspirators for 50 years, are a study in opposites: Posada is a cool customer. He is personable but not chatty, a confident man possessed with a casual geniality. Bosch's raw fervor and boasts have been a constant for decades, surprising the most jaundiced investigators with his guileless disclosures and ideological zeal. Posada is more complex: a man of multiple agendas and multiple employers.

At 78, Posada was beginning to show his age. His hair had turned a speckled white but he was sturdier than Bosch, notwithstanding an assassination attempt on him in 1990, that shattered his jaw and nearly severed his tongue, leaving him with a crushed, gravelly voice. Posada insisted that his assailants were Cuban agents- he said a Mossad agent had confirmed it for him, though he acknowledged that he has an array of enemies. One U.S. investigator maintains the attack had nothing to do with politics. "One

of the women he was boffing was close to the Salvadoran army generals," he said. "It was revenge." Another theory, offered by a friend of Posada, is that he was set up by an enemy in Venezuelan intelligence.

Like Bosch, Posada is an amateur painter, who first took up the brush while in prison in Venezuela. While in the El Paso facility, he reluctantly tried his hand at watercolors, having been refused oils on account of their chemical components.

I first met Posada in June 1998 while working on an investigative series on exile militants for the *New York Times*. A former colleague from *Vanity Fair*, had introduced me to a friend of the legendary militant. A week later, Posada left a message on my answering machine, suggesting that we meet in Aruba. He would pick me up at Aruba's small, breezy airport wearing Bermuda shorts and sandals, and a friendly smile. Posada bore little resemblance to the famous photo of him taken in 1976 showing a chiseled-featured, handsome man with a mass of wavy black hair. His eyebrows, dense and unruly, slanted diagonally over his watery gray-blue eyes. He had the spryness of a much younger man, despite a creeping thickness around his middle.

Posada carried my bags outside to a waiting van and off we went to a residential neighborhood: his safe house. The home, an airy split-level, was hidden from view by a high stucco wall and a security gate and was on loan from trusted friends. Copies of his memoir, *Los Caminos del Guerrero, The Ways of the Warrior*, self-published in 1994, were on the bookshelf. Posada served me some ice tea, while a maid fussed about in the kitchen.

Considering his fugitive status, Posada was remarkably breezy. I switched on my tape recorder and we talked for several hours. Barely a half-hour into our first conversation, Posada yanked his shirt over his head, displaying a torso ribboned with the scars from an attempt on his life in Guatemala. Both his arms showed holes where slugs had entered and exited and there was a 10-inch gash on his chest where bullets had grazed his heart. "One bullet entered here," he said pointing to his jaw, "and it exited on the left side. My chin used to be an inch longer. I was very handsome once." After a long recovery process, Posada resumed his life's mission to topple Castro. "It's a war," he said. "A bad war."

Sometimes, Posada would reach over and turn off my Radio Shack tape recorder, allowing only notes taken by hand. He explained that he had granted the unprecedented interview because he needed to generate publicity for his bombing campaign of Cuba's tourist industry, launched in 1997. Otherwise, investors and tourists would continue flocking to Cuba, he said, supplying an economic lifeline to Castro.

During our first session, Posada gave me a copy of his memoir and one of his larger canvases depicting the countryside near his native Cienfuegos, both warmly dedicated. But the attention he garnered from the *Times'* series in 1998 was more than he had bargained for. Posada had agreed to meet with me because he wanted to publicize his efforts to topple Fidel Castro. I recorded as much as possible in the event that Posada developed some regrets, which he did – offering various, conflicting denials before admitting the interview took place.

Like many interview subjects, he was more candid and forthcoming during the intervals that he requested that the tape recorder be turned off. Nevertheless, over the three days I met with him, he revealed a good deal about his various bombing campaigns and his general philosophy. About six hours of our time together was taped.

His boasts of masterminding the bombing campaign - which killed an Italian tourist and caused extensive damage to several sites – generated international condemnation and handed Fidel Castro a propaganda bonanza. Worse, Posada had embarrassed his political supporters in South Florida, some of whom he named as providing him with financial support. Moreover, the Justice Department was caught flat-footed by his confessions.

When I asked Posada in September, 2005 his greatest regret, he instantly responded, "speaking to the *New York Times!*" And then he laughed.

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Like many Cuban stories, this one is rich in personal history and betrayal. At the center of it, like many Cuban stories, is Fidel Castro. In the 1940s, Luis Posada, Orlando Bosch

and Fidel Castro were schoolmates at the University of Havana. On campus, Castro was known for having his own apartment, brand new cars, and the hefty allowance his wealthy father showered on him. "I knew him very well," Bosch recalled, sitting in a rocking chair, next to a photograph of himself from his university years. "We lived across the street from each other. He was intelligent, it's true. He studied law and I studied medicine. I was the president of the Medical School and Fidel was a delegate for the Law School. He could never win an election. I was also secretary general of the *FEU* [the student union] and he wanted to be president of that as well, but he could never win."

The University of Havana's august law school was Cuba's launching pad for future politicians. It was also a hotbed of *gangsterismo* – a freewheeling world of political and criminal thuggery that characterized the university and Cuban politics. Some students, like the young Castro, carried firearms and violent altercations were not uncommon.

Bosch had strongly opposed the dictatorship of Fulgencio Batista as a student leader, and later commanded Castro's rebel forces in Las Villas province. When Castro declared victory, Bosch was rewarded with the governorship of the province. But it wasn't long before Bosch accused Castro of betraying the revolution. He abandoned his post and, for more than a year, led a deadly and effective guerrilla insurgency against the new government. In July 1960, he fled to Miami.

Luis Posada said he too remembers the intense law student from the backwoods of Biran. "He was three years ahead of me," Posada recalled. He pointed out that Castro was handsome but had a weak chin – that was improved by a beard.

Unlike Bosch, Posada was not politically engaged during his student years. His family was upper middle class and ran a small printing press in Cienfuegos, a picaresque city on Cuba's southern coast. With a degree in chemistry, he began his career as a pest exterminator. In the mid 1950s, Posada secured a job with the Firestone Rubber Company working at its plant in Havana before relocating to its headquarters in Akron, Ohio, where he mastered fluency in English.

Posada said that it was during the first months of Castro's reign – when revenge and retribution ran riot- that he became politicized. Luis Ortega, the editor of Havana's most important newspaper, *La Prensa*, had returned to Cuba in January 1959 in solidarity with the Revolution. But he was so troubled by the random violence, arrests and executions that he fled back to the States five months later. "It was a period of terror," he said. "Nobody was sure of anything then."

Sociologists speak of three waves of Cuban immigration to the US: those who never supported the Cuban Revolution, a second group who supported it but became disenchanted with Castro, and the last, who wanted better jobs and opportunities, not unlike economic refugees. The first wave of Cuban exiles that arrived soon after Castro took power were generally well off, better educated, white skinned and virulently anti-Castro. This group would seize the political leadership of exile Miami –and never let go. Posada was part of the first wave, but he opted to stay in Cuba and fight for as long as possible.

He would turn not only against the new government, but his own family, who were dedicated *fidelistas*. One sister would rise to the rank of colonel in the Cuban Army and both brothers held good government jobs. From his earliest days as a neophyte counter-revolutionary, Posada allied himself with the CIA's earliest efforts to sabotage the new government.

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By 1960, Posada had made the acquaintance of the legendary master spook David Atlee Phillips, the CIA's Man in Havana, who was busy recruiting operatives to overthrow Castro. He would also likely have rubbed shoulders with Phillips' colleague, E. Howard Hunt, if not in Havana, in Miami. In 1961, the CIA set up what was then the largest substation in its history called JM/Wave. The station had one mandate and a single mission: to topple Fidel Castro.

Headquartered in a nondescript office building on a secluded, woodsy 1,500 acre tract on the University of Miami's south campus, JM/Wave would become one of the biggest employers in South Florida. Some 400 fulltime CIA staffers with a 50 million dollar annual budget at their disposal would overtime employ an estimated 15,000 Cuban

exiles. A previous, much smaller incarnation of JMWAVE had been run out of a fledgling CIA office in Coral Gables.

According to Ted Shackley, the spymaster who oversaw the station, 300 to 400 "front" corporations hired thousands more. It maintained its own private armory of cutting edge weaponry and had a fleet of airplanes and hundreds of boats. Several grand mansions in Coral Gables along the water, doubled as ports for JM/WAVE's armada of cruisers that made stealth hit-and-runs on Cuba. During its first years of operation, JM/Wave orchestrated direct attacks against Cuba, then in 1963, switched to directing covert missions.

David Atlee Phillips and E. Howard Hunt had earned their stripes at the Agency by destabilizing leftwing governments and movements in Latin America. Their most notable feat had been toppling the newly elected president of Guatemala, Jacobo Arbenz, in 1954 and installing a replacement more congenial to US business interests. Guatemala would never quite recover; 200,000 people lost their lives in the ensuing civil war. Still, Hunt told me in 2004 when he was 88 years old, he regarded the coup as a success. His only regret, he said, was allowing a young Argentine named Che Guevara to flee the country.

One distinguished alumnus of JM/Wave was Porter Goss, who had joined the CIA in 1960 straight out of Yale with his friend and classmate Billy Bush, George H.W. Bush's younger brother. Goss worked closely with Cuban exiles before and during the Bay of Pigs invasion and the Cuban Missile Crisis and told *The Washington Post* that during this period he learned a lot about "small-boat handling" and had "some very interesting moments in the Florida Straits." (In September 2004, he was appointed CIA chief by George W. Bush, but stepped down after less than two years under charges that he had politicized intelligence gathering.)

It was at JM/Wave that David Atlee Phillips set up what he called its "propaganda shop." Among Phillips' achievements was Radio Swan which beamed anti-Castro diatribes into Cuba. The late exile leader, Jorge Mas Canosa, was one of Phillips most talented broadcasters while Luis Posada was employed as a "training branch instructor" at the station until 1967.

In 1968, JM/Wave was decommissioned, at which point, the CIA had its first experience with a phenomenon called "blowback." They had trained an army of assassins - then changed their mind about the target. But many exiles were having none of it, as well as some of the station's senior staff. For them, the war against Castro would continue. The CIA had spawned a monster, a quasi-rogue agency, with staffers like Hunt and Atlee Phillips, openly contemptuous of their superiors at Langley. In 1976, the CIA's controversial chief of intelligence, James Angleton reflected on JM/Wave with journalist Dick Russell. "It made sense to have a base in Miami," he said. "It was a novel idea but it got out of hand. It became a power unto itself. And when people found there weren't jobs to be had, we had some problems."

Posada said he ran sabotage operations on the island for nearly a year with CIA assistance, whom he says provided him with "time bomb pencils, fuses, detonator cords, and everything necessary for acts of sabotage." Sometimes he would slip into Miami and return with "war materials."

But in January 1961, Posada's luck in Havana finally ran out. Following a close call after an operation went awry, he sought asylum at the Argentine Embassy. After a month's time, he was given a visa to Mexico. He would arrive in Miami in time to sign up for the CIA-backed Bay of Pigs operation. Its failure – after President Kennedy refused to authorize air power for what he felt was a hare-brained operation - deeply embittered Cuban exiles. Kennedy's subsequent deal with the Russians to end the Cuban Missile Crisis the following year – a promise not to invade Cuba - deepened the wound for hardliner exiles and CIA's veterans like Phillips and Hunt.

But in the detritus of the U.S. disaster and retreat, Posada found his calling, as well as a lucrative profession: he would be "*un guerrero*," as he himself put it, a warrior.

Posada was one of 212 exiles chosen by the CIA to attend officer training school at Ft. Benning, Georgia where seminars in intelligence gathering, propaganda and covert operations were taught. At Ft. Benning, he made two crucial lifelong relationships: with Jorge Mas Canosa, who would become the exiles' most powerful lobbyist, and Félix Rodríguez, later famous for his role in the assassination of Che Guevara.

Posada graduated as a 2<sup>nd</sup> lieutenant in the US Army in August 1963. He had trained in guerrilla warfare, demolition and spycraft. Posada was especially drawn to the world of espionage, in which he would become a master in black propaganda, surveillance, doctoring photos, forging documents, manufacturing and planting evidence and exploding gimmickry. He delighted in confecting various *noms de guerre* for himself; he would be Comisario Basilio, Bambi, Solo (for the spy in the TV series *The Man From U.N.C.L.E.*) and Lupo, which means wolf in Italian. There would be dozens of bogus passports - fabricated as needed – from a host of countries, including the United States.

Posada was also a charmer: fluent in English and a dashing, ladies' man who could knock back half a bottle of Black Label scotch and not make a fool of himself. He was neither garrulous nor obsessed with politics: his only ideology was anti-communism. "There are no good communists," Posada told me. "All are bad." In short, he was the perfect Cold War spook. In time, his talents would be sought by the CIA and various intelligence agencies in Latin America. Throughout the 60s, much of the 70s, and again in the mid 80s during Iran-Contra, he was a paid asset of the CIA, a detail his defense attorneys have hammered home at every opportunity. David Atlee Phillips, who became CIA chief for Latin America, told congressional investigators [for the House Committee Hearings on Assassination in 1978] that Posada had worked with him on Chilean operations, presumably Track II, the CIA program to overthrow the government of President Salvador Allende in Chile.

Posada would always have a pay check - even when pursuing his personal passion of eliminating Fidel Castro. Posada was "smart with money," Bosch told me, lamenting, "I'm the only one who didn't make money." At first, he was sponsored by the CIA and other intelligence agencies in Latin America. Later, he was subsidized by dedicated anti-Castro patrons like Jorge Mas Canosa and members of Mas' powerful exile organization, the Cuban American National Foundation.

In his closest near-miss in taking out the Cuban president, Posada partnered with Antonio Veciana, a former banker who went on to found the anti-Castro paramilitary group Alpha 66, at the suggestion (and backing) of the CIA. The plan, conceived by Veciana's CIA handler, was to take out Castro at a summit in Santiago, Chile in November, 1971. Veciana hired two Venezuelans, both cohorts of Orlando Bosch, to

pose as news reporters equipped with a 16 mm newsreel camera. But inside the camera, Posada planted a machine gun - a favored, old-fashioned CIA gadget.

A consummate professional, Posada thought of everything – even how to divert suspicion from the CIA should his assassins be killed. Planted on the men and in their hotel rooms were carefully crafted bogus documents and photos were planted on the men and in their hotel rooms that would lead police to two KGB agents living in Caracas. Veciana recalled that Posada was “an extraordinary shooter,” who would practice his marksmanship on a regular basis, mastering all manner of firearms - from pistols to automatic weapons. “Even as a young boy, Posada was fascinated with explosives and guns,” Veciana told me. “He was a good shot even then.”

According to Veciana, the assassins fixed the lethal camera on Castro but got cold feet after spotting Cuban security agents guarding the exits. Posada was furious. He had worked out the plan in minute detail- even finding an exit strategy for the hit. According to Fabian Escalante, former chief of Cuban Intelligence, the plot’s Plan involved “a correspondent of the Soviet TASS news agency who was also a KGB officer [who] was in Caracas. Posada arranged to photograph his two agents while they were talking with the Russian, so that after the assassination of El Comandante, a media campaign would be unleashed showing the photos and accusing the Soviets of being the perpetrators....Posada had fixed things with Eduardo Sepúlveda, colonel of the Chilean Mounted Police, responsible for security in the location where Fidel would give his press conference, so that instead of detaining the assassins, he would eliminate them and thus avert any indiscretion.”

Though demoralized by the failure, Posada quickly regrouped with another collaborator, Osiel González, to plot another attempt to eliminate Castro – this time during an upcoming visit to Quito, Ecuador.

At one point, the men considered detonating a bomb “by planting explosives in the ashtrays at the airport,” González, told me over *cortaditos* on Calle Ocho. But there were logistical problems. “In the airport in Quito there were no ashtrays,” explained González, a dapper, handsome man in his 70s. “People throw the ashes on the floor and they stomp the butts on the floor. Second, the [security] who go ahead of Fidel are not

stupid and they will search the place wherever possible – even a false ceiling... [And] where were we going to get the explosives- on such short notice? There was no time - and we [had no place] to plant them. Well then how are we going to do it? I called Luis [Posada] and told him.”

Posada decided it had to be a hit, but this time he was not taking any chances: he would fire the weapon himself, using a state-of-the-art sniper rifle with a silencer. Posada positioned himself in an elevated hangar in Quito’s airport just a few hundred feet away from where Castro would pass by once he de-boarded. But at the last moment, the wily Cuban strongman switched his arrival to a nearby military base.

Later, Posada dispatched yet another set of assassins with the killer camera to Caracas, but when Castro appeared, Posada’s men were nowhere to be found.

Posada learned from such disheartening experiences, and developed a philosophy and *modus operandi* for future endeavors. Assassination attempts required dedicated anti-Castro Cuban exiles. Sabotage, bombings and the like could be relegated to what he called "mercenaries," generally young, uneducated Central Americans who could carry out small limited tasks and be hired by intermediaries. "Compartmentalized," he explained to me in 1998. "I know who they are, but they don't know me."

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Luis Posada wrote in his memoir that in September 1969, while sipping his usual pre-lunch daiquiri at Centro Vasco, a popular Miami restaurant on Calle Ocho, he was approached by an “elegantly dressed” Venezuelan. The man was Erasto Fernandez, Venezuela’s DIGEPOL intelligence czar, and he had a tantalizing offer for the 40 year old Cuban. Fernandez had been impressed by Posada’s track record at the CIA, and their recommendation of him. He was also an admirer of Posada’s freelance stints for Caracas intelligence over the years. Posada came on board as chief of security for DIGEPOL which was soon re-christened as DISIP. By 1971, Posada was in the catbird seat at DISIP, having been promoted to be its chief of counterintelligence.

In truth, Posada's relationship with the CIA had not been entirely smooth sailing. Agency memos in the late 60s questioned Posada's coziness with drug dealers and

mobsters and a "tendency" to become involved in "clandestine sabotage activities," "gangster elements" and "thefts from C.I.A., plus other items." A 1974 intelligence memo reported that "Posada may be involved in smuggling cocaine from Colombia through Venezuela to Miami, also in counterfeit U.S. money in Venezuela." Another noted that Posada was "seen with known big-time drug trafficker," and a third referred to him as a "serious potential liability."

To what degree the profits of drug trafficking financed exile paramilitary strikes is unknown. Historians agree that Miami's renaissance as an American city owed much to the CIA's employment of thousands of Cubans in the early 1960s, followed by the dizzying profits from the bustling cocaine trade in the 70s, estimated at \$8 billion a year. Narcotics were a lucrative sideline for some militants whose motives were not entirely ideological.

Posada's move from Miami to Caracas suited the CIA, providing a degree of cover and deniability. In 1972, four anti-Castro militants had been caught alongside Howard Hunt trying to burglarize the Democratic Party's headquarters at the Watergate in Washington D.C.. The ensuing scandal rattled the country to its core and President Nixon was forced to resign. The CIA awkwardly sought to distance itself from the arrested burglars, its former employees. Prompted by reports of CIA excesses, several high-powered Congressional hearings were launched to investigate the CIA's involvement in assassinations.

The CIA had been keen on Posada's alliance with DISIP for other reasons. Caracas had become the front line of the CIA's war against communism in the hemisphere. Castro's escalating involvement with Venezuela's leftist guerrillas had alarmed the Agency. The Cuban leader not only wanted to export his revolution, they argued, but also had his eye on the country's vast oil reserves.

Soon after Castro's rise to power, Caracas had become a hub of exile activity, sort of a sister city to Miami, with DISIP functioning almost as a satellite station of Langley. In an earlier variant of "rendition," some of the dirtier chores of the CIA were farmed out to DISIP. Roiling with guerrilla groups, wildcatters, and drug lords, Caracas was the Casablanca of the Caribbean. As such, it was the perfect home for Luis Posada Carriles.

At DISIP, Posada saw to it that all offices and businesses of Cuba were under continuous surveillance. Allied with the conservative Christian Democrats, he poked into the private business of some in the opposition Adecó Party. One powerful Adecó politician, Carlos Andrés Pérez, didn't appreciate Posada's secret wiretaps of his conversations with his mistress. When Pérez was elected president in 1974, he promptly fired Posada.

Carlos Andres Pérez, known as CAP, was a former spook himself and a consummate politician, deft at playing both sides of an issue. Although Pérez was a solid U.S. ally and suspicious of Castro, he was not looking for a showdown with the belligerent Cuban. He favored covert action, and to that end, provided CIA officers with government office space. While Minister of Interior, CAP reportedly received \$10,000 a month from the CIA, according to journalist Don Bohning who has chronicled the history of JM/Wave.

Pérez continued the tradition of staffing DISIP with Cuban exiles. Because citizenship was a requirement at DISIP, the Cubans were rushed through a quickie nationalization process, then awarded with key posts. Rafael Rivas Vasquez had one of the longest tenures under Pérez at DISIP. Born in New York City in 1937 to Cuban parents, he was educated in Cuba. Like many university students, Rivas Vasquez joined the anti-Batista forces only to be transformed into an anti-Castro partisan. After receiving a masters degree in economics from the University of Miami, he joined DISIP as an analyst in 1972. A large, rotund man, he steadily climbed through DISIP's ranks and in 1974 was named second in command and in 1989 during CAP's second term as president, was named DISIP chief.

But CAP's most crucial relationship was with a Bay of Pig veteran named Orlando García. A US army vet and a CIA asset, García was responsible for CAP's personal security and served as his trusted gatekeeper. García, bald with a goatee, was partial to gold jewelry, silk shirts, beautiful women and booze. A shrewd player, who married at least five times, García kept his hand in both Cuban politics and the guerrilla wars raging throughout the hemisphere. He even formed an acquaintanceship with Che Guevara in 1953 when García was living in exile in Costa Rica. At this point they were both rebels – Garcia having fought against Batista until it was too dangerous for him to remain in Cuba.

García's loyalty to CAP was unflinching for 40 years. Their friendship was sealed when García got wise to a planned assassination attempt on CAP in Costa Rica. The story has it that García pretended to befriend the would-be assassins, drove them on a bogus mission, and then gunned them down while they stopped by the road to urinate.

Salvador Romani, an exile who led the anti-Castro organization, Junta Patriótica in Caracas for many years, remembered García as a man of singular status. "Let me tell you that the influence Orlando García Vazquez had on Carlos Andres Pérez was total," he began. "Every day, Orlando exercised with Carlos Andres Pérez in the exercise room in La Casona [the presidential residence] and most of the power players who made up the so-called CEN [National Executive Committee], were jealous because Orlando García was the most influential man." Romani added that when García died in Miami in 2005, Pérez attended his funeral despite "his bad physical condition" following a debilitating stroke.

García's deputy, Ricardo "El Mono" or "Monkey" Morales was even more colorful. Part James Bond, part Scarface, Morales was a former agent in Castro's intelligence service who had reportedly been recruited by David Atlee Phillips. A good looking, dazzling talker, he had met García through his brother. George Kiszyinski, a veteran FBI agent of 34 years, described Morales as "decadent, devious, brilliant, completely amoral, with an astonishing photographic memory." He was also a chameleon – politically and sexually. Unburdened by any ideology, Morales devolved into the CIA's Frankenstein.

Not infrequently, Morales operated as an informer for the FBI, DEA, CIA, Miami police department and various Latin American agencies. In 1968, he provided most of the testimony that had convicted Bosch and sent him to federal prison. Shortly before he joined DISIP, Morales barely cheated death when his car exploded in Little Havana.

Both Morales and Orlando García, who remained on the CIA payroll, would play crucial roles in the *Cubana* airline bombing investigation.

Ever resourceful, Posada quickly rebounded from his firing at DISIP, recycling his hi-powered contacts into an even more profitable venture, a security and detective agency called ICICA. The firm, housed in a handsome building near DISIP, was an instant

success and attracted clients like Chrysler and many of the hemisphere's most prestigious banks, screening employees and handling theft investigations and security systems. "It was the biggest in the country," Posada told me proudly.

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Orlando Bosch arrived in Miami in July 1960 with his wife, Miriam, also a doctor, and their four young children, and soon found work as a pediatrician. While his day job was saving babies, his free time was devoted to eliminating his enemies.

Before fleeing Cuba, Bosch had founded the anti-Castro paramilitary, MIRR [Movement of Insurreccional Revolutionary Recovery]. While in Miami, he redoubled his efforts for MIRR and initially accepted assistance from the CIA, which financed a training camp for him in Homestead, not far from the Everglades. But Bosch did not have the temperament to work with the CIA. Once he realized that there would not be a second Bay of Pigs, he wrote President Kennedy a rambling screed, shut down his camp, and went on his own.

Bosch's new group, Cuban Power was the most audacious of the anti-Castro groups, claiming credit for dozens of bombings and assassination attempts. Bosch referred to these as "justice actions." Any company, individual or country seen as sympathetic to Cuba was regarded as fair game. By the mid-'60s, Bosch had been arrested half a dozen times in Miami for various bombings and violations of the US Neutrality Act. In September 1968, he was arrested again, for firing a 57 mm bazooka into a Polish ship docked at the Port of Miami. This time, he was sentenced to ten years in federal prison in Marion, Illinois. In prison, Bosch re-acquainted himself with Rolando Masferrer who had run the most-feared paramilitary group under Batista known as *Los Tigres*.

From his earliest days in Miami, some of Bosch's collaborators questioned his tactics - and his sanity. He was often described as "mad" and "crazy" - even "*esquizofrenico*." While some held him in the highest regard, others would roll their eyes. Still, Bosch had developed a cult-like following and began to attract powerful supporters. Governor Claude Kirk of Florida was among those who lobbied for his early parole after just four years. "When I think of free men seeking a free homeland," the Governor explained, "I

must necessarily think of Dr. Bosch." In 1972, Bosch walked out of federal prison in Atlanta.

One of Bosch's priorities was instilling discipline and obedience into the exile paramilitaries. On Good Friday 1974, exile leader José Elías de la Torriente was shot dead in his living room while watching television with his wife. Left outside his door was a piece paper with a large zero drawn on it with De la Torriente's initials. Missives were sent to the Miami media describing De La Torriente as a "traitor" and listing ten other exile leaders who would soon receive their own "zero." More than half would be murdered; others fled Miami.

Bosch disappeared in the wake of De La Torriente's murder, but emerged a few weeks later for an interview with *The Miami News*. "Nobody will dare raise a false flag here anymore, for fear for his own life," Bosch warned. "[Torriente's] slaying was a good lesson to the exile community, so that no one else will now come forth with phony theories to fool and rob the people." Miami became the crime capital of America with bombs and killings becoming virtually routine. "It's the old Chicago gangland style, nothing new," *Time* reporter, Jay Mallin, said in 1976. "Bosch is an extortionist, not a patriot. If you don't pay, he puts a bomb outside your office. There is no real militant patriotic activity anymore, it's been reduced to criminal."

The FBI suspected that Bosch played a key role in the carnage engulfing Miami. But before he could be arrested, Bosch left the country, violating his parole. Another casualty of his crusade was his marriage. "I'm going underground in a Latin American country to direct the internationalization of the war [against Castro]," he announced prior to leaving. "I know I will be a fugitive." "I went to make sabotage against Castro," he told me, eventually, joining forces with Luis Posada in Venezuela. In fact, Bosch had received the blessing of President Carlos Andres Pérez who instructed his Cuban-led security team of Orlando García, Rafael Rivas Vasquez and Mono Morales to attend to their fellow exile.

I asked Bosch how it was possible for him to work again with Morales, after he had turned state's evidence against him. "El Mono greeted me with *un gran abrazo*," Bosch explained, demonstrating the attempted embrace. "But I stepped back and only shook

his hand. I told him I would forgive, but not forget.” Nevertheless, as was often the case with Bosch, things did not go smoothly.

On October 10<sup>th</sup>, 1974, the anniversary of Cuban independence, Bosch set off bombs at Panama's Embassy and at a cultural center in Caracas, shortly before Cuban officials were to arrive. True to his modus operandi, Bosch boasted about his handiwork - embarrassing the Venezuelans and requiring his arrest a month later. Eager to unload Bosch, Venezuela contacted the U.S. To their surprise, they learned that the Justice Department did not want him back, regardless of his fugitive status.

Bosch said he won his release after negotiating an unusual deal with DISIP. He would no longer bomb targets in Caracas. In exchange, he was promised that no upper echelon Cuban officials would be allowed to visit Venezuela.

Bosch then headed to Curacao, using a false passport in the name of Pedro Pena, where he linked up with his collaborator Guillermo Novo. The two men flew south to Santiago, Chile where they found a generous and accommodating host in General Pinochet for the next year. President Pinochet and his intelligence organ, DINA, allowed Bosch to strike his targets with impunity – such as bombing the Cuban embassy in Mexico and kidnapping Cuban diplomats in Argentina. But there was a price. The Chilean junta informed that they had some pests of their own they wanted eliminated – such as former Ambassador Orlando Letelier. “Pinochet’s people were always telling us that they wanted Letelier killed,” Bosch said.

Like Posada, Bosch would float about the hemisphere pursuing his targets – even slipping into the U.S. when needed. “With our group of guerrillas - we planted bombs,” Bosch told me. Then he shrugged and raised his hands face up in a gesture of mock helplessness. “We did everything that was possible to be done,” he told a reporter at the time.

While in Santiago, Bosch fell in love with a lushly beautiful *chilena*, Adriana Delgado, twenty years his junior. The two married in February 1975 and had a daughter, Karen, not long after

Bosch was a fugitive from U.S. justice when he founded CORU (Coordination of United Revolutionary Organizations) in the Dominican Republic, a country hospitable to Cuban exile paramilitaries as well as legitimate exile business interests. The creation of CORU, and its master plan to bring down Castro established Bosch as the Godfather of the exile militants. Its initial two-day meeting on June 6 and 7, 1976, was held at a secluded mountaintop retreat near Bonaó. Twenty exiles attended, representing the major militant groups, including Posada, Frank Castro, Ignacio and Guillermo Novo and José Dionisio Suárez. "Everything we did was planned there," Bosch told me, noting that the attendees included "all the major military and political leaders. It was a truly great meeting." CORU's mission was simple, he said: "To fight Castro's friends and minions." Subsequently, CORU took responsibility for hundreds of bombings, kidnappings, and killings in Latin America, Cuba and the U.S.

One of CORU's priorities was to bring down a Cuban airliner. The group reasoned that such an audacious act would demonstrate their might, terrify the Cuban government, and focus the world's attention to their cause. "Several informers infiltrated, of course," Adriana Bosch noted, with a roll of her eyes. "It never fails." One such informer notified the CIA that the meeting had taken place at the "home of former senator of Batista govt.," according to an Agency memo, and noted that "Orlando Bosch and others discussed terrorist acts such as placing bombs on Cuban aircraft."

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In early 1975, the intelligence services of Chile's general Pinochet, Argentina's Videla and Paraguay's Gen. Alfredo Stroessner devised a secret plan to hunt down and assassinate political opponents and leftists throughout the hemisphere. The plan was called Operation Condor and functioned as the international operations of The Dirty War, as the internal purging of opponents was known. Orlando García told author John Dinges in an interview in 2002 that Gen. Manuel Contreras, Pinochet's right hand man who ran DINA, had visited his cooperation in Condor. "Contreras wanted us to capture Chilean exiles and turn them over to Chile with no legalities," García recalled. "He wanted us to put them on a plane and Chile would pay the fare. He said, 'we have to eliminate the enemies.' I knew that meant only one thing - we knew the people he

captured would be tortured and killed." García said that Andres Pérez kiboshed the proposal.

But Contreras had more success recruiting CORU members to do Condor's bidding, and was confident that their rabid anti-communism would inoculate them from sentimentality. According to Cuba's master-spook, Fabian Escalante, who alleges U.S. complicity in the attacks, "Bosch was going to offer himself to Pinochet along with this group of terrorists of Cuban origin who would become killers within Operation Condor." He met up with Gen. Contreras, made contact with American born DINA agent/ hit man, Michael Townley and soon organized the kidnapping and murder of two Cuban officials in Argentina.

Bosch did not dispute Escalante's account. "We did all we could," he told me. "And we ended up doing an attack against the Cuban ambassador in Buenos Aires," he said referring to the two Cuban embassy officers who disappeared.

Around the same time, bombs began to go off in Miami - sometimes daily. On the night of December 3, 1975, thirteen bombs went off in 48 hours, striking at the very lifeline of the city: the airport, the police department, the state attorney's office, the Social Security building, the Post Office, and the FBI's main office.

Before the bombs went off, there would usually be a phone call. The caller would not speak but would play the first haunting strains of the lute-driven melody of the 1970 Simon and Garfunkel hit, *If I Could*. *"I'd rather be a hammer than a nail. Yes I would, if I only could. I surely would. HmMMM."*

Originally a Peruvian folk song, it was called "*El Condor Pasa*." It was a crucial clue that would lead investigators to the bomber Rolando Otero, a hyper-intense young Cuban with a brillo-like goatee, who worked closely with Mono Morales and Orlando Bosch. Otero even called himself *El Condor* after the fearsome vulture of the Andes, renowned for its wingspread and radar-like vision. It was not lost on investigators that Condor was also the name of the foreign operations of The Dirty War.

The message was clear: the U.S. was not off-limits in the war against Castro.

## Chapter 6: Casablanca on the Caribbean

In the summer of 1976, Orlando Bosch received an invitation that he could not refuse. The president of Venezuela, Carlos Andres Pérez, a staunch anti-communist during his tenure as Minister of the Interior, had extended an olive branch welcoming him back to Caracas. According to Bosch, he had been contacted three times by DISIP's Orlando García who even mailed him a visa to encourage his return. On September 8, 1976, García and his deputy, Ricardo "El Mono" Morales, greeted Bosch at the airport.

This time a pact was agreed upon: Bosch would be allowed to base himself in Caracas as long as his targets did not include Venezuela, Costa Rica or the Dominican Republic. In return Bosch was given a Venezuelan passport, bodyguards, a DISIP identity card in the name of Carlos Sucre, and a deluxe suite at the swank Anauco Hilton, where García and Morales also lived.

But the Venezuelans came to the quick and grim realization that they would not be able to control their guest. Soon after his arrival in Caracas, a fundraising dinner was given in his honor at the home of a wealthy Cuban doctor. All of DISIP top exile spooks, Posada, Mono Morales and Orlando García, attended. According to a CIA memo dated October 14, during the dinner, Bosch sought to extort "a substantial cash contribution to [Bosch's] organization" from the Venezuelan government in exchange for a promise to abstain from attacks in the U.S. during Pres. Carlos Andrés Pérez's upcoming trip to the United Nations. Bosch was given \$500. Evidently, it was not enough.

On September 21, Orlando Letelier, Chile's former ambassador to the United States and an outspoken critic of the Pinochet's junta was assassinated when a bomb placed under his car exploded as the vehicle approached his office on Washington's Embassy Row. Also killed in the blast was 25 year old, Ronni Moffit, the American wife of Letelier's assistant, Michael Moffit, who was sitting in the back seat and miraculously survived.

The murders, six weeks before the presidential election, stunned the world. The FBI immediately suspected that Cuban militants, in cahoots with the Chilean secret police, were responsible. Several militants were known to be as garrulous as they were daring, informing the FBI that CORU members Dionisio Suárez, Virgilio Paz and the Novo brothers –Guillermo and Ignacio – had carried out the car bombing on orders from

Chile's Col. Manuel Contreras. "These guys talked like a bunch of old washerwomen," said Lawrence Barcella, the assistant U.S. Attorney who eventually solved the case. "We learned about Guillermo Novo from Bosch, and Novo bragged about being supported by the Chilean junta." CORU had mastered the new art of exquisitely timed car bombings, which became its signature. A Washington map delineating Letelier's daily route to work was later found in Posada's home.

Only after the assassination of Letelier did the CIA take seriously their problematic relationship with militant groups and their threat to public officials. A few weeks after the Letelier hit, CIA director George H.W. Bush picked up the phone in his Langley office and called Congressman Ed Koch, the future mayor of New York, to warn him that he was a possible target, based on intelligence received in July. Bush told Koch that his proposed legislation to cut off U.S. military assistance to Uruguay had prompted a paramilitary affiliated with Operation Condor "to put a contract out for you."

George H.W. Bush at the CIA had been given similar warnings concerning Orlando Letelier and another stating that a *Cubana* plane was a desired target. But neither of these looming tragedies warranted the intervention of the CIA director.

An October 14<sup>th</sup> CIA memo stated that its informant had overheard Bosch boasting that "now that our organization has come out of the Letelier job looking good, we are going to try something else." It noted that plans were solidified soon after. A few days following the fund-raising dinner, the memo continued, Posada was reported to have said: "We are going to hit a Cuban airplane...Orlando has the details."

As it happened, the CIA had been warned that Orlando Bosch had chosen a Cuban airliner as a target four months earlier. A June 1976 memo, entitled "Possible Plans of Cuban Exile Extremists to Blow up a *Cubana* Airliner," informed the Agency that a group led by Orlando Bosch "plan to place a bomb on a *Cubana* airline flight traveling between Panama and Havana," specifically citing *Cubana* flight # 467 on June 21. Its source was described as a "usually reliable businessman with close ties to the Cuban exile community."

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Lazaro Serrano was suavely handsome with a smile that made his cheeks dimple. At 32, he juggled two jobs: one as a *Cubana* Airlines flight attendant that paid the bills. But it was his career as a songwriter and singer that consumed most of his waking moments. Onstage at The Tropicana, Havana's famous nightclub, Serrano was known as Channy Chelacy. Although not yet a famous crooner, he was well known in music circles and had written songs and arrangements for *The Quartet Aida*, the hottest girl group in Cuban history.

In fact, Serrano's girlfriend was Moraima Secada, the silky voice of *The Quartet Aida*, whose nephew, Jon, would make his own name years later in Miami. The other voices of quartet were Moraima's sister Haydée, the dazzling Elena Burke, and Omara Portuondo, the gifted *bolero* singer who would have a stunning comeback with The Buena Vista Social Club. In the 1970s, the four stars had solo careers but continued to sing together at the demand of their fans at sold out venues.

On October 6<sup>th</sup>, 1976, Serrano was working a Caribbean milk run for *Cubana*. He was anxious to get back to Havana and work on his new show with Moraima. There was also his impending wedding, an event that Moraima decreed would be the party of the year.

*Cubana* Flight # 455 left Guyana at 10:57 a.m. The first stop was Trinidad, then Barbados, with a final stop in Kingston, Jamaica, before landing in Havana at the end of the day.

In Trinidad, 24 members of Cuba's national fencing team boarded the plane. Dangling around their necks were gold and silver medals that they had won at the international youth fencing championship in Caracas. Although exhausted, the group – many of whom were teenagers – was elated. They had celebrated by dancing the night away with *Los Van Van*, Cuba's veteran rock 'n' roll band, who happened to be performing in Venezuela. The team had flown in on a Pan Am flight from Caracas that had arrived ten hours earlier.

The first two short hops of the journey were uneventful, but just eight minutes after taking off from Barbados, a bomb exploded in the rear restroom of the plane. "We have an explosion on board," the pilot, Wilfredo Pérez, radioed the control tower at 1:24.

"We're descending fast. We have a fire on board." Then came a second, deafening blast. Minutes later, horrified sunbathers at the Paradise Hotel watched the DC-8 jet nosedive into the sea.

All 73 passengers and crew aboard were killed: 57 Cubans, six teenage exchange students from Guyana, a young Guyanese family of five, and five North Koreans.

Moraima Secada's records continued to sell. But she never recovered from her fiancé's death. The virtuoso singer rapidly spiraled downward into depression and booze and died ten years later. "Her liver gave out," said her friend Rosario Moreno, "but really it was her heart."

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*Cubana* flight #455 was the worst act of airline terrorism in the hemisphere prior to 9/11. Its downing has prompted three decades of court trials, charges and counter-charges and not a few conspiracy theories. But certain facts are not in dispute.

Two young Venezuelans, Hernán Ricardo and Freddy Lugo, boarded the *Cubana* plane in Trinidad shortly after 11 a.m. Each had checked a bag. Although Ricardo was only 20, he had been working for Luis Posada Carriles in Caracas for almost five years. Eager and ambitious, Ricardo did all manner of odd jobs at Posada's detective and security agency, ranging from photography to surveillance. He had recently recruited his friend Freddy Lugo, 27, to assist him. Lugo walked on the plane with two cameras, one around his neck and the other in a handsome, alligator shoulder satchel.

Hernán Ricardo was traveling with a Venezuelan passport in the name of José Vasquez García. Two other passports, including a U.S. one with a bogus name, as well as his own genuine Venezuelan passport, were in his valise. Prior to boarding the flight, Ricardo had stuffed C-4 plastic explosives in one of the cameras and into an empty tube of Colgate toothpaste. Lugo recalled his friend "playing with something that looked like dough of a whitish or beige color; he was softening it."

About twenty minutes into the flight, he pushed the camera under a seat in the midsection of the plane and stashed the toothbrush in the rear bathroom. But in his

nervousness he had jammed the restroom door. Stuck inside, he banged on the door for assistance, according to a passenger who disembarked in Barbados. A stewardess tried to open the door. Unsuccessful, she recruited the plane's co-captain to kick the door loose and rescue the young assassin.

At the airport in Barbados, the two men hailed a taxi to take them to The Holiday Inn in Bridgetown where they checked into Room 103 under fictitious names. En route, Ricardo asked the driver to stop the cab so that he could get out for a few moments and watch an airplane passing over. At the hotel, Ricardo immediately placed a call through the front desk to Luis Posada's detective agency and left a message with his secretary asking that he call back immediately. He then called his girl friend Marinés Vega, who worked at the agency, and asked her to relay an urgent message to Posada: "We are in a desperate situation and need help....The bus was fully loaded with dogs," he told her, using a crude code of "bus" for "plane" and "dogs" for "passengers."

Ricardo next placed a call to a "Señor Paniagua," the *nom de guerre* of Orlando Bosch, or "Sr. Pan y Agua"- Mr. Bread and Water, as Freddy Lugo pronounced the name. "I asked him who Mr. Pan y Agua was because I found it amusing that someone would have that name," Lugo wrote in his subsequent confession, "and he told me that it was a dear friend of his named Orlando Bosch." At the time, Bosch was living in Caracas at the home of an exile comrade. One of Ricardo's more recent jobs was driving Bosch around and acting as his all-around aide-de-camp. Ricardo did not make contact initially as the phone number he gave the operator had one wrong digit.

Hoping to bury their tracks, the two men changed hotels and checked into The Village Beach Village, room 61, where Ricardo continued trying to contact Posada and Bosch. Ricardo also tried making contact with his mother, telling her, according to Lugo, "to give the telephone number of the Village Beach Hotel in Barbados to Mr. Luis Posada so that he could call and to tell him that there was a problem." As he was frantically placing calls, he imagined that a Cuban intelligence agent was in the lobby.

Visibly agitated, the young men opted to take a walk hoping to calm their nerves. But as word of the tragedy buzzed among the locals, the panic-stricken Venezuelans decided they had to leave Barbados immediately. They fled to the airport in such a hurry, that they left their luggage in their hotel room.

Arriving back in Trinidad's capitol, Port-of-Spain, they took a taxi to The Holiday Inn, checked in under assumed names, and continued to try to reach Posada. Finally, Ricardo made phone contact with Orlando Bosch – who expressed some dissatisfaction with their handiwork: "My friend we have problems here in Caracas," Bosch told Ricardo, "You never blow up a plane while it is in the air," seeming to suggest that the plane should have been on the ground for the attack.

The taxi driver, Kenneth Dennis, who had heard the news about the bombing on the radio, found the behavior of his two high-strung passengers suspicious. So did the hotel's reception clerk. Both notified the Trinidad police, who promptly swooped in and arrested Ricardo and Lugo.

Trinidad's Deputy Police Commissioner, Dennis Ramdwar, 49 years old and a police veteran of more than two decades, understood the gravity of the crime and its implications. "I followed our normal procedures," he told me in 2006, speaking with a faint Caribbean lilt, explaining that he ordered that the men be questioned separately. A careful man, he arranged that several officers to witness and participate in the interrogation. He also summoned two Spanish speakers to serve as interpreters.

Ramdwar zeroed in first on Hernán Ricardo, who was more talkative, and whose name did not match the name he had used to check into the Holiday Inn. The following day, he and his team interviewed Freddy Lugo. Both men initially denied knowledge of the crash.

On Sunday October 10<sup>th</sup>, Ramdwar visited Hernán Ricardo and showed him several plane tickets, a notebook, and a diary. "He told me the tickets were his and the notebook and diary were also his," Ramdwar wrote in his report. Ramdwar then questioned him about several names and phone numbers of interest to him. One notation read, "Orlando 713916." At which point, Ricardo said he would give a formal statement.

Ricardo's testimony to Ramdwar came in fits and starts over the next two weeks but by the end of the second session, Ramdwar realized he was investigating the crime of his career, if not the hemisphere's crime of the century.

At 8 a.m. the next morning, Ramdwar flew to Caracas for meetings with top officials in Venezuela's foreign ministry followed by meetings with DISIP's chiefs and other

intelligence agencies. By the end of the meeting, it was clear to those present that the two young men in Trinidad's jail had not acted alone.

Ramdwar returned to Trinidad and visited Freddy Lugo in his cell, who began to recall some details, such as Ricardo using a bogus passport. By the end of the day, Lugo asked to see him again. Lugo said that he now recalled that Hernán Ricardo had told him on their return flight to Trinidad that "Orlando Bosch and Luis Posada must be worried about him." He also said that about twenty minutes after the *Cubana* plane left Trinidad, his friend "became very nervous [and] was sweating, and went to the bathroom." When Ricardo returned to his seat Lugo said he was "even more nervous and sweating heavily."

The following afternoon, Lugo asked to see Commissioner Ramdwar and his team in the commissioner's office. "He told me that he had thought the whole matter over and wished to tell me the truth," Ramdwar wrote in his report. He informed Lugo of his rights and that his comments could be used against him in a court of law. Lugo assented and unburdened himself, telling the group of investigators that he "was convinced that Hernán Ricardo was the one who placed the bomb on the aircraft," because on their flight to Trinidad, his friend had told him he was going to blow up a *Cubana* aircraft."

The next day at 6:30 p.m., Hernán Ricardo requested to see Ramdwar alone with just the interpreters present. Ramdwar assented, and Ricardo began his remarkable account. Young Ricardo struck the investigators as being worldly beyond his years, especially when he told them that his collaborator Orlando Bosch headed a paramilitary umbrella organization called "El CORU," which he also called "El Condor." Seeking to impress the police commissioner, he drew a chart of the organization's hierarchy and pointed out that Luis Posada had been a powerful person in Venezuela's intelligence apparatus.

Ricardo also mentioned that he and Lugo had been in Barbados on July 12<sup>th</sup>, the very day a British West Indies Airways ticket office was blown up. He noted, somewhat self importantly, that he knew quite a bit about that bombing as well as another bombing at the Guyana Consulate in Trinidad.

By the evening of October 19<sup>th</sup>, Ricardo had more to say to Ramdwar and his team of investigators. He said he was speaking "in the greatest confidence" and asserted that he and Freddy Lugo were "members of the CIA in Venezuela," although Lugo was only a "Grade D" while he was in a superior category of "Grade B-1." Ricardo said he had been recruited in "1970 or 1971" and had been trained in counter-intelligence in Panama and Venezuela

He also said that he knew who had blown up the plane and identified them as Venezuelans who were still in Trinidad.

Ramdwar again cautioned him that his testimony could be used against him. Ricardo responded by saying that if Ramdwar "used his police brain it would be clear who bombed the plane." When Ramdwar informed the young man that he was quite certain who had committed the crime, Ricardo became very quiet. Then he proceeded to make a full confession: "I want to tell you in the utmost confidence that Lugo and I blew up the plane," he told his questioners, and asked for pen and paper. Drawing an elaborate sketch of the bomb, timer and detonator, Ricardo explained to Ramdwar how he detonated the explosives using a pencil-size timer – that he stored in a tube of toothpaste - minutes after the jet soared into the sky above Barbados.

He then went on to describe a nefarious plot, one that was hatched, he said, by his employer, Luis Posada, and his close collaborator, Orlando Bosch. "He told me that Bosch was conscious of all his activities and that he always informed his immediate superior, Posada, or Orlando Bosch personally," Ramdwar wrote in his report. "Ricardo told me that he had made a call to Bosch and had informed him by telephone of the results of the operation, and said that Posada also was informed." The night before the bombing, Ricardo, who had been paid \$25,000 for his services, had a final meeting with Bosch and Posada in the lobby of Anauco Hilton.

Freddy Lugo told the Trinidadian investigators that Ricardo had compared his exploits to those of Carlos the Jackal, the Venezuelan terrorist then at the height of his fame. *Cono, 73! Mas que el Chacal,*" he boasted to Lugo. *"Damn it 73! More than the Jackal!"* On the short plane hop back to Trinidad, he described Ricardo as having alternated between euphoria, panic and tears while he downed shots of whiskey. "The Jackal can have his

history as a great terrorist, but I already beat him, and the Palestinians too, in terrorism," Lugo recalled. At one point, Ricardo said he trumped the notorious Jackal. "Now I am the one who has the record because I am the one who blew up that thing." Later he broke down, saying: "Damn it, Lugo, I'm desperate and feel like crying. I've never killed anyone before."

The plan had been for Hernán Ricardo to continue on to the U.S. after the bombing. To do this, he needed a U.S. visa from the FBI's Legal Attache in Caracas, Joseph Leo. Leo explained to Ricardo that he needed a letter of employment in order to qualify. On October 1<sup>st</sup>, 1976, Ricardo returned to Leo's office with a letter signed by Posada on his ICICA business stationery attesting that Ricardo was his employee.

Leo said later that a few things about the smooth-talking Hernán Ricardo unsettled him, though not enough to deny him a visa. Two days after the bombing, Leo wrote a detailed seven page memo to the FBI in which he admitted that he had met Ricardo on several occasions and described him as a photojournalist "in the personal service of Luis Posada." Luis Posada, however, saw matters differently. "Ricardo was a friend of Joseph Leo," he said.

On a previous occasion, Ricardo sought Leo's cooperation in one of his missions. In fact, he had asked Leo's advice and "suggestions regarding courses of action that might be taken against the Cuban Embassy in Caracas by an anti-Castro group" that Ricardo had founded. Ricardo returned to see Leo at the end of September and asked for an expedited U.S. visa. Leo noted that Ricardo had been in Trinidad on September 1, "the very day the Guyanese consulate there had been bombed." Guyana's cordial relations with Cuba, infuriated militant exiles who wanted an international embargo against Cuba. Leo wrote in his memo that he wondered whether, "in view of Ricardo's association with Posada, his presence there during that period was coincidence." Leo also noted that Ricardo "might also be visiting Barbados" on his upcoming October 6<sup>th</sup> trip.

On October 20<sup>th</sup>, two weeks after the bombing, Hernán Ricardo signed his confession. Then he returned to his cell and slit his left wrist. A doctor attended to him and he soon recovered.

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The day after the *Cubana* bombing, the CIA made what its records termed "unsuccessful attempts" to reach Luis Posada. But another memo stamped SECRET clearly indicates the CIA had strong suspicions right away. "Posada suspected of working with Orlando Bosch and others in plot," it reads. "Also mentioned: Ricardo [Mono] Morales Navarette, Hernán Ricardo Lozano, etc. Persons suspected in Letelier killing also mentioned. CIA did trace on them for FBI."

According to a FBI memo written the same day, a confidential source "all but admitted that Posada and Bosch had engineered the bombing of the airline." A subsequent search of Posada's detective agency turned up a schedule of *Cubana* flights. Two weeks later, a second FBI document from an informant in CORU, took credit for the bombing; the CORU informer justified it as an action of war, though he noted that some in the group had expressed misgivings.

Two days after the downing of the Cuban jet, a statement was released by CORU members in Miami claiming responsibility for the bombing and detailing the method of its execution. The missive sought to justify the attack by claiming that the craft was "a military plane camouflaged as a civilian DC-8 aircraft" and dismissed the plane's passengers as "57 Cuban Communists [and] five North Korean Communists."

There was no doubting the statement's authenticity, which was corroborated by CORU members who also phoned reporters at *The Trinidad Express*. The declaration was signed "*Independencia o Muerte*" – Independence or Death - a venerated Cuban chant. It was dated October 10<sup>th</sup> - the date marking the beginning of Cuba's Ten Year War for independence from Spain begun in 1868, known as *El Grito de Yara* - The Cry of Yara.

Bosch says he was scheduled to meet with President Pérez, but the brouhaha following the bombing had chilled their relationship. "I was supposed to meet with President Pérez on October 10, but then the plane blew up on the 6<sup>th</sup> and all the trouble started," he told a reporter. "I had a lot of conversations with [Orlando] García, I asked him what I should do and he said, 'Nothing is going to happen. Just stay quiet. Don't worry: everything is going to be nice.'"

But the following day, Orlando García had attended the briefing by Trinidad's police chief, Dennis Ramdwar about his interrogation of Lugo and Ricardo. By the end of the meeting, it was clear to García that the young Venezuelans in custody in Trinidad would implicate Bosch and Posada - and maybe others.

Miami attorney Alfredo Duran, who would later represent Orlando García, recalled arriving in Caracas soon after the airliner was blown up. Because of the attack, all Cuban-Americans came under careful scrutiny. "There had been a lot of tolerance for anti-Castro activity," recalled Duran, a Bay of Pigs veteran, "but when the bombing of the plane happened, the welcome mat was pulled. It was all over." For the next few months, all Cuban exiles were detained at the airport, taken to DISIP, and their passport held. "That's how much bad odor there was," said Duran.

On October 13<sup>th</sup>, Venezuelan police picked up Luis Posada and Orlando Bosch in Caracas. Posada writes in his memoir that he was told initially he was being held at DISIP's offices "for a few days for my own protection." The two were accorded red carpet treatment and allowed to order dinner from their favorite restaurants, along with the finest whiskey.

Two days later, Bosch was led into Mono Morales' DISIP office for a secret meeting with Orlando García and Morales. At the end of the meeting, Morales handed him an envelope full of cash and said, "Here's some money for you to get out of the country." Bosch asked what would happen to his comrade. "Posada is staying," García interjected. "There is no alternative." Mono Morales urged him to leave. "Better you get out first, and later we'll see what we can do for Posada," Morales told him. Bosch told me that he responded without hesitation. "Either we both leave," he said. "Or I stay with him."

I asked Bosch why he did not leap at this offer of immediate freedom. "Because he was my friend," he said. "And I could not go and leave him in prison." Then he added, "And I was responsible for all of that."

In 2006, Bosch was on a Miami television program and offered some justifications for bringing down the airliner. "Who was on board that plane?," Bosch parried with the show's host. "Members of the Communist Party, *chico!* Our enemies...I was in Caracas.

I saw the young girls [Cuban fencers] on television. After the end of the competition, the leader... gave a speech filled with praise for the tyrant.”

When I asked Bosch if he was responsible for the bombing of the *Cubana* airliner, he paused as he collected his thoughts. "I have to tell you no. If I tell you I did it, I'm incriminating myself," he said. "If I tell you I didn't, you won't believe me."

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Nine days after the bombing, more than a million Cubans massed in Havana's Plaza of the Revolution for a memorial to those who died on the plane. Fidel Castro gave a thunderous speech brimming with fury: "We can say that the pain is not divided among us. It is multiplied among us," Castro intoned. He went on to accuse the CIA of complicity in the attack. "At the beginning we had doubts as to whether the CIA had directly organized the sabotage or had carefully elaborated it through its cover organizations made up of Cuban counter-revolutionaries," Castro told the crowd. "We are now decidedly inclined toward the first theory. The CIA participated directly in the destruction of the *Cubana* Airlines plane in Barbados."

Each subsequent October 6 until 2006, Castro marked the anniversary with a fiery speech and repeated his charge that the CIA had a hand in the bombing. In fact, there is no evidence that the CIA was complicit in the attack. Negligent in not warning Cuba of the imminent danger of an airliner attack - yes. Additionally, the United States has refused to declassify hundreds of pages of known documents pertaining to the airline bombing, Posada and Bosch. This refusal has fueled conspiracy theories and leaves unanswered questions about an act that has come to stand as an iconic symbol of America's insidious manoeuvres in Latin America. Why did the Reagan/ Bush administration hire Posada? And why was Bosch granted U.S. residency when the CIA and FBI had concluded that the two men had blown up the *Cubana* plane?

Peter Kornbluh of the independently-funded National Security Archives, which released many of the CIA and FBI's memos, questioned why Joseph Leo and other intelligence officials never raised alarms prior to the downing of the plane. "There was concrete intelligence that they planned to blow up a plane," says Kornbluh. "How could they not notify the Cubans?"

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On the 25th anniversary of the tragedy, just weeks after the 9/11 attacks, Castro reminded his audience that Cuba was the first to know airline terrorism in the hemisphere. "On a day like today, we have the right to ask what will be done about Posada Carriles and Orlando Bosch," he railed, "the perpetrators of that monstrous, terrorist act."

After Castro's health declined in the summer of 2006, Venezuela's Hugo Chávez relieved his friend to serve as the point man and aggrieved memory of the airline bombing. Rarely has he missed an opportunity to remind the world that both Posada and Bosch reside in the Miami and to chastise the U.S. for its "double standard on terrorism."

There had been a brief moment in history, however, when Chávez, and Luis Posada were fighting on the same side - hunting down Castro-backed leftist guerrillas who were challenging the government. Chávez first stepped into the conflict in the late 60s when he began his military service and again in the mid 70s, when he was a member of the Army's counter-insurgency unit, a battalion known for its scorched-earth campaign against the guerrillas.

Posada told me that he pursued his targets remorselessly: "I persecuted them very hard," he admitted. "Many, many people got killed." Posada's good friend, Paco Pimentel, related one episode to me: "Luis hunted down a guerrilla and put a grenade on his chest and tied the guy to himself. He told him, 'you better show me all the hiding places. And if you trick me and take me into an ambush, we will both die together.'"

Chávez was an ambitious soldier who rose through the ranks to become a lieutenant colonel. But while hunting guerrillas, Chávez underwent what he has described as an epiphany. One night, as he heard the groans of a guerrilla being tortured, he began to question his role in the operation - and his politics.

In 1989, Carlos Andres Pérez won a second term as Venezuela's president but his tenure was marred by mass protests against government corruption. At the time, Hugo

Chavéz was a rising star in the Army. Three years later, Chavéz led a coup against Pérez. Although the coup failed, Chavéz's fearless speeches on national television transformed him into a hero. Chavéz went to prison but Carlos Andres Pérez never recovered his standing and was impeached the following year. His successor, Rafael Caldera, responding to public clamor for his release, pardoned Chavéz in 1994.

Just four years later, Chavéz, who tempered his military pedigree with an eccentric folksy charisma, swept into the presidency on a wave of populism and nationalism. Once installed in Miraflores, he fashioned himself as the new Juan Peron. He didn't have a lush Evita by his side, but he had oil. Almost immediately, Chavéz forged a mentor-protégé relationship with the region's pre-eminent maverick, Fidel Castro. Their enduring and curious alliance was based on common interests and common enemies, one of whom was Luis Posada Carriles.

On his weekly radio program *Aló Presidente* in 2005, Chávez played the audiotape of the desperate pilot of the *Cubana* plane radioing for help, followed by an excerpt of a speech by Castro reacting to the downing. "If the United States does not extradite Luis Posada Carriles, we will be forced to reconsider our diplomatic ties," Chávez warned. Then he offered his own conspiracy theory. "George Bush, the father, was director of the CIA at the time of the bombing," he intoned ominously. "That's the truth. So, maybe now they fear that [Posada] will talk, and that's why they protect him."

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In April 2005, a nurse living in New York City named Roseanne Persaud Nenninger, phoned me, having read a *Washington Post* article of mine about the recent entry into the U.S. of Luis Posada. Nenninger, born and raised in Guyana, said she wanted to speak about her brother 19 year old Raymond, who died on the doomed *Cubana* flight. Raymond Persaud had wanted to be a doctor, but his father could not afford to send him to medical school in the U.S. When he was offered a full scholarship to study in Havana, Raymond leapt at the opportunity.

Charles Persaud moved his family to the United States in 1979 and for years obsessively gathered boxes of information on the bombing. In 2002, he passed away

after a heart attack. "He died of a broken heart because he never recovered from my brother's death," said Roseanne.

Roseanne was not the first person to tell me how the *Cubana* downing had devastated her life. Years earlier, I was having a manicure in a Miami *peluquería* run by Maria González, who told me she had good reason to be fatalistic about life. As a young girl growing up in Havana, she had been a talented fencer who had made the national team that would compete at the Caribbean Youth Fencing Championship Games to be held in Caracas in October 1976.

But just before boarding the Cubana plane at José Martí airport, one of the team's coaches broke the news that they had just discovered in her passport that she was only twelve – not the required age of at least thirteen.

Maria burst into sobs as she was led inside the terminal. Nancy Uranga, 22, was summoned to the airport to replace her. For Maria, it was a crushing disappointment. Athletes in Cuba are accorded the respect –even adulation- of movie stars. At home in her family's cramped apartment in La Vibora in central Havana, she curled up on her narrow bed and wept. "For three days," she said, "I cried all day and all night."

On the evening of October 6<sup>th</sup>, Maria's father came into her room, and quietly told her she would not be seeing Nancy or her teammates – ever again.

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Because the *Cubana* plane had been on a Caribbean island hop, several countries initiated investigations and a tussle ensued over who would get jurisdiction. The Cubans argued they should because it was their airliner and because 57 Cubans had perished. Guyanan officials pointed out that they lost 12 citizens and Barbados noted that the crime had been committed in its airspace. Trinidad had two suspects in custody and had obtained detailed confessions.

Jurisdiction was awarded to Venezuela, in part because two of the suspects, Ricardo and Lugo, were Venezuelan. Additionally, Posada had become a Venezuelan citizen, and both he and Bosch were based in Caracas. Barbados and Trinidad also voiced concerns that Cuba might mete out the death penalty, outlawed in Venezuela.

Moreover, President Carlos Andres Pérez, infuriated by the attack, had a secret meeting with Castro in which he pledged to improve relations between their countries and promised an aggressive prosecution.

Over the next decade, there would be numerous trials, confessions and retractions in the Cubana bombing tragedy. It was a case fraught with peril for its prosecutors, witnesses and judges, prompting unprecedented government interference and judicial dithering.

Throughout the proceedings, the four men were held in prison, which incensed their supporters. During the nine month period following their arrest, Bosch and Posada's comrades in CORU set off bombs at five Venezuelan government businesses, including Venezuelan Airlines' ticket offices in San Juan and Miami, the Venezuelan Mission to the U.N. in New York City, and the Venezuelan Consulate in San Juan, Puerto Rico. Bosch referred to the bombings as "messages," warning at the time that "there will be a couple messages more."

Frank Castro, a trusted confederate of Posada and Bosch going back to the founding of CORU, had stepped into the leadership role in their absence. A 1978 CIA memo referred to Frank Castro as the new "behind the scenes leader of CORU," and noted that he had approached Venezuelan authorities with a chilling offer: "In return for the release of Posada, and perhaps Bosch, there will be no more terrorist acts in Venezuela or against Venezuelan properties." The memo pointed out that in the previous year, a Venezuelan DC-9 plane had been bombed on the ground at Miami International Airport "in protest against Posada's and Bosch's imprisonment."

At the same time, the trial became a *cause celebre* among the exile political leadership. Miami's mayor and city commissioners vowed to free the two and organized fund raisers to pay for the finest lawyers and lobbyists. Miami's mayor, Maurice Ferré, visited Bosch in prison; the city commissioners declared an official "Orlando Bosch Day." The impact of their campaign on Caracas' justice system, long susceptible to political pressure and *mordidas* (bribes), would be significant.

The Venezuelan government had two conflicting goals: to avoid a showdown with Cuban militants, and to demonstrate to the world—and to Castro—that it was serious about prosecuting the case. The country had a third goal: to divert attention from the

involvement of its own intelligence agency. Recently declassified State Department cables reveal that the United States asked Venezuela to extradite Bosch immediately after the attack. Instead, the Venezuelan government initially tried to smuggle him out of the country. It was far more expedient to focus attention on Posada, a former CIA agent, than on Bosch, who had so recently been welcomed into the country by the Venezuelan president's chief of security.

Several judges and prosecutors received death threats. Judge Delia Estava Moreno, who had issued the four arrest warrants, received more than one. Fearing for her life, she resigned from the case, but not before referring it to a military tribunal in August 1977. When the tribunal's presiding judge, General Elio García Barrios, indicated publicly that he found the evidence against the four men compelling, he too began to receive death threats.

Fearing more bombings and assassinations, the government began to pressure the tribunal's panel of judges to absolve Posada and Bosch. "It would be inconceivable to allow them to go free," General García told Venezuelan reporter Alexis Rosas, "but we are being strongly pressured.... Whatever the government wants is what will get done." The judge's son and driver were later slain in a drive-by hit, a killing the judge described as a hit by the "Cuban mafia."

In September 1980, the military tribunal announced there was insufficient evidence to try the four men and ordered their release. The following day, in protest, Fidel Castro ordered all Cuban diplomats out of Venezuela. After President Pérez developed second thoughts about the ruling, the court amended their decision. Prosecutors appealed and the government simply ruled that the military lacked proper authority to try the case. Two causes were cited: the men were not military personnel and the crime of aggravated homicide could not be adjudicated by a military tribunal. The Military Court of Appeals agreed and surrendered jurisdiction. The trial was then kicked back to a civil court while the suspects were kept behind bars.

Meanwhile, exile politicians urged the Reagan/Bush Administration to press for the release of Bosch and Posada. The Administration, however, was well aware that the CIA and FBI believed that both men were guilty. After all, Mono Morales was a FBI informant. Just three weeks after the plane's downing, he had told the FBI that the

bombing had been brainstormed at two meetings at the Hotel Anauco Hilton in Caracas, one in his own residential suite. Both meetings, he said, were attended by Posada, confirming what Hernán Ricardo had told DISIP'S operations chief Rafael Rivas Vasquez. However, Morales, who signed the arrest warrants for Posada and Bosch, had a pointed warning for the FBI. "Some people in the Venezuelan government are involved in this airplane bombing," he told them, according to a memo released by the NSA. "And if Posada Carriles talks, [Morales] and others in the government will 'go down the tubes.' He added that if people start talking, 'we'll have our own Watergate.'"

DISIP's deputy chief, Rafael Rivas Vasquez, early on informed US authorities that the Cubana bombing had been planned at CORU's kick off meeting in the Dominican Republic. How did he know? His predecessor, Luis Posada, had told him. Orlando García also forwarded to the CIA his investigation which concluded that all four men were part of the conspiracy. But the U.S. expressed scant interest in the case, he told his friends. "My father said they were all guilty," said Rolando García, one of Orlando García's three sons, who later worked with him at DISIP. The CIA's laissez-faire response affected his father's view of George H.W. Bush, who was then CIA director. "He had a very low opinion of George Bush," said Oswaldo García, the youngest of García's sons, "going back to how he handled things when he was at the CIA."

By 1981, the Reagan/Bush Administration had other considerations: they knew that they would soon need the backing of exile militants for a secret arms-for-hostage operation in El Salvador.

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For Orlando Bosch and Luis Posada, prison life at San Juan de los Moros was not unlike summer camp. In their wing, there were sunny courtyards and pleasant common rooms to accommodate their steady stream of visitors – including a number of Miami's most influential politicians and powerbrokers. Bosch and Posada's cell, while small, had a television and pretty wallpaper that Adriana Bosch had picked out. There were even conjugal visits. Adriana Bosch frequently visited her husband while Posada's love life continued at its usual brisk pace, with various, attractive women regularly visiting him.

The men, however, were confined alongside some of their leftist guerrilla enemies. When the two sides crossed each other's paths, there was palpable tension and no small amount of name calling. One shouting match concluded with the hot-headed Hernán Ricardo baiting his foes by hollering out, "*Si, pusimos la bomba! Y que?*" - "Yes, we planted the bomb! ...And so what!," Ricardo's boast would become the title of a book by journalist Alicia Herrera, a childhood friend of Freddy Lugo, who happened to be visiting at the time. "You can imagine how much damage that wretch has done to us" Lugo despaired to Herrera. "Bosch and I look[ed] the other way...He did the same thing in Trinidad; he went mad. I don't know why: he started confessing everything."

In late March 1977, a reporter named Blake Fleetwood, writing for the magazine *New Times*, took a chance and stopped by the prison one morning. He had disregarded Venezuelan authorities who were doing their utmost to keep reporters away from the detained men. He was well rewarded for his efforts and spent six hours with the two famed militants. After chatting with Bosch in the courtyard, Bosch brought him to his cell and introduced him to Posada. Offering the young reporter a French liqueur and a Cuban cigar, Posada jested that "America may have an embargo against Cuban cigars - but we don't."

While the reporter found Posada, a cagey customer, Bosch was forthright, garrulous, and furious about his perceived betrayal by Venezuelan authorities. Both men expected to be found guilty of the crime, owing to the confessions of Lugo and Ricardo, but anticipated some form of political intercession on their behalf. Neither denied their involvement in the bombing of the plane, said Fleetwood. "They said they did the *Cubana* bombing," he recalled. "Their defense was that their activities were known to the Venezuelan government, whom they claimed "gave us IDs, weapons." There was just one misgiving, according to Fleetwood: "The bombs were supposed to go off when the plane was on the ground." Presumably, such an action would have generated less bad publicity than a blazing airliner nose-diving into the sea.

Bosch claimed that Orlando García had promised to release him "as soon as the publicity blows over." Although Bosch said he was initially inclined to protect his Venezuelan hosts, all bets were now off. "If they want to put me on trial," he warned,

“they will also have to accuse the Minister of Interior, the DISIP director and the President. These people conspired with me. They should be put in jail as well.”

Posada invoked his tenuous ties to the CIA, whenever possible. “In Miami, I was on a CIA draw of \$300 [a month] plus all expenses,” he told Fleetwood. “Later the CIA helped me set up my detective agency from which we planned *actions*,” the euphemism for attacks or bombings.

Fleetwood learned he was lucky to leave Venezuela with his tapes – as well as his life. The following day, he submitted questions to CAP’s office, seeking to confirm Bosch and Posada’s accounts. They were never answered. Instead Venezuelan authorities phoned the U.S. Ambassador in Caracas, Pete Vaky to voice their displeasure. Author Taylor Branch and Eugene Propper, then the US Attorney charged with investigating the Letelier assassination, recalled the incident in their book *Labyrinth*: “The [ambassador] was unhappy because President Pérez was unhappy - and nearly to the same degree,” Branch and Propper wrote. So distressed that “President Pérez had ordered DISIP to arrest Fleetwood....[and] Ambassador Vaky was demanding an explanation.” Warned by Propper’s office, the young journalist was able to slip out of Caracas under another name and eventually out of the country. Upon his arrival back in New York, he arranged to turn copies of his tapes over to Propper’s office for their investigation.

In June 1978, the imprisoned militants had another visit: this time from two investigators dispatched from the House Select Committee on Assassinations. The two investigators, Gaeton Fonzi and former Miami police detective Al Gonzales, found Bosch and Posada to be a study in opposites: While Bosch guilelessly extolled his determination to bring down Castro, “a true ideologue and quite proud of it,” they found Posada to be smug, almost slick, in his certainty that powerful people would be looking after him. “He strolled into the room casually self-assured, a good looking guy in his late forties, tanned and tall with no hint of prison pallor,” Fonzi later wrote. “His brown hair was trimmed and styled, his shirt tailored, his trousers sharply creased. Posada put his feet up on the desk, smiled and admitted to very little.” At one point, when asked about his ties to the CIA, he smiled and said, “All Cubans work for the CIA.”

Bosch had resigned himself to prison for the immediate future and busied himself painting and writing. Moreover, he was able to continue his career as anti-Castro militant - regularly meeting with his confederates at the prison and plotting ongoing attacks against Cuba and its allies.

Posada was less sanguine about his chances of ever beating the charges once his case went to court. After several appeals and endless legal wrangling, Posada decided to take matters in his hands when his case again went to trial, charging him with first degree murder. In 1985 while awaiting the verdict in his trial, he escaped from prison by bribing the warden. The \$50,000 of bribe money had been raised by Jorge Mas Canosa, according to Mas' brother, Ricardo, who said he handled parts of the transaction.

It was Posada's third attempt: two previous attempted escapes undertaken with Hernán Ricardo, had failed. In August, 1982, the escapees had made it to the Chilean Embassy, where they were hospitably hosted for three days. But after much haggling between Chilean and Venezuelan authorities, they were denied asylum. Even a stalwart ally like Pinochet was unwilling to expend the political capital needed for such a damaging case. Posada however did not carry a grudge. In 1998, he told me that "Pinochet was the best dictator Latin America ever had."

Following his escape, a shrimp boat owned by a Miami supporter ferried Posada to El Salvador where he was met by Félix Rodríguez, his former comrade from Bay of Pigs. Rodríguez had a very special job offer for Posada: to be his deputy in a covert operation directed by Lieut. Col. Oliver L. North of the National Security Council to supply military assistance to the Contras fighting to dislodge the Nicaraguan government. Rodríguez had been hired for the assignment by an old friend from the CIA and Vietnam, Donald Gregg, Vice President George Bush's National Security Adviser.

Posada would very quickly undergo a spectacular reversal of fortune - from a prisoner charged with the worst act of air terrorism in history to running a secret operation directed from the White House. Posada was delighted. He was not only back in favor - he was on the payroll.

Posada was given a Salvadoran passport and drivers license in the name of Ramón Medina Rodriguez. He was put in charge of organizing the flights that ferried supplies for the Contras from the Salvadoran air base at Ilopango to the battlefield in Nicaragua. Among his duties was coordinating the efforts of the Contras and the secret American advisers, US Army pilots and soldiers with their allies in the Salvadoran rightwing military, where Posada had cultivated useful friendships. With his command of English, he doubled as a translator for the operation.

When the Iran-Contra scandal burst onto the front pages of newspapers in 1986, Posada said he earned every penny of his U.S. taxpayer-financed-salary of roughly \$10,000 a month. He told me that in a matter of hours he had dashed to all the U.S. safe houses in El Salvador, ferried American "advisers" out of the country and disposed of incriminating materials that would have proven troublesome to the White House.

In 1985, Félix Rodriguez met with George Bush at the White House in January 1985 to discuss the secret operation. It was a frustrating meeting, according to Posada, with Rodriguez doing all the talking. The vice president nodded his head congenially and smiled, but said little. When I pressed Posada in 1998, if the White House knew about the illegal arms supply operation. He laughed heartily and said, "Everyone knew."

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With Posada safely out of the picture, the Venezuelan judiciary moved forward with the trials of his co-defendants. But the government remained troubled by the case and its potential for political blowback and worse. Its misgivings were evident when the court inexplicably barred the Lugo-Ricardo confessions along with the entire case file meticulously compiled by police investigators in Trinidad and Barbados. Instead, the court arrived at the spurious decision that all the reports were inadmissible because they were in English.

Nevertheless, in July 1986, Hernán Ricardo and Freddy Lugo were convicted of homicide, for having planted the bombs on the plane. For the murder of 73 civilians, they were sentenced to 20 years in prison, the minimum allowed under Venezuelan law. They were released in 1993, after serving just 16 years.

Orlando Bosch was even luckier – he was flat out acquitted. The verdict was not surprising as virtually all the evidence and case files against him had been mysteriously ruled inadmissible by the presiding judge. He was allowed to leave prison a year later. On February 16, 1988, a supremely confident Bosch flew to Miami, despite the fact he had been denied a U.S. visa. Upon his arrival in the U.S., he was detained for his prior parole violation and for illegal entry.

Jorge Mas Canosa arranged for his lawyers, Hank Adorno and Raoul Cantero, to represent Bosch. The attorneys attended to the case with dispatch and gusto. On Miami radio, Cantero, who happens to be the grandson of Fulgencio Batista, described his client as “a great Cuban patriot.”

Cantero’s view was not shared by Secretary of State Henry Kissinger, who authored a classified memo entitled "U.S. Position on Investigation of Cubana Airline Crash." "U.S. government had been planning to recommend Bosch's deportation before Cubana Airlines crash took place for his suspected involvement in terrorist acts and violation of his parole," Kissinger wrote. "Suspicion that Bosch involved in planning of Cubana Airlines Crash [leads] us to suggest his deportation urgently."

While the Justice Department reviewed his case, bomb threats were made against the Miami office of Immigration and Naturalization Service. “My colleagues and I conducted exhaustive investigations of Bosch from the time of his arrival," FBI agent George Davis wrote in a memo to Sec. of State George Shultz in 1989. "He was regarded by the FBI and other law enforcement agencies as Miami’s number one terrorist." Attorney General Richard Thornburgh described Bosch as an "unreformed terrorist," and recommended that he be immediately deported.

But there were political considerations in Miami. In 1989, securing the release of Orlando Bosch became the cornerstone of the congressional campaign of Cuban exile, Ileana Ros-Lehtinen. Ros-Lehtinen lauded Bosch as a hero and a patriot on exile radio stations, and raised \$265,000 for his legal fund. Her father, Enrique Ros, a close friend of Bosch, was her political mentor. She was also ably assisted by her campaign manager - a political neophyte, but one who had the ear of the White House. His name was Jeb Bush.

After the INS classified Bosch as an "excludable alien," Jeb Bush visited with Bosch's supporters who were leading a limited hunger strike. On August 17, 1989, Jeb Bush attended a meeting he had arranged for Ileana Ros-Lehtinen with his father to discuss the Bosch matter. The following July, in an unprecedented intercession, President George H.W. Bush rejected his own Justice Department's recommendation and authorized the release of Bosch. Two years later, Bush granted Bosch U.S. residency, conditional on his renouncing violence.

Not long after his release, Bosch announced that he was ready to "rejoin the struggle" and called the agreement he had signed forswearing violence "a farce." The FBI shared his view, noting that Bosch promptly renewed his militant activities with impunity. Robert Gelbard, a senior State Department official said that when he filed complaints about Bosch, requesting his arrest for violating his parole conditions, Bosch didn't stay in jail long. Bosch seemed to know that someone was looking after him. Invariably, he would soon be released, marveled one Miami-Dade detective, and plotting his next strike against Castro with his comrades. "Jeb Bush would get on the horn with his father and Bosch would be back on the streets again," said Gelbard with a shrug.

Nevertheless, Bosch's defiance would be an ongoing source of embarrassment for the Bush family. "I said he should have never been allowed to stay," Richard Thornburgh, the former attorney general, told me in 2006. "They knew but they didn't listen." When Bill Clinton was questioned by a *Newsweek* reporter about his pardon of fugitive financier Marc Rich, he snapped, "I swore I wouldn't answer questions about Marc Rich until Bush answered about Orlando Bosch." Few Republicans raised the issue again. Bosch seemed unconcerned about the political costs of his freedom. "They purchased the chain," he boasted to a *Herald* reporter, citing a Cuban adage, "but they don't have the monkey."

## Chapter Seven: Miami Vice

They were an odd trio linked by a single passion. Diosado Díaz, Luis Rodriguez and George Kiszynski had more than 75 years of pooled experience investigating exile militant groups. Before they retired or moved on to other assignments, the three were long term members of the South Florida Joint Terrorism Task Force (JTTF) – an investigative team with representatives from the State Attorney's office, FBI and the police departments of both the City of Miami and Miami-Dade County. The Task Force is hosted by the FBI's Miami bureau, working out of their offices on NW 2<sup>nd</sup> Avenue, and is the first line of defense for criminal conspiracies and terrorism for the Sunshine State. Of course, not all matters concern exiled paramilitaries. Sometimes, it meant interviewing Osama Bin Ladin's sister after 9/11 when she was a student at the University of Miami.

Díaz who is known as D.C., retired from the City of Miami's Police Department after 27 years in 1999 and went to work as a trainer for a Department of Defense contractor. Díaz has a shaved head and aqua-blue eyes and is invariably decked out in sneakers and shades – with a gun and holster tucked under his blue jeans above his ankle. Partial to jokes and profane epithets, he could not be more different from the soft spoken Kiszynski.

A career FBI man who logged 34 years before retiring in 2005, George Kiszynski has a trim white mustache and neatly parted hair. Gold wire-rimmed glasses frame his pale eyes. A cautious, measured man, Kiszynski was raised in Buenos Aires to an Italian mother and Polish father. Known as Jorge to most of his informants, he is the only U.S. investigator to have conducted two formal interviews with Luis Posada.

Luis Rodriguez is the youngest at the three, though he has clocked more than two decades working for the Miami-Dade Police Department. Dark and intense he is a "soccer dad" who bears a resemblance to the movie star Andy García. From 1992 to 2002, he was a member of the Terrorism Task Force.

The three did not agree on all police matters but shared several points of consensus. First, was that Cuban intelligence had long ago infiltrated most of the exile groups,

sometimes setting up sting operations. Second, was that some militants invoked the cause of freedom in Cuba to shroud less than noble motives - such as drug dealing, arms trafficking or illegal gambling. Third was the reluctance of Miami prosecutors to take on the paramilitaries and their members. It seemed that anyone who said they were a soldier in the War Against Castro was admitted to a parallel justice system.

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In 1982, D.C. Diaz developed a relationship with Ricardo "El Mono" Morales. The former DISIP official had been in Miami where he was testifying as a police informer in a major narcotics investigation known as Tick Tock. Following an exhaustive deposition by defense lawyers, a shaken Morales asked Díaz to join him for a drink at the Marriott Hotel bar on Le Jeune Road.

During a long, rambling conversation, Morales admitted his guilt in the *Cubana* bombing but maintained that the plane had been a military craft. Moreover, he insisted by way of justification, the passengers were Cuban intelligence officers. "El Mono said that Posada made the bombs," said Díaz, "and that there were two bombs: the bomb inside the camera and another stashed in the cargo hold of the plane in Barbados, which was the one that brought the plane down." It had been placed inside the cargo hold -close to one of the wings- by an airport employee in Barbados, according to Morales. However, "Lugo and Ricardo didn't know there was a second device because they never told them." Díaz said he found Morales, on this occasion, to be compelling, candid and credible.

When the plane exploded, Morales told Díaz he was in his [DISIP] office chatting with Posada. "And they heard the screeching of tires and looked out the window, and he said he sees two Scotland Yard officers [Barbados being part of the British Commonwealth] getting out of the car. So El Mono looks at Posada and says, 'We've got problems.'"

Because of Bosch's excessive drinking, Díaz believes that he played a minor, if any, role in the *Cubana* bombing. "When he was here in Miami, the extreme militants didn't trust him because he was a drunk and he'd blab about anything," said Díaz. "He could not keep a secret." In Caracas, his behavior was even more erratic. "He was an embarrassment to the government, drinking every night, raising hell," recounted Díaz.

On the day of the bombing, Morales told Díaz that Bosch came to his office and said, "You know there's been a bombing. I'm going to take credit for it." Morales said he was incredulous. Morales also told Díaz that "the CIA knew about it because those were the Cold War years," suggesting there were few secrets between Langley and DISIP. D. C. Díaz said he suspected that Orlando García knew about it as well - but that he was not a conspirator.

George Kiszynski said he was always wary with Mono Morales, adding "you wouldn't want to be on his wrong side." Kiszynski and Rodriguez listed the same suspects for the *Cubana* bombing: Posada, Bosch, Hernán Ricardo, Lugo, Mono Morales, and Frank Castro, who got off scot-free and settled down in the Dominican Republic. Kiszynski pointed out that Freddy Lugo and Hernán Ricardo "are just the kind of types that Posada would use for an attack," citing Posada's history of employing young, uneducated Central Americans to do the grunt work.

Kiszynski and Rodriguez also believed that Orlando García played some kind of role. "I went to interview him on another matter," said Kiszynski. "He was a heavy smoker, very smart, very Machiavellian. If Orlando García wanted to solve the *Cubana* case, he could have. He would have known exactly what happened." Rodriguez was not as sure. "Possibly Orlando García knew about it," he said. "But I don't think he was a conspirator."

Later in 1982, Posada's attorney, the flamboyant Raymond Aguiar, known as the Clarence Darrow of Caracas, flew to Miami in his private plane for a date with El Mono. At the time, Morales had plans to re-settle in Miami and hoped his "confession" would ease relations between him and exile militant leaders who no longer trusted him. In a videotaped confession, Morales took responsibility for the bombing, and asserted that Bosch and Posada were completely innocent. He also railed against President Carlos Andres Pérez, and insisted that Hernán Ricardo and Freddy Lugo had been working solely for him, not Posada and Bosch, a statement that was verifiably untrue.

Orlando García told his son Rolando when he worked at DISIP that he was not surprised. "My father told me El Mono would say whatever people paid him to say," recalled Rolando. When I asked Bosch about Morales' "confession," Bosch smiled faintly

and waved his hand by his head, Cuban style. "El Mono said he did it," Bosch said with a shrug. "So he did it."

Evidently, El Mono's reversal and dramatic appeal on behalf of his comrades was not enough to satisfy all his critics. Not long after his taped confession, Morales was shot dead in a Key Biscayne bar by a drug thug named Orlando Torres. Pleading self-defense, Torres got off but later did time for arms smuggling after being busted by none other than D.C. Díaz. In a surreal twist, Posada's high-flying attorney was murdered a year later, in a matter not related to the case.

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In 1985, an informer, "a walk-in" showed up at the Miami FBI office and asked to speak with D.C. Díaz about an arms operation being run from Miami to El Salvador. Díaz said he soon suspected that he was dealing with a low level Cuban agent – what the FBI refers to as "a dangle," an informer who may have multiple allegiances and motives. Typically, "dangles" demonstrate their anti-Castro *bona fides* by working the longest hours within a militant group. Sometimes, a dangle will notify the FBI before a strike occurs, sometimes after. If the information is solid, agents will glean what they can get, then continue to keep an eye on the informer. Díaz's suspected dangle was having an affair with the wife of a Bay of Pigs vet and anti-Castro militant who was moving weapons to El Salvador. "We were able to intercept several large loads of weapons," recalled Díaz. "And one thing led to the other."

But when the FBI queried the CIA about the mysterious arms shipments, the Agency claimed to be clueless. "We had penetrated a CIA operation. The funny thing about it was that Mr. Posada, the great Cuban hero, was making long distance calls to all his friends in Miami from a safe house," said Díaz, enjoying a moment of rich sarcasm, "run and paid for by the CIA." Transcripts of Posada's phone records later subpoenaed by the Senate committee investigating Iran-Contra confirmed the calls. "In other words, the CIA was lying to us the whole time," said Díaz.

Growing up in Havana in the 1950s, D. C. Díaz had heard from his relatives tales about Orlando Bosch as a hard drinking, hard-driving man. That impression was re-confirmed in 1974 when "I stopped this car that was weaving all over Calle Ocho," recalled Díaz.

"And the guy jumps out and this woman in the car slides over to the driver's seat. It's Bosch and he's so drunk, he couldn't even walk." Diaz warned Bosch not to take the wheel again and let his female friend drive him away.

Booze is a touchstone referenced in almost every conversation about the early years of so many *militantes* – the elixir that made so much possible. There is Bosch's bottomless drinking, Posada's passion for Black Label scotch, El Mono's constant inebriation, and Orlando García's grim daily hangovers. "*El Mono fue borracho y un perdido y un chivato,*" Bosch said about Morales. "He was a drunk, a lost soul, and a snitch." Then there were the drugs: marijuana and cocaine. D.C. Díaz laughs about the photograph passed among law enforcement of a renowned exile leader, now deceased, standing next to a bale of marijuana in the early 70s, the same man who would later make the seed money for his great fortune by laundering cocaine profits. Drug dealing, however, among Cubans, was usually limited to cocaine. "It's a taboo in our culture to deal with heroin," explained Diaz.

The three former investigators agreed that Orlando Bosch never retired from the sabotage business. For years, they sought permission to wiretap him but were denied. Some agents on the JTTF concluded that Héctor Pesquera, the FBI special agent in charge of the Miami bureau from 1999 to December 2003, was especially pliant to local political pressure.

Any politically sensitive prosecution – including all exile cases - were run by Tallahassee's and Miami's political leadership. For years, this meant that Governor Jeb Bush, who owed much of his support to exile hardliners, and Miami's congressional representatives, weighed in on investigations, commutations and pardons. The State Attorney's office and the U.S. Attorney's office in Miami have long been regarded as among the most politicized in the country.

Still, in the summer of 2001, the Terrorism Task Force almost nailed Bosch, even without a wiretap. Investigators had apprehended Andrés Nazario Sargén, the leader of Alpha 66, the militant exile group. Sargén had scooted into his local Miami post office to pick up a box of detonators and C-4 plastic explosives. "We took Sargén to a motel room and he spilled the beans," recalled Rodriguez. "We confronted him with all the

evidence we had, including a boat docked on the Miami River that we had it under surveillance. Sargén told us that their plan was to sail into Caibarién, on the northern coast of Cuba, and blow up the oil refineries there, because they have this fetish about Cuba's oil business."

Sargén agreed to turn state's evidence against Bosch – even agreeing to wear a wire. "No one else but Bosch would have had those detonators," said Rodriguez. "Then Sargén got cold feet and refused to name Bosch, who was like a guru to all of them. If he had, we would have had Bosch - even without a wiretap. And he would have gone away for a long time, because he was a convicted felon and parole violator." Sargén died in 2004.

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Miami's exile leadership rejoiced at the arrival of George W. Bush in the White House in January 2001. Finally, someone who understood that *regime change* was the only way to deal with Fidel Castro, they said, would be calling the shots. Almost immediately, they set about enacting a sea change in US-Cuba policy – shutting down nascent diplomatic forays, ramping up hostility and imposing restrictions on travel and funds sent to the island. Investigators in the FBI's Miami office were instructed to shutter outstanding cases on exile plots against Cuba and to concentrate solely on finding Cuban spies lurking in South Florida.

In August 2001, Dionisio Suárez and Virgilio Paz, both convicted for their roles in the murder of Ambassador Orlando Letelier and his young American companion, were released from prison, at the behest of Miami's congressional representatives. A month earlier, militant Hector Cornillot had been released after serving thirteen years. The releases followed a U.S. Supreme Court ruling in June 2001 (in a case brought principally on behalf of imprisoned exiles) that indefinite detention of alien felons who have served prison time and are liable for deportation, but for whom no country can be found, is unconstitutional. However, instead of being deported like other non-citizen criminals, they have been allowed to settle into the good life in Miami. Moreover, no attempt to find an alternative country to Cuba was even considered.

After the tragedy of September 11, 2001, it was assumed the policy of releasing convicted assassins would stop. President Bush famously told the world that their choices were black and white: "We've got to say to people who are willing to harbor a terrorist or feed a terrorist, that they are just as guilty as the terrorists."

But it soon became clear there would be the Castro Exception. Anyone able to wrap himself in the banner of *Viva Cuba Libre* seemed eligible for a pass. Even serial killers such as Valentin Hernández walked out of jail post-9/11 and re-settled with his family in Ft. Myers, Florida. Hernández had gunned down Luciano Nieves, a supporter of dialogue with Cuba, in 1975 by ambushing him in the parking lot of a Miami hospital. Nieves had just come from visiting his ailing 11 year old son. Two years earlier, Hernandez had been charged with aggravated assault for attacking Nieves with a restaurant stool. During his trial, Hernandez escaped by slipping through a bathroom window during a break. He was a fugitive when he killed Nieves, and remained one for two years after Nieves' murder, protected by sympathetic or intimidated exiles. Less than a year later, Hernandez and his accomplice Jesus Lazo murdered a former president of the Bay of Pigs association, Juan Jose Peruyero, in an internecine power struggle. Hernandez was finally captured in Puerto Rico in July 1977 and sentenced to life in prison. His accomplice, the anti-Castro zealot, Jesus Lazo, has never been brought to justice.

Luis Posada made his last attempt to eliminate Fidel Castro at the Ibero-America Summit in Panama in November 2000. But Posada, and his three veteran collaborators, Gaspar Jimenez, Guillermo Novo and Pedro Remon, were outwitted by a clever sting operation by Cuban intelligence agents who won the confidence of the would-be assassins. Fidel Castro celebrated by holding a ballyhooed press conference, proclaiming their capture, along with a small arsenal of weapons and explosives. The foursome were charged in Panama with the attempted assassination of Castro.

After their trial and conviction in 2004 [reduced to several lesser felonies such as "posing a danger to society," possession of 33 pounds of C-4 explosives, and document fraud], Miami's exile leadership led a spirited campaign to free the four veteran militants. South Florida's three Cuban-American members of Congress, Lincoln Díaz-Balart, Mario Díaz-Balart and Ileana Ros-Lehtinen, wrote letters on official U.S. Congress stationery to

Panamanian President Mireya Moscoso seeking their release. Cuban exile militants had another potent political ally: Senator Joe Lieberman, chairman of the powerful Homeland Security Committee, had long given a sympathetic hearing to them. Lieberman had been elected to represent Connecticut in 1988 in large part through the contributions of the late Jorge Mas Canosa, ousting Lowell Weicker who favored lifting the Embargo on Cuba.

Two prominent Miami lawyer/power players spearheaded the campaign to secure the release of Posada and his cohorts: Simon Ferre, former ambassador to Panama and Herminio San Roman, former director of Radio Marti, began quiet negotiations with Moscoso, who maintained a home in Miami's Key Biscayne. They also met with members of the Miami Joint Terrorism Task Force to convey their disapproval of the ongoing investigations into the jailed men. Any efforts on the part of the Task Force that could be perceived as undermining the release campaign, the agents were told, would not be appreciated.

On August 24, 2004, Posada and his fellow conspirators - all with colorful rap sheets - received a last minute pardon from the outgoing Moscoso. Rumors floated about Miami that a significant sum of money had been paid to secure their freedom - reports never confirmed. Previous to the pardons, quiet inquiries were made and backdoor deals considered by the Bush Administration. In 2008, it was that the Administration had been shopping for a country to grant Posada asylum, hoping to keep him out of sight and out of the news.

While his comrades flew directly to Miami for a rousing welcome, Posada's case was trickier: he was, after all, a fugitive wanted in Venezuela. Initially, he was flown in a private plane to Pedro San Sula, Honduras, traveling with a bogus American passport, in the name of "Melvin Clyde Thompson." In Honduras, he was met by one of his patrons, Rafael Hernández Nodarse, a Bay of Pigs veteran and wealthy exile media empresario, described by the *Miami Herald* as "a brash, contentious cross between William Randolph Hearst and the fictional Scarface character Tony Montana." Nodarse's first radio station in Honduras was named Radio Swan, in homage to the famed CIA anti-Castro propaganda station. There would be a celebratory dinner for Posada and a red carpet stay at one of Nodarse's hotels.

For the next several months, Posada vacationed and received medical care compliments of Nodarse. Still, he remained hopeful he could rejoin his friends and family in Miami. Over time, he was given reasonable assurances from his allies that he would be welcome there without interference from law enforcement. After all, Orlando Bosch, who remained openly boastful about his operations against Castro, was leading a comfortable life in the Sunshine State.

I remembered Posada's wink of a smile when he told me that he had quite a few passports from different countries in fictitious names, including an American one. When I asked when he last visited the United States, he chortled with amusement. "Officially or unofficially? I have a lot of passports," Posada said. "If I want to go to Miami, I have different ways to go. No problem."

But when Posada danced into Miami in March 2005, the Administration cringed. How was it possible that a self-described "warrior" and "*militante*" -- long a fixture on the U.S. immigration authorities' watch list -- had crossed into the United States with a bogus passport and visa? And was it conceivable that the Bush administration, notwithstanding its purported commitment to the war on terrorism (Rule 1 of U.S. counterterrorism policy: "make no concessions to terrorists and strike no deals"), would consider residency for a notorious fugitive?

In any other American city, Posada would have been met by a SWAT team, arrested and deported. But in the peculiar ecosystem of Miami, where hardline anti-Castro politicians control Spanish-language radio stations and the ballot boxes, the definition of terrorism remained a pliable one. His lawyer made the tortured argument that those who planted bombs in Havana could not be held responsible for innocent victims unless it could be proven that those victims were, in fact, intended targets.

By 2005, such double standards on terrorism were a hard sell. Moreover, polls in South Florida revealed a new reality: only a narrow segment of older exiles regarded militants like Bosch and Posada as heroes. Younger exiles were focused primarily on their homes, jobs and taxes - not bringing down Fidel Castro.

On May 17, 2005, Posada held an ill-advised, bizarre press conference in Miami. Although he claimed that the U.S. government was not seeking to arrest him, he was abandoning his asylum claim. Not wanting to make any further problems, he said, he had decided to leave the country. But his public airing of his legal problems was too much, even for his allies in the Bush Administration. Posada was arrested immediately after the press conference. Still, he was taken away in style: he was not handcuffed but rather escorted to a golf cart which then ferried him to a helicopter nearby. He was then whisked off to an immigration facility in El Paso, Texas, far from his friends and allies.

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Posada's camp suffered another blow in November 2005, when Oswaldo Mitat and Santiago Alvarez, Posada's longtime patron and cohort, were arrested and charged with illegal possession of false passports and hundreds of firearms, including AK-47s.

Investigators believed that Alvarez had assisted Posada with his Panamanian pardon and his return to the U.S. Alvarez had his own track record and close calls. "Alvarez was the one who gave the order to fire on the *Sierra Aranzazu* as it sailed toward Havana on September 1, 1964," said journalist Don Bohning. "He had mistaken it for the *Sierra Maestra*, a Cuban ship that was supposed to be leaving Havana for Japan about the same time. It caused a major diplomatic flap." When captured, Mitat told agents that "Unfortunately, you guys are doing your jobs and we got caught with a bunch of guns," adding, "I love the United States."

Central to the government's case against Alvarez was the testimony of a confidant of his, Gilberto Abascal, who had led FBI agents to the weapons stash. It was Abascal who informed US and Cuban authorities, that contrary to Posada's claim to have crossed the US by bus into Texas, he had arrived in Miami on a boat. The vessel, the *Santrina*, owned by Alvarez, had stopped in Isla Mujeres, off the coast of Cancun, Mexico, for repairs before sailing on to Miami. Prosecutors verified Abascal's account and charged Posada with illegal entry and for lying to federal officials that he had come through Texas.

The arrests of Posada, Alvarez and other militants, infuriated their supporters who argued that such militias had been nurtured and bred at the knee of the CIA. Lawyers

for the two men threatened to turn the tables around and put the U.S. government on trial.

Held without bail and facing 30 years, the wealthy Santiago Alvarez retained an A-list defense team, including former US Attorney Kendall Coffey and Arturo Hernández. The lawyers planned to cast Gilberto Abascal as the villain - alleging that he was not only a FBI informer, but also a Cuban agent who set up their clients in a sting. The lawyers vowed to blow the lid on the FBI's use of "dangles." In April 2001, Abascal had warned the FBI about another attack organized by Alvarez. But in that case, he did not make contact until after the three commandos were captured in Cuba. In response to charges by the attorneys, Abascal issued a vehement denial. "This case will be huge in its impact," Hernández told reporters. "It will be as big as Elian - transcendental in what it reveals." Once again, a crime story had morphed into a tableau in the marathon Anti-Castro War.

The attorneys' gambit had its intended impact; prosecutors acceded to an unusual plea agreement as the trial was about to begin. Instead of serving up to 50 years if convicted on all charges, Alvarez's sentence was reduced to 47 months, Oswaldo Mitat's to 37 months. In 2007, their sentences were further reduced by more than a year when they agreed to turn over yet another massive arms cache, including more than 14 pounds of plastic explosives, 200 pounds of dynamite, 30 semiautomatic and automatic weapons, one grenade launcher, and two handmade grenades, as reported in the *Miami Herald*. "These would have been a treasure trove for our nation's worst enemies," said attorney Coffey, who went on to suggest that his clients were protecting the country from Islamic militants. "What would have been a treasure chest for Al Qaeda is a godsend for our community."

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It seemed for a brief time in 2005 that it would not be business as usual. Two Grand Juries had been convened to look into Posada's activities. Complicating matters, was a very public and sensational feud: José Antonio Llama, a former director of the Cuban American National Foundation, had charged the exile group with having orchestrated attacks on Castro and tourist targets inside Cuba.

Jose Antonio Llama, known as Toñín, had been a close collaborator of the late Jorge Mas Canosa. In 1998 he went on trial – with four other exiles - for a failed assassination attempt on Fidel Castro. This one was planned for the Ibero-America Summit on Isla Margarita, Venezuela in 1997. The hopeful assassins intended to shoot down Castro's plane, as it landed, from their cabin cruiser. The boat, La Esperanza had been purchased by Llama for the mission.

According to the FBI, Posada was a crucial player in this seemingly hare-brained attempt on Castro, having booked the assassins' rooms in Isla Margarita. The men were ultimately acquitted in a trial held in San Juan after the judge, quite inexplicably, tossed out a key confessional statement.

But in June 2006, an embittered and frustrated Llama admitted that federal prosecutors had been right. According to Llama, he had loaned \$1.4 million to the CANF to buy materials intended to attack Cuban targets. Despite years of entreaties, Llama claimed, the group had never paid him back. Among his purchases were a cargo helicopter, seven vessels, including the boat and a large cache of explosives. Of great interest to investigators was the purchase of ten small remote-control planes, known as ultra lights for \$210,000.

To bolster his allegations, Llama disseminated a press release which detailed the creation of *El Grupo Belico* - or The War Group - at CANF's annual meeting in Naples, Florida in 1993. The group's mandate was singular, wrote Llama in his statement: "destabilizing the Communist government of Castro...Mas Canosa requested that the proposal be discussed behind closed doors by the executive committee and not openly in the meeting hall of the Foundation....Pepe Hernández was selected by Mas Canosa to lead this new group...Pepe is a veteran of the Brigade 2506, ex-captain of the special forces of the U.S. Marines and had the qualifications for this job. He was the logical candidate."

Jose "Pepe" Hernandez had purchased one of the long range rifles that had been captured in the Esperanza caper. It was later widely expected that he would be indicted with the other four men. "We had him brought in, fingerprinted him, the whole deal, but Janet Reno made the final decision and she would not indict him," said one FBI agent,

who pointed out that Reno had been loathe to prosecute exile paramilitants when she was State Attorney in Miami in the late 70s through 90s.

Luis Posada's close confederates, the late Arnaldo Monzon and Angel Alfonso were other key players, according to Llama. "[Posada] had a plan, the bombs in the hotel in Cuba...The War Group was involved in obtaining democracy in Cuba by whatever means." Other members were Elpidio Nuñez, Horacio García and Luis Zuñiga, who left CANF in 2001 to create the more militant exile lobby, the Cuban Liberty Council. On the other hand, Pepe Hernandez, renounced paramilitary strikes and steered CANF away from its hardline path.

Llamas told *El Nuevo Herald's* Wilfredo Cancio that he was writing his memoirs to be entitled *De la Fundación a la fundición: historia de una gran estafa - From The Foundation to Meltdown: The Story of a Big Swindle*.

While CANF members fought back calling Llamas charges "an extortion and defamation attempt," two FBI sources said otherwise. "It's all true," said one agent, who had seen the ultra-light planes parked in Miami. "The idea was they could fly into Cuba, unmanned, and drop bombs. So when Castro was giving a speech in the Plaza de la Revolution, they could send one of these ultra-lights into Havana and take out Castro without losing a pilot." Of course, there would be significant collateral damage. "And no doubt Castro knew about the ultra-lights because he had Juan Pablo Roque," he added, referring to the infamous sleep agent inside the Brothers to the Rescue.

In February 1996, the Brothers to the Rescue had flown three Cessnas near Havana that were shot down on Fidel Castro's orders. Immediately, the handsome and equally amoral Roque left his Miami exile "wife" and fled back to Cuba.

The Brothers' flights were intended to rescue fleeing Cubans lost in the Florida Straits, though sometimes they provocatively strayed into Cuban airspace. The incident, despite repeated warnings to the group to desist from the flights, fomented sufficient outrage that Congress passed the Helms-Burton law. The legislation, signed into law by President Bill Clinton, dramatically tightened the Embargo, codified it into law thus making it reversible only by Congress - not the president.

Many Castro watchers speculated that the Cuban leader got what he wanted: a halt to the quasi-détente that US policy had been sliding towards. One FBI agent who worked on the investigation said it was also possible that Castro initially believed the planes were not Cessnas but the potentially lethal ultra-lights. "Castro may have believed they were going to drop bombs, not leaflets," he said.

Posada's lawyer at the time, Eduardo Soto, had no comment on Tony Llama's allegations but said he was primed to play hardball. Soto's father, a friend of Posada's going back to their youth in Cienfuegos, had arranged for his son to represent Posada *pro bono*. Soto Jr. devoted much of his website to his celebrity client: in one collage there was a photo of Posada, next to a photo of former Pres. George H.W. Bush, bordered by a snapshot of Oliver North. Leaving nothing to the imagination, the final image was of the famed marble floor insignia at Langley reading "Central Intelligence Agency."

"Not only is Louie not a threat to national security," argued David Sebastian who was the point man on Posada in Soto's office, "*he was national security*. He was part of Operation Southern Front, which is what they called it before Iran-Contra, and he worked for The Hammer," Sebastian said, referring to Oliver North's code name. "Everyone knew that Ramón Medina was Luis Posada, and that he was a very important person. From 1967 to 1986, Luis was a compensated agent of the CIA. And George Bush, the vice president, knew what he was doing."

The DOJ and FBI were not convinced. "The FBI is unable to rule out the possibility that Posada Carriles poses a threat to the national security of the United States," wrote FBI agent Thomas Rice a month after his arrest in Miami.

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Posada would be kept segregated from the general inmate population for the next 21 months. When he left his cell, he wore a bulky bullet proof vest. Although he had few visitors, he was often on the phone speaking to his family and supporters in Miami, many of whom signed petitions asking the U.S. to release him. "I am an optimist," Posada wrote me the day after his August 2005 arraignment. "I continue to be and always will be. I believe in God."

But Posada was not on speaking terms with everyone. For instance, he and his old Iran-Contra comrade, Félix Rodríguez, had been publicly feuding for years. FBI veteran George Kiszynski said their split stemmed from their different methodology. "Félix does things in a more traditional way," Kiszynski said, with a smile. "Posada is more unorthodox. Sort of anything goes."

Posada had a similar view regarding marriage. Despite decades of estrangement and an outsized-Lothario reputation, his wife, Nieves, the mother of his two grown children, never divorced him. During his incarceration in El Paso, Nieves re-appeared as his advocate – lobbying with his lawyers and fussing about his health – just as she did when he was imprisoned in Caracas. She said she was bewildered why US authorities were detaining her husband. "I don't understand how come Orlando [Bosch] got out and Luis' case is taking so long?" one of her husband's attorney recounted, who then added, *sotto voce*, "I think Nieves is still in love with him."

Homeland Security learned that Nieves could be as fierce as her husband when they visited her in West Kendall, Miami. Agents peppered her with questions about her husband's friends and sources of money, and how she came to buy her attractive apartment duplex. Nieves had nothing to say, said one of Posada's attorneys.

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In the morning the court addressed Venezuela's request for Posada's deportation to stand trial in the *Cubana* bombing of October 1976. Posada's former business partner and attorney, Joaquin Chaffardet, testified that should the U.S. deport Posada to Venezuela he would likely be tortured. Curiously, prosecutors offered no rebuttal, questions or witnesses, nor did they question Chaffardet's personal and business ties with Posada going back 40 years. Indeed, they seemed to be sleep walking through the proceedings – marching towards a pre-ordained verdict. Evidently not authorized to make decisions, prosecutors delayed proceedings several times to phone their superiors in Washington.

In the afternoon, Posada took the stand in his orange jumpsuit and the government's lead lawyer, Gina Garrett Jackson, began to question him. There were no questions about his long paramilitary career, only what he had told the *New York Times*, in its series that it published over the summer of 1998 that I had co-authored. While it was true that the exclusive and unprecedented interview that Posada gave to the *New York Times* had galvanized national attention to his life as maverick-fugitive, the government had its *own* 40 years of files - material meticulously collected by law enforcement that was quantifiably more damning.

At one point, baited by the prosecution, Posada began to swipe at the *Times*. He disputed his previous admissions then complained that he had not known that I had a tape recorder nor even a notepad during the interview. He even claimed that he did not understand English, notwithstanding his work as a translator of the U.S. Army. In fact,

the tape recorder was directly in front of Posada, who flipped it off when he did not want something recorded, permitting only notes by hand.

During the recess, two government lawyers ambushed me in the rest room and asked if I didn't feel it necessary to take the stand to defend the *Times*. To their distress, I said that the news stories -- and Posada's testimony -- spoke for themselves and I was not about to make their case for them. I was a reporter, not a prosecutor -- and if the former worked for the latter, sources had good reason to stop speaking to them. Indeed, the First Amendment protections of the press would become little more than cosmetic. I did, however, respond to Posada's flimsy assertions to a lively swarm of reporters outside the courtroom.

Ironically, while I was trying to avoid getting entangled in Posada's arraignment, Blake Fleetwood, the journalist who had interviewed Bosch and Posada in prison in 1977, was waiting for a subpoena that never arrived. Fleetwood had been in contact with DHS/DOJ officials and had told them he would be willing to testify at Posada's arraignment and make his notes and tapes available to them. In fact, the government had Fleetwood's material in their custody since 1977 as Fleetwood had cooperated with US Attorney Eugene Propper during the Letelier trial.

The next day when I took my seat in court before the Judge arrived, Posada caught my eye and waved. He held up the copy of my book, *Cuba Confidential*, that I had given his attorney and said in a stage whisper "*Que bueno!*" - "very good."

Later that day I arranged, through his lawyer, to see him for an interview. But Posada was weary from the court proceedings - and perhaps wary from our last interview. He asked that I write up some questions and give them to him, which I did straight away. He wrote me back promptly- both of us writing in Spanish:

*Dear Ann,*

*An affectionate greeting with my best wishes for you and your family. By now I have read 55 pages of your book and I thought it excellent. When I read it completely I will have a better-informed commentary. I hope to soon get out of this problem with the help of God. When I obtain my freedom or maybe after the trial we can have an interview (without the hidden tape-recorder). You can write me here at the Detention Center. May God bless you,*

*Luis Posada*  
*Detention Center of El Paso - Sept 1, 2005*

It was evident to courtroom observers that the government had no appetite for prosecuting Posada. Forced to act, the Bush Administration had decided to shuffle the paperwork in this high voltage case, but leave as few fingerprints as possible. If the media could not make the government's case against Posada, there would be none, leaving the judge no option but to rule for the defense.

The charade was apparent to reporters and attorneys alike. Posada's legal team said they had been privately assured by the DOJ that Posada would not be deported. "For political reasons, they didn't want to come right out and say that they will go for deferral [Posada remaining in detention in the US]," Matthew Archambleault, Posada's attorney explained at the time. "They wanted the judge to decide." And he did. To no one's surprise, Judge Abbott ruled in Posada's favor, eliminating Venezuela as an option for deportation.

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Following Posada's arraignment, I interviewed his witness and good friend, Joaquin Chaffardet. An urbane, dapper attorney partial to Marlboro cigarettes, Chaffardet had been the former secretary general of DISIP. He had also been Posada's partner in his detective agency, ICICA. Chaffardet had been indicted but not convicted for organizing Posada's prison escape in 1985. "I absolutely justify that decision," he told *The Washington Post*. "It is not justice to have someone waiting nine years for a trial after being already acquitted."

Chaffardet told me that although Posada would never say so publicly, his friend always harbored misgivings about Bosch. "You know that Bosch is crazy, don't you?" he said, arching one eyebrow. "He's always been crazy. Luis never trusted Bosch because he said there was nothing he wouldn't do." According to Chaffardet, Posada often fretted that Bosch was dangerously out of control. So concerned, his friend said, that he alerted authorities in Caracas and in the U.S.

In September 1976, Posada asked Chaffardet to accompany him to see Martinez Granados, DISIP's chief of investigations. During their meeting, Posada told Granados

that Bosch was in Caracas and plotting unthinkable violence. "He told Martínez that 'Bosch was 'crazy, a killer, a terrorist; that there was nothing he would not do because of his schizophrenic personality," said Chaffardet, who said that the meeting lasted longer than an hour.

It was also true, that unlike Bosch, Posada described the *Cubana* bombing as "a tragedy" in his memoir. Others are more cynical. Bernardo Alvarez, Venezuela's ambassador to the U.S., viewed Posada's words as a ploy. "Of course. Posada is a professional."

Chaffardet went on to say that he had "no doubt" that Posada was the source of a chilling June 1976 CIA memo entitled "Possible Plans of Cuban Exile Extremists to blow up a *Cubana* airliner." Among the most damning documents found in the Agency's files, the memo had been attributed to a "usually reliable businessman with close ties to the Cuban exile community." At the time, Posada was a successful entrepreneur running a top drawer private eye firm with Chaffardet. The memo warned the Agency that a group led by Orlando Bosch "plan to place a bomb on a *Cubana* airline flight traveling between Panama and Havana," and specifically named *Cubana* flight # 467 on June 21, 1976 as a target. As it turned out, Posada had been providing information to the CIA and DISIP for years. According to both Rafael Rivas-Vasquez and Orlando García, men who served as DISIP's directors for 25 years, Posada had been their informant at the initial CORU meeting.

Chaffardet conceded that his old friend was between the proverbial rock and a hard place. If Posada came forward with his record of informing on Bosch, it would tarnish his reputation and alienate Bosch's powerful political allies in Miami, the very same politicians that had stood by him as well.

When I asked Posada about his feelings towards Bosch, he said only that he was "*un patriota*, who has given everything for the cause of liberty." For his part, Bosch was willing to put *la causa* of eliminating Fidel Castro before all else. In May 2006, I asked him his response to the CIA memos that established that Posada had informed on him. Waving his hand dismissively, he said the memos were the hand of "Castro's people." He added that Posada called him often from jail, but indicated that there was not a close

bond. "Every week, I speak with him," he said. Then he added a qualifier. "He's not my friend. He's my brother in the struggle."

However, in several CIA memos released by the National Security Archives, Posada left no doubt that he felt that Bosch was capable of unimaginable violence - far outside the borders of the anti-Castro war. In February 1976, Posada warned the CIA that Bosch and another exile, Rolando Otero, were plotting to kill the nephew of former Chilean president Salvador Allende, Andres Pascal Allende, in Costa Rica which resulted in their arrest the following month. He also informed on a plot by Bosch to assassinate Henry Kissinger, conceivably in retaliation for the Secretary of State's back door diplomacy with the Cuban government. "Attempt against Kissinger allegedly planned for Costa Rica," the memo states. But he was equally worried that his informant status become known to Bosch. "Posada informing agency that he must go through with attempt to contact Bosch as though he did not know that Bosch had been arrested," the memo reads. "Posada concerned that Bosch will blame him for leak of plans."

Posada's motives, certainly, were not entirely altruistic. Seeking to re-ingratiate himself with the CIA, in the hopes of obtaining American visas for himself and his family, he had stepped up his informer activities. And there was one other possible explanation for Posada's extensive informing: He was setting up his own alibi.

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During my 1998 interview with Posada, I showed him a FAX signed by him and sent to his collaborators in Union City, N.J. about a nettlesome problem: the reluctance of American news organizations to take seriously his claims that bombs were indeed going off in Cuba. "If there is no publicity, the job is useless," he wrote them. "The American newspapers publish nothing that has not been confirmed. I need all the data from the [bombing of the] discotheque in order to try to confirm it. If there is no publicity, there is no payment." The fax also discussed payments, saying that money would be "sent by Western Union from New Jersey" to "liquidate the account for the hotel." At the bottom of the FAX was his distinctive handwriting and *nom de guerre*, "Solo."

I had received a copy of the FAX from a Venezuelan source. The original had been given to the FBI by Tony Alvarez, who was alarmed by Posada's activities being run out of his office. Upon receiving the FAX, the FBI sent agents to Guatemala to interview

Alvarez who related precisely how Posada's bomb factory worked and its intended targets in Havana. "We found Tony Alvarez entirely credible," said one of the Joint Terrorism Task Force agents.

When no action was taken by the FBI, Tony Alvarez turned to the *New York Times*. Posada asked me whether I thought the FAX would cause him problems, but he seemed to know the answer. His aspect darkened and he told me, "They are going to put the finger on me." Actually, he need not have worried.

"We thought it would be a slam dunk," said one of the JTTF agents in the Miami FBI office. "We'd charge and arrest Posada. But then, we had a meeting one day and the chief said, 'Hey, wait a minute. 'Lots of folks around here think Posada is a freedom fighter.' We were in shock. And they closed down the whole Posada investigation. It was a huge miscarriage of justice. Then Posada showed up with his gang in Panama and tried to take out Castro at the Summit." He paused and shook his head. "By then they had shut down every investigation involving these guys."

## Chapter Eight: Requiem for an Assassin

As a rule, I don't believe in conspiracy theories. They tend to be tidy and selective, whereas life is messy and veers towards the random. But the case of Luis Posada Carriles has tested those convictions.

After Homeland Security officials finally got around to arresting Posada in April 2005 and charging him with illegal entry, I assumed that the Justice Department would act on his self-admitted history of paramilitary attacks and extradite him somewhere. And I would continue to cover his case. Instead, the government dithered for two years while Posada languished in an immigration jail in Texas. And I found myself an unwitting player in the tangled drama of the United States vs. Luis Posada Carriles.

Not long after Posada's arrest in Miami, FBI and Homeland Security agents began to phone me, seeking information about the *New York Times* series. One agent came straight out and asked if I would share my research materials -- as well as my copies of FBI and CIA files on Posada. "Do us a favor," he said. "We can't find ours." I laughed politely, assuming it was a strained attempt at humor. But he wasn't kidding.

A few weeks later, my husband phoned me at the hair salon to tell me that two Department of Homeland Security agents had arrived at our home in Santa Barbara, Calif., to serve me with a subpoena. I told him to ask the agents to leave and refer their inquiries to the *New York Times*. Eventually, the DOJ served the *Times* and over the following months, an elaborate dance played out in the U.S. District Court for the Southern District of Florida. In the first round, the *Times* filed a motion to quash the subpoena, leading the Justice Department to withdraw it in August 2005.

It turned out that the Bush Administration was of two minds. The politicians wanted to appease exile hardliners and allow Posada a life of quiet retirement, preferably out of the U.S. At the same time, law enforcement hungered to bring him to justice. In August 2008, Honduran President Manuel Zelaya Rosales, made a jaw-dropping revelation. In February 2006, he said that the U.S. ambassador to Honduras, Charles Ford, had asked him to grant political asylum to Posada. In an interview with the Tegucigalpa newspaper *Tiempo*, the Honduran president said that he rejected Ford's request

because he was convinced Posada was a terrorist. Ambassador Ford did not respond to the newspaper's request for comment.

But while the Administration was looking for a cozy retreat for Posada, the *Times* was battling with the Justice Department over "reporter privilege" which protects journalists from being dragged into judicial proceedings. On September 11, 2006 the Justice Department whirled into action, (perhaps emboldened by the symbolism of the date) and notified the *Times*' lawyer, Tom Julin of Hunton & Williams, that the government would issue yet another subpoena.

On the same day, the DOJ struck a plea deal for two years in prison for Posada's comrades Santiago Alvarez and Osvaldo Mitat, eliminating one pesky news story. [Alvarez was still in prison when, in May 2008, a Cuban television news special revealed that a company run by him, Judicial Rescue Foundation, had been providing cash to dissidents in Cuba. The money had been passed along via the chief of the U.S. Interests Section in Havana – a revelation that caused unwanted embarrassment to all parties concerned.]

A month later, another trio of Posada confederates resolved their pending prosecutions, eliminating another headline story. Ernesto Abreu, Ruben Lopez-Castro and José Pujol, pled guilty to a charge of obstruction of justice for refusing to testify (against Posada) to a federal grand jury, despite grants of immunity.

Also on Sept. 11<sup>th</sup>, a magistrate judge in El Paso recommended that Posada be released, pointing out that the Justice Department had yet to file charges. But contrary to the fulminations of Fidel Castro and Hugo Chávez, Judge Norbert Garney's ruling was not a case of judicial bias; rather it stemmed from the simple fact that the U.S. government never mounted a case to justify Posada's continued detention.

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Evidently, the Bush Justice Department had found another prey. Instead of drawing upon 45 years of voluminous CIA and FBI files on Posada, or detaining Posada under the terms of the Patriot Act, the Justice Department went after myself and the *Times*. The ironies were rich. After all, if I hadn't written about Posada, as one government prosecutor told me, there would have been no scandal or embarrassment for the Bush

Administration. By going after me, they achieved three goals: putting off action on Posada for as long as possible, somewhat neutralizing the lead reporter on the case, and punishing their least favorite newspaper, the *New York Times*, with onerous legal work and expense.

On October 6, the 30th anniversary of the bombing of the Cuban plane (one had to give the DOJ its due for exquisite timing), I received a new subpoena for the tapes of my interview with Posada. This one, issued by a federal grand jury in Newark, was signed by the country's top crime fighter, Attorney General Alberto Gonzales. While the Justice Department had become a lightning field for criticism about its handling on the war on terrorism, no one could question its dedication to its war against the Fourth Estate. Once González was installed at Justice, a veritable rain of subpoenas poured down on the media, unprecedented in U.S. history. For my part, it raised a peculiar pickle: contemplating how far one should go to protect the civil liberties of an accused terrorist.

For the *Times* 1998 series featuring Posada, my co-author Larry Rohter, the papers editors and I picked out the strongest and most interesting parts of the transcripts and our notes. Contrary to what the great minds at Justice Department seemed to think, we didn't hold back the best bits -- we published them. Moreover, in October 2006 *The Atlantic* magazine published a 10,000 word article by me on the *Cubana* bombing, along with Posada's hand-written notes 1998 in which he offered editorial guidance to me: "He does not admit the bombs in the hotels, but he does not deny [them] either," he wrote. The magazine's website also linked to a hand-written Q&A I did with him in 2005.

My case, thankfully, did not involve confidential sources as Posada, seeking publicity, had never asked for confidentiality. The law according to the U.S. Court of Appeals for the 3rd Circuit, where the case was filed, and the Justice Department's own guidelines seemed quite clear: Prosecutors cannot compel reporters to turn over information that they can obtain through other means. Only after other avenues have been pursued should the government turn to the media to build a prosecution.

Perhaps I am a strict constructionist, but it seemed to me that the founding fathers of the Constitution had been quite clear that they did not intend for the government to be allowed to raid the news media for their work files. Most especially, after they had

bungled a case and destroyed crucial evidence. But that is exactly what happened in the case of Luis Posada.

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The summer of 2003 seemed to Posada's allies - that embraced a deep bench of Miami politicians - an auspicious time to dispose of the evidence files in his case. But it needed to be done quietly. By then, some of the best and most dedicated agents in the Miami FBI, defeated by office politics or low morale, had retired or asked to be transferred out of exile militant cases. However, prior to their leaving, five boxes of files and crucial evidence against Posada had been carefully collected and stowed in the evidence room - known as The Bulky. The most important Posada documents had been set aside in an oversized envelope labeled in bold letters "Important Evidence." Inside were the original Western Union cables and the money transfers sent to Posada from his conspirators in Union City, New Jersey. Meticulously built over five years' time, it made a criminal conviction exceedingly likely.

However, if Posada's case was closed, all the thorny evidence in this politically tricky matter would, poof!, disappear. And so it in August 2003, when the Miami bureau of the FBI made the stunning decision to close its case on Posada, thus green-lighting the destruction of all its evidence and a healthy chunk of its files.

It was a major decision and thus required the assent of the Miami FBI's Bureau chief, Héctor Pesquera. But it also necessitated the signature of the US Attorney for the Southern District of Florida, Marcos D. Jimenez. The politically adroit Jimenez, whose brother Frank was Jeb Bush's deputy chief of staff, had been installed by the Bush Administration, replacing the well-regarded Guy Lewis. Both Jimenez brothers had worked on the 2000 recount battle for the Bush-Cheney team.

To the service of FBI veterans, Héctor Pesquera had put his son, Ed Pesquera, an agent with little experience in the matter, in charge of the Posada case. Pesquera Jr. would have handled the disposal of the materials, according to a FBI spokesperson, who said the destruction was done with a shredder. Among the most high-value documents was the original and signed FAX that Posada had sent to collaborators in Guatemala in 1997 with his Salvador phone number printed at the top. It was the same FAX in which

Posada had complained of the U.S. media's reluctance to believe reports about the bombings in Cuba, directly tying him to the attacks. One agent involved in the Posada investigation described the destruction as "devastating" in its impact on trying the case in the future. It also sent a message to agents working in the Miami bureau: Posada was off limits.

I learned about the evidence purge two years later. In 2006 while working on my *Atlantic* article, I called the FBI's Miami spokeswoman Judy Orihuela, who had been pleasant and helpful over the years, for confirmation. She was clearly taken back by my query but promised to call back shortly. She did, confirming the destruction had taken place but explained it as a consequence of a "routine cleaning" of the evidence room. Once a case is closed, she said, its materials are greenlighted for destruction in order to free up space in The Bulky. She also confirmed that "the supervisory agent in charge and someone from the U.S. Attorney's office would have had to sign off" before evidence is removed and destroyed. In an effort to justify events, Orihuela said that the Bureau believed that Posada had disappeared from sight, was out of action, with his location unknown. Therefore, the reasoning went, it no longer warranted keeping his case file open.

However, Posada's precise location and recent activities had been front page news. He and his three comrades were sojourning in a Panamanian prison for their attempted assassination of Fidel Castro in 2005.

Arguably more astonishing than the FBI tossing out the Posada evidence, was the reaction- or more precisely lack of reaction- of the media in Miami. No one questioned, either in the news or editorial pages, the motives of wiping out the evidence in the most politically-charged case in South Florida. No one asked if, perhaps, old case files of carjackings and nickel-and-dime robberies might have been more appropriate for the shredder, if space was so urgently needed. Once again, only the passing searchlight of the national media – in this case my articles in the *Washington Post* and *Atlantic Monthly* – spurred the Miami media to even report what had happened. And not because of a dearth of capable reporters, but rather paralysis, fear, and perhaps a sprinkling of turf-jealousy, in the head offices.

Curiously, preserving case files and evidence against Posada has proven challenging in several countries. As far back as 1988, Venezuelan President Carlos Andres Perez, noting that "I am knowledgeable about this monstrous crime because the initial responsibility was mine," asserted that "the [*Cubana* bombing] file had been tampered with." His successor, Hugo Chávez, likewise complained that in the days before he assumed the presidency in 1998, many sensitive DISIP files were destroyed, including *Cubana* case records.

In 1992, a fire at the police station in Port of Spain, the capital of Trinidad and Tobago, destroyed many of the files in the *Cubana* bombing. When I called Dennis Ramdwar, Trinidad's former police commissioner, who had interviewed Hernán Ricardo and Freddy Lugo, he was initially helpful. But during subsequent calls, Ramdwar, now 84, said, "I don't want to talk about it and get in between Chávez and the U.S." Nor did he want to comment on his files on Bosch and Posada. "They have powerful friends who protect them," he said. "They did then and they do now."

There were other thorny details in this case. The Miami-Dade Police Department's liaison to the FBI's Joint Terrorism Task Force had been a detective named Luis Crespo Jr. Although well-liked, he is the son of Luis Crespo, one of the most famous anti-Castro militants, known as El Gancho, or The Hook, because of the hand he lost to an ill-timed bomb.

Working alongside Crespo Jr. was detective Héctor Alfonso, whose father is another legendary anti-Castro militant, Héctor Fabian, who hosts a Spanish language talk radio show in Miami. Assigned to the MDPD intelligence unit, Alfonso had access to the most sensitive information on homeland defense, including all materials on Cuban exile militants. "Say you had a tip for the FBI about a bombing," mused D.C. Díaz, who spent almost three decades in the MDPD. "Would you want to give it to a guy whose father is Luis Crespo?"

But Posada had far more influential allies. One of his attorneys told me that he had been assured that Posada's case "is being handled at the highest levels" of the Justice Department. "All they have to do to detain Posada indefinitely," he explained, "was to have [Attorney General Alberto] Gonzales certify him as a national security threat. But they're not going to do that," he added. "That would create problems for the Bush people

with their exile base in Miami." In other words, the government did not want to mount its own case and risk alienating Cuban-American supporters. Better to have journalists build their case and then let Posada's lawyers rough up the reporters in deposition or trial.

Former Attorney General Gonzales more or less confirmed this strategy when confronted by Rep. William Delahunt at a Congressional hearing in 2007: "The designation by yourself of Luis Posada Carriles as a terrorist under the Patriot Act, an act which you have supported and this administration has advocated, for does not require any judicial review. Is that a fair statement?" Gonzales agreed. "I think that is a fair statement, Congressman," he said. "But again, with respect to your specific question as to why hasn't this happened, I need more information." Delahunt wasn't having any of it, and cut him off. "With all due respect, Mr. Attorney General, as my colleague from California said, the buck stops with you on this one." Gonzales seemed to concede the point and responded, "I understand."

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In the summer of 1998, in the wake of the *New York Times* series, there was a rare respite from the steely tensions between Cuba and the US. In July 1998, a small group from the Justice Department and the FBI visited their counterparts in Havana. The purpose was to gather information on the tourist bombings a year earlier in Cuba directed by Posada in violation of the US Neutrality Act.

The Cuban team of investigators, led by Lt. Col. Roberto Hernández Cabellero, were hospitable hosts but there were limits to their cooperation. The American team was not allowed to directly interview witnesses nor examine evidence. When asked to do so, the US delegation was told, according to one member, "we'll take it up with our superiors. We'll see.' and we never heard from them."

However, the Cubans screened a surveillance video of Posada for their guests. The long, rambling video showed Posada, Santiago Alvarez and another collaborator coming and going from the swank Camino Real Hotel in San Salvador and driving around town. Upon their return to the U.S., the investigators discussed the video for days. They concluded that the Cubans could have easily rid themselves of Posada forever. Instead

they opted to do surveillance leading them to conclude that Posada's value as propaganda fodder outweighed his threat potential.

Cuban intelligence also turned over to the Miami FBI extensive information on militant exile groups operating in South Florida. The data had been mined by their infiltration teams, specifically assigned to monitor paramilitary groups. Two months later, to the shock of the Cubans, the Miami FBI arrested five of the double agents who became known as The Wasp Network in the U.S. while glorified as the Cuban Five in Havana.

An apoplectic Fidel Castro brainstormed an exhaustive public relations campaign – not seen since his battle over Elian Gonzalez. Soon posters appeared all over the island demanding justice for the *Los Heroes Cinco*, The Five Heroes. In June 2001, the five were convicted in Miami courtroom on 26 counts - ranging from espionage to conspiracy to commit murder (in the deaths of four slain pilots flying the Brother to the Rescue planes shot down in 1996).

Privately, several FBI agents expressed surprise about the arrests. "These were low-level guys," said one agent. "It was a political decision to make a federal case and example out of them and it cost millions. They should have been deported or traded for something we want from the Cubans. Like some of our fugitives living there."

In the Fall of 2006, the newly constituted Posada team –all members of the JTTF - met again in Havana with their counterparts. Posada's file was still in the stacks as FBI files are never eliminated. However, the crucial evidence and supporting materials that had been put through the shredder in August 2003, had to be replaced to re-build the case.

The South Florida congressional delegation was notified of the trip in advance and Rep. Lincoln Diaz-Balart was not pleased. His chief of staff, Ana Carbonell, called the US Attorney, Alex Acosta, in Miami "to vent" that the case was even being investigated, warning that "the Miami community would not be happy about such cooperation." Carbonell denied making the call but a source close to Acosta, said that the US Attorney informed her "that the matter was above his pay grade." Authorization had come from the Department of Justice in Washington.

Because the Miami FBI had so badly botched and subverted the investigation, the Posada case was now being run out of Justice in Washington. There was activity on all fronts, re-interviewing witnesses from 1997, and ferreting out whistleblowers.

But just days before his trial was to begin in El Paso, US District Judge Kathleen Cardone dismissed the sole charge against Luis Posada for illegally entering the country. In a withering opinion, she chastised prosecutors for "fraud, deceit and trickery," for attempting to try a terrorism case in an immigration court. Even critics of her decision, conceded the judge had a point on that issue. "The government's tactics in this case are so grossly shocking and so outrageous as to violate the universal sense of justice," Cardone ruled.

Posada's lawyers had made much of a woeful interpreter who had conducted an interview with Posada about his career as a militant. Citing several errors in translation, they won the judge's ire. "This is not an acceptable practice in interpretation, and it caused severe confusion during the interview," Cardone wrote in her opinion.

However, none of the government attorneys pointed out that Posada had learned English as a young man and did not need a translator; or that he had served as a translator during Iran-Contra for US servicemen. I had interviewed him mostly in English, as did Blake Fleetwood and at no time did Posada indicate he did not understand anything. His attorney, Matthew Archambleault, who handled his arraignment, spoke to him only in English.

With all immigration charges dropped against him, Luis Posada walked out of jail a free man on May 8, 2007- albeit one branded by the U.S. Justice Department as "a dangerous criminal and an admitted mastermind of terrorist plots." Because he was on the no-fly list, Posada was driven back to Miami from El Paso. It was a long, humid car trip, but he had no complaints.

One year later on August 14, 2008, the Fifth Circuit Court of Appeals in New Orleans reversed Cardone's ruling and reinstated the indictment against Posada for having lied under oath about his entry into the US. The court ruled that regardless of some

minor errors in translation, Posada understood the crucial question at the heart of the charges against him. "And when you came to the United States in March 17th or 18th, where did you enter?" Posada had answered: "Matamoros," the Mexican side of the border adjacent to Brownsville, Texas. Because investigators knew Posada arrived by boat via Isla Mujeres, based on an informant, his response constituted perjury.

Cuba, however, regarded the Court ruling with characteristic suspicion, noting that it came just three days after Samuel Lewis Navarro, Panama's vice president, indicated that he would be seeking Posada's extradition to his country to stand trial on much more serious charges.

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The release of Posada added pressure on U.S. Attorney General Alberto Gonzales to declare him a security threat and arrest him under The Patriot Act, legislation he had crafted. But Gonzalez steadfastly refused, which prompted reasonable questions about the U.S. having a double standard on terrorism. José Pertierra, the attorney retained by Venezuela in the matter, chided the Bush Administration's inaction as an "*a la carte* war on terror: a war that distinguishes between 'good terrorists' and 'bad terrorists'."

Cuba responded by erecting a billboard outside Havana's José Martí International Airport, showing a poker hand of cards with George W. Bush, half smirking, half-frowning as the Ace of Spades. Adolf Hitler was the Ace of Hearts. Two more aces featured Luis Posada Carriles and Orlando Bosch. A play on the Spanish word for "aces" spelled out "Full of Murderers."

Cuban intelligence seemed to be of two minds about Posada. Sometimes, he was the nefarious mastermind behind decades of attacks against Cuba. Other times, he would be dismissed as a hired gun. In a July 2007 interview in *Granma*, Fabian Escalante, Cuba's former chief of intelligence, opted for the latter. "Posada was never the leader of anything. Posada is a hired assassin, a paid terrorist. He is a killer, an assassin like those in U.S. movies, who would murder anymore without a trace of emotion, just for money, out of self-interest." Then he suggested Posada was a figure of keen importance. "But he is a very, very dangerous witness...., [He] knows too much and

constitutes a real danger for those who used him for more than 40 years.”

With Fidel Castro incapacitated by devolving health problems, Hugo Chávez took the lead, gleefully ripping the Bush administration’s handling of the matter and denouncing Posada as “the father of this continent's terrorists.” Moreover, Venezuela would commit a million dollars for a movie based on the life of Posada, Chavez announced, beginning with a star search among Latin American actors to play the villain role.

From his sick bed, Castro seconded Chavez, spewing scorn, indignation and occasional delight. *Granma* hammered the US, charging that the release of Posada was part of a devious Bush administration plot. Repeating earlier allegations, Havana linked Posada's activities with former President George H.W. Bush, the president’s father, and his career at the CIA, pointing out that Bush’s tenure as its director neatly overlapped with Posada and Bosch’s glory days as militants.

A week after his release, the Cuban government’s Union of Young Communists staged their own mock trial of Posada - which naturally concluded with a resounding verdict of guilty. The verdict was announced on the Jose Marti Anti-Imperialist Platform, directly across from the US Interests Section in Havana. The massive concrete stage with its state-of-the-art sound and lighting, flanked on one side by metallic palm trees, was built in 2000 during the Elian Gonzalez saga. Locals refer to it as the *protestódromo*.

A month later, Cuba ramped up the debate – launching a flame thrower at Washington. On May 11, 2007, *Granma* published what it claimed were the exact conversations from 14 telephone calls between Luis Posada and his friend, Francisco “Paco” Pimentel when both men were in Venezuela between Feb. 21 and Sept. 9, 1997.

Excerpts from the calls, but not the full transcripts, were published in the government daily and later in the *Miami Herald*. The Cubans said that they had given the incriminating phone chronicles to the FBI when JTTF agents visited Havana in 1998 and again in 2006. One startling snippet had Posada telling Pimentel in April of 1997 that “the first one has already gone off at the Melia Cohiba Hotel and they don’t dare say so.” On August 11, Posada called his friend and told him, “Paco, and now two [bombs] more, one we put in the Sol Palmeras de Varadero Hotel, one of those new ones of the

Spanish, and another one in a discothèque in the center of Havana.” Another call from Pimentel to Posada reportedly suggested that they retaliate against foreign businessmen with ties to Cuba, such as “that homosexual . . . Oscar de la Renta.”

The phone transcripts named Posada’s confederates as Dr. Alberto Hernández, who briefly succeeded Mas Canosa as chairman of the Cuban American National Foundation (CANF) before abandoning the organization for the Cuba Liberty Council, and the late Arnaldo Monzon Plasencia, who had run CANF in New Jersey and who died in 2000; Nelly Rojas, an activist and friend of Posada who helped him in his escape from prison and Luis Orlando Rodriguez, a former U.S. Army colonel, among others. Both Hernández and Monzon were trusted friends of the late Jorge Mas Canosa.

On another call Posada informed Pimentel that “there is another doctor, the boss of Gasparito [Gaspar Jiménez who was captured with Posada in Panama], who is fully in it and has been key in this ... these actions have to do with me and now I assure you that I am supported by a lot of cash.” The doctor was Alberto Hernández whose office was identified as the place where the money was sent for the operation. Funds that financed 14 bombs - eight of which exploded, four were deactivated and two that were disarmed at José Martí Airport.

The incendiary phone transcripts transfixed exiles and Cubaphiles. They were indeed damning and had a certain logic connecting likely players with the bombing operation. But they posed as many questions as they answered. If the Cuban government had been able to wiretap the two conspirators, presumably knowing their location why did they did not arrest the men or prevent future attacks? And why did they release only edited transcripts and not the full audio?

Luis Posada, it turned out, was worth more to Fidel Castro alive than dead. “They’ll never get better propaganda than Luis Posada,” said FBI veteran George Kiszynski. “He’s as good as it gets.”

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When the first wave of exiles arrived in Miami in 1959, there was a profound sense of loss: of country, institutions and social standing. To remedy the latter, thriving exiles built an elegant, private watering hole for their own on SW 92nd Avenue. A monument of nostalgia, the venue was named the Big Five Club in tribute to the five major social

clubs of pre-revolution Havana (the Miramar Yacht Club, Vedado Tennis Club and Casino Español, the Biltmore Yacht and Country Club, and the Havana Yacht Club). Over the years, the club has been the site of scores of galas and political fundraisers for Miami's exile leadership.

In November 2007, the Big Five Club hosted an art show / fundraiser to benefit Posada and his comrade in arms, José Dionisio Suárez whose nickname spoke volumes: *Charco de Sangre* or Pool of Blood. The event chilled the hearts of law enforcement. Not only was Posada's public emergence humiliating, Suárez was the convicted killer of Orlando Letelier and Ronni Moffat who had served ten years in prison until Rep. Lincoln Díaz Balart successfully lobbied his release in 2001. The gala featured forty canvases painted by the two career anti-Castro militants.

Exiles in Union City, New Jersey, the second largest population of Cubans in the U.S., also rallied to the cause. A show of Posada's paintings went on display in December 2007 at Hudson Hall, a tax-supported community center in West New York, bordering Union City. The event was a fundraiser to help pay Posada's mounting legal bills and was duly featured in the local Cuban-owned newspaper, *Avance*, with photos of Posada with his paintings and fans.

But all was not rosy for Posada's team – and he knew it. Not far from his Jersey fundraiser, federal prosecutors were plotting his arrest, trial and imprisonment from the bleak, fluorescent-lit rooms of the U.S. Attorney's office on Broad Street in downtown Newark, New Jersey.

The Justice Department's Posada team was led by two career prosecutors from its National Security division, John Van Lonkhuyzen, a caustic man in his 50s, and his swing opposite, a soft spoken attorney named Paul Ahern. They were a duo well suited to play good cop/bad cop. Assisting them were two investigators relatively new to the JTTF, Omar Vega of the FBI and Jorge González of Miami-Dade Police Department, both Cuban born.

In January 2006, the two prosecutors had convened a grand jury in Newark to look into the roles of Posada and his collaborators in the 1997 bombings in Cuba. FBI investigators had concluded that Posada had smuggled plastic explosives into Cuba

inside Prell shampoo bottles and the soles of shoes. An Italian tourist was killed by one such bomb on Sept. 4, 1997 at the Copacabana Hotel.

In late 2006, prior to the arrival of Ahern and Van Lonkhuyzen, the Justice Department had offered Posada a deal: plead guilty to financing the 1997 bombings in Havana and serve less than five years in prison. Part of the deal was that it freed his half dozen confederates in Union City, who would be spared being indicted. According to Gilberto García who represented the men named on Posada's infamous FAX, [Ruben and José Gonzalo, Angel Alfonso, Abel Hernández] and an accountant named Oscar Rojas, it was a good deal for everyone all around.

In Union City, the feeling was that Posada could spare the men and their families a fair amount of grief, do a small amount of time in prison, and be seen as a hero. But when their attorney García flew to Miami and presented the deal to Posada's legal team in September, he was stung by the reaction. According to Garcia, there was "zero interest" in any deal in which Posada received jail time. "I was told to 'butt out' – those words exactly by Eduardo Soto," said Garcia, referring to the father of Soto Jr., who has known Posada since Cuba, and who was "calling the shots."

For a time, it seemed a decision likely to be regretted by Posada. On September 19 and 20, 2007 three high-value witnesses were called to the Newark Grand Jury to testify about the flow of money from US exiles to Posada to support militant strikes. The government had put the squeeze on knowledgeable players- compelling them to provide damning testimony. Lourdes Lopez had once worked for Abel Hernández and his popular restaurant *Mi Bandera*. She testified that some 20 exiles in Union City had wired money to Posada in 1997 that was used in his "direct actions." Her testimony was corroborated by her boyfriend of 20 years, Albin Martinez, who owned the Western Union in Union City, from where the monies were sent to Posada. (In February 1998, Martinez sold the Western Union to Abel Hernández.)

The prosecutors were particularly keen on the role of the CANF and its officers. This was a particularly rich irony: CANF had morphed into a moderate exile group by 2000. It had veered so close to the center, that it was vanquished from the White House for having

gone “soft.” Most of it hardliners who were tied to Posada had joined the Cuban Liberty Council - which had established itself as the Bush Administration’s pet exile group.

I too was under considerable pressure. The judge assigned to hear my case did not have a record favorable to First Amendment cases. In fact, he had no record. Judge Peter Sheridan had been a lobbyist and attorney for the New Jersey Republican Party until a year earlier. Among the party faithful, he was known as being a hard-right conservative in a state where the GOP steers a center-moderate path. He had limited experience as a lawyer and had never been a judge. Both he and his brother had been outstanding fundraisers for the state GOP, which was qualification enough for George W. Bush to appoint him to the federal bench.

It was an appointment that did not bode well for the *New York Times* and myself. To our surprise, Judge Sheridan did, however, recognize “limited reporter privilege” - an important hurdle for us. The operative word, however, was “limited” as in other matters he fairly consistently ruled for the Justice Department. *Times* attorney Tom Julin and George Freeman, in-house legal counsel for the *Times*, pondered an appeal to the Third Circuit. After some debate, they concluded it was unlikely they could prevail as the judge’s decision was written narrowly enough – with recognition of reporter privilege- to avoid being overturned. Another deterrent against appeal was that it was conceivable that the Third Circuit (with some recent Bush appointments) might use the case to rule against reporter privilege and thus damage this crucial protection for all journalists and media.

The best we could do was procrastinate and hope the government, bowing to political pressure from Miami, dropped the case. But throughout 2006 and 2007, the DOJ was relentless – quick to issue threats and deadlines. If I did not turn over the tapes by July 11<sup>th</sup>, 2007, I would be found in contempt and possibly sent to jail. It didn’t end there. On July 23, 2007 I was instructed to appear before the Newark Grand Jury. It was a reporter’s nightmare – being dragged into a criminal prosecution. For the next six months, Tom Julin battled with the DOJ to prevent such an outcome. There was another issue. In my view, professional journalistic ethics would require that I publicly disclose such an appearance. Making matters even more tricky was the fact the DOJ was claiming that its dealings with me were confidential - and under a “gag,” hence

prohibiting any disclosure of their dealings with me. The point ended in a draw when the *Times* rejected the gag and prosecutors declined to seek a court ruling to back their claim.

At the same time, Congress waded into the Posada waters. On November 15, 2007, the House of Representatives held an all day hearing on Posada convened by Rep. William Delahunt, who chairs the House Foreign Affairs Subcommittee on International Organizations, Human Rights, and Oversight. In his opening statement, Delahunt said there was "compelling evidence" that Posada was responsible for the Cubana shoot down in 1976 and the Cuban hotel bombings in 1997 and that he was "bewildered" by the Administration's reluctance to prosecute him.

Posada's attorney Arturo Hernández challenged the characterization. "Mr. Posada Carriles is not and has never been a terrorist," he said. "His lifelong ambition has been to bring democracy and freedom to his place of birth." Hernandez went on to dismiss five decades of evidence as "based on dubious double hearsay from unidentified sources."

In his testimony, freelancer Blake Fleetwood said that during his interviews with Posada and Bosch, both men "proudly bragged of their complicity in hundreds of murders, bombings and assassinations." Fleetwood was soon confronted by the ranking Republican on the subcommittee, Rep. Dana Rohrabacher, who wrangled a concession out of Fleetwood that the two militants had not confessed to having been "personally involved" in the intentional killings of innocent civilians. Rohrabacher, who evidently was sitting in for Ileana Ros-Lehtinen who did not attend, insistently referred to the murdered Letelier as "a Castro agent." When challenged to back up his assertion, he cited an item by the conservative columnist Robert Novak that stated – erroneously, as it turned out - that Letelier had been a Cuban agent.

Peter Kornbluh of the National Security Archives, ran a slide show of CIA and FBI memorandum that left no doubt that Posada was a key conspirator in the *Cubana* bombing. The most heartfelt witness was Roseanne Nenninger, who spoke of losing her nineteen year old brother on the doomed jet liner.

The Committee asked me to testify as their "historian," walking them through Posada's history from 1959 to the present and providing background on the 1998 *Times* series. I

disclosed I had been fighting a subpoena by a federal grand jury investigating Posada's involvement in the Havana bombings in 1997, and noted that "if the government had been serious about criminally prosecuting Mr. Posada on the basis of the statements he made [to me] . . . it could have done so long ago." Indeed, the government had reams of material if it wanted to put him on trial - without tampering with the First Amendment protections of the press.

Meanwhile the *Times* attorney, Tom Julin sought to negotiate a truce, yet keep me out of the Grand Jury: I would not be compelled to testify before the Grand Jury if I met privately with the DOJ and confirmed the circumstances of my interview with Posada and the material on the tapes. It was not my first choice for a resolution, but it was the best available. On November 26 and 27<sup>th</sup> 2007, I did just that, meeting with the two prosecutors and two JTTF agents on a mirthless, rainy day on the 11<sup>th</sup> floor of the US Attorney's office in Newark.

The possibility of being compelled to testify motivated me to locate and re-check the old tapes. The FBI had retained a Cuban-American certified translator/transcriber to review them, a process that unearthed various words and the odd that had been inaudible to transcribers at the *Times*. Posada's comments regarding the bombing turned out to be more damning than we had thought. In one exchange about the planning of the Havana hotel bombing campaign, the *Times*' transcriber had missed a key word, according to the FBI audio experts.

ALB: They would give money to Pepe Alvarez [who] would give the money to you?

LP: **You see, I'm not in touch, I'm not in touch with the operators.**

ALB: **Oh, you're not in touch with the operators? You're El Jefe?**

LP: Sí.

ALB: **You know, the mastermind.** In other words, you keep it like ..

LP: **Yeah, *compartimentation*.**

ALB: Compartmentalized, so you don't know everybody at the bottom level.

LP: **I know everybody, but they don't [know me]...** But no, I don't know. **Anyway, they [FBI] are going to put the finger on me.**

ALB: They're going to put the finger on you?...

LP: Listen, the Venezuelan people say, *Que es una raya mas para un tigre?* [What is one more stripe to the tiger?]

[laughter]

ALB: **...In other words, you know everything, but they know nothing. You know the whole picture. Is that right?**

LP: **That's right.**

ALB: **And how long did it take you to plan all these hotel bombings, the tourism sites? How long did it take to plan something like that?**

LP: To plan?

ALB: *To plan it. You know, planear.*

**LP: Maybe a month, or two months.**

ALB: That's it? A month or two months? Because you're so well connected that you know how to hook [up] different people very quickly.

**LP: Yeah, and also this is an inside operation in Cuba.**

ALB: Do you really think it's an inside operation in Cuba? You have a lot of support inside?

LP: Not too much.

ALB: But you have some?

LP: Not too much. Not too much. But \_

**ALB: Enough? And so, to do the hotel bombings. That was very, very successful, right?**

He then continues on about future plans. But, according to the FBI audio mavericks the *Times'* transcribers had missed a key word, in the next phrase: "Now we have to think another way." The FBI said we were mistaken; the phrase was "kill another way." I did not recall such a strong word and, in fact, I repeated the phrase "have to think another way" into the tape recorder. That said, one has to concede that the FBI employs considerably superior recording equipment.

**LP: That's right. Now we have to kill another way.** (laughs)...

ALB: The purpose of the bombings is to scare people from investing. **No más inversiones en Cuba? [...no more investments in Cuba?]**

**LP: Sí. No más turismo. [Yes. No more tourism]**

Two months earlier, a new Grand Jury had been seated in Newark, New Jersey. The previous one had spent 18 months on Posada's case, and by all reports, had heard from scores of witnesses who tied Posada to the bombings in Cuba. "They have more than enough to prosecute the case," said Gilberto Garcia, the attorney for four of the Union City men, all of whom have also received target letters. "They've had it all along and they don't need anymore." Although he was on the other side from the government, he said he found the depth of the government's case "breathtaking." Still, his clients were not talking. "You've got to take your hat off to my guys- they are ready to hang tough," said Garcia. "We were sure they were going to indict last year. Omar Vega [JTTF agent] told us in December [2007], 'it's their last chance to come and save themselves,'" he said referring to plea deals offered the men. My guys are fearless, whatever you think of them. They told them 'Fuck you!'"

By year's end, Garcia said he had changed his mind and was breathing easier. After months of anticipating imminent indictments, he now said, "They have what they want

but it's not going to happen before the election [in November 2008], if ever. I think someone upstairs has told them to not do it."

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In late May 2008, attorney Tom Julin received a call from John Van Lonkhuyzen of the DOJ who informed him of an extradition request from Italy. "I have in my hands a copy of a request from the public prosecutor in the court of Rome under Mutual Legal Assistance Treaty," Julin recounted from his notes of the conversation. He went on to add that the DOJ had been asked "to arrange an examination of Ann Louise Bardach before Roman prosecutors" concerning the *New York Times* articles published about Posada. He noted that because an Italian national, Fabio di Celmi, had been killed in one of the hotel bombings orchestrated by Posada, the Italians were conducting their own investigation of the murder.

The Department of Justice attaché in Rome had asked Van Lonkhuyzen to alert me that the request for judicial assistance would be coming. Under the Mutual Legal Assistance Treaty with Italy, once a request is made, the US courts can issue a subpoena to compel witnesses to testify. Van Lonkhuyzen said if I did not cooperate, then a legal proceeding would be commenced in the Central District of California and a subpoena would be issued to compel my testimony.

Several things surprised me about the call – but not the fact that there was an Italian inquiry. Members of the JTTF back in the late 1990s had proposed having the Italians take the lead on the investigation – thus sideswiping the collateral political damage a Posada trial would cause in the U.S. What was most curious was that the DOJ had been notified more than six months earlier – on December 14, 2007 – but had shuffled the paperwork for a half year before passing the message on to me. Second was the timing of the Italian intervention- arguably a *deus ex machina* for the Bush Administration. The DOJ prosecutor added he did not believe that Posada could successfully resist deportation to Italy.

After millions spent on a prosecution of Posada, and almost three years of Grand Juries, no indictments had come down. Target letters had gone out to Posada and his confederates, but the DOJ's Attorney General Michael Mukasey refused to file the

indictments. A tea leaf reader was not required to figure out what was going on. 2008 was an election year in which the three Miami GOP congressional representatives were facing challengers of some note and heft. Moreover, all three had resolutely backed Posada and Bosch.

Cuba had been pressing the Italians on an investigation since 1998 - and they had some leverage. Italy is among the largest investors in Cuban tourism. Raul Castro's daughter Mariela is married to an Italian businessman and relations between the two countries has long been genial. Cayo Largo, a bejeweled slip of an island off the southern belly of Cuba, has several hotels that are jointly owned by Italian businesses. At one point, its postage stamp-size airport offered daily flights to and from Milano, which just happens to be the hometown of tycoon-politician Silvio Berlusconi.

The politically shrewd Mukasey had decided not to indict before November 2008, and preferably, not ever. But if his hand were forced, he could dump the case on the Italians and spare his fellow Republicans embarrassment. By 2008, George W. Bush, with unprecedented basement-low poll numbers, did not have many friends. One of the few, however, was the controversial Berlusconi, who as luck would have it, had slipped back into the Prime Minister's seat in Rome.

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In 1988, the late, great Cuban director Nestor Almendros released his critically acclaimed film about political prisoners in his homeland; a documentary that shattered whatever was left of the utopian view of Cuba called *Nobody Listened*. The title would work well for a sequel set in Miami, shattering any lingering illusions about the nature of Cuban exile politics. In this sequel, Luis Posada and Orlando Bosch would be the anti-heroes.

Orlando Bosch takes a long nap every afternoon and rarely has a Scotch anymore. But he remains a man who needs a crusade, an enemy and a drink. "I would kill him," he told me emotionally in 2006 - him, being of course, Fidel Castro. "Who wants to more than I?," he said plaintively. "But I can't do any more. I have given it 100%." Bosch was cordial but cool on the topic of Posada and the *Cubana* bombing at the time. "One day after I'm gone the world will find out exactly what happened to that plane," he said slyly.

During our first talk, Bosch's wife, Adriana, an attractive woman with glossy auburn hair, arrived home from errands and joined our conversation. Their daughter Karen, and her two toddler sons, were living with them at the time while Bosch's four older children from his first marriage, lived near by. Sometimes, Adriana would prompt her husband when he spoke. "If he speaks too long, he gets stuck," she explained. "The therapy for his stroke is not complete."

Life with Bosch had never been easy – while he was in prison or at home. Always an uncompromising man, his moods had grown more mercurial, intense, even paranoid, in the last year. Karen Bosch told me she has a half-brother who suffers from schizophrenia. "It gets passed on in a family," she explained, as her mother nodded glumly. "My father has it – but not so bad." Her father's physical decline had only worsened his manic swings. "After his stroke, we learned he had had ten smaller strokes before," she said.

Bosch's wife, Adriana, seemed exhausted and teary-eyed during my second visit. Bosch had been phoning friends questioning the loyalty of her and his daughter. "He was better before because his [anti-Castro] activities fulfilled him," she said wearily. "*Fue su obsesion*," she says. "It was his obsession. So he was okay. Now it is very difficult." Bosch was a man without a war. His *raison d'être* and lifelong foe was equally infirmed – leaving Bosch with only his devoted family to rail against. "It's a competition to see who dies first," Adriana said wearily.

For the elite *guerrilleros* of the Anti-Castro War, the Cuban Iliad, it was not the battlefield that delivered the cruelest indignities, but survival and time. In July 2005, former DISIP chief Orlando García died in Miami at the age of 78. García had seen his fortunes plummet in Caracas –charged in an arms dealing corruption scandal in 1991 that prompted a breach between him and Carlos Andres Perez. García returned to Miami and by 2002, his health was shot. A lifetime of chain- smoking had left him with pulmonary fibrosis.

Although a U.S. citizen and Korean War vet, the US denied Garcia benefits. Alfredo Duran successfully represented García *pro bono* in his suit against the Veterans

Department. “Everybody thought García and CAP were so corrupt that they had billions,” said Duran, “but the truth was Orlando García was destitute, he had nothing.” Not even his trove of photos, diaries and memorabilia that he entrusted with his brother, Wilfredo, survived. His son Osvaldo recalled his father telling their uncle “hold these files, if I ever write a book, these are my most important files.” But in the shuffle following his brother’s death, the box of García’s papers, including many DISIP files, was thrown out.

His wife Lucy Querales-Garcia told *El Nuevo Herald* that “He knew everything [about the *Cubana* bombing] and was aware until his last moments about the reports on the newscasts. He murmured about what was true and what was false, but he didn’t have the energy to join a public debate.” García said that he intended to take his secrets to the grave – and he did. Although he skillfully dodged the press, García confided to trusted friends who came to pay their final respects that Posada had been the mastermind of the bombing. “I am going to die in three or four months,” he told Antonio Veciana during one visit. “What do I need this trouble for? Why say anything now and damage him?”

Carlos Andrés Pérez moved to Miami Beach in 2000, where following a series of strokes, he was confined to a wheelchair. He was deeply embittered by Chávez’s rise to power and equally displeased that the US government’s tortoise pace in responding to his request for political asylum. CAP’s own history with Castro was rife with feuds, truces, betrayals and enmity. In 1989, during one truce, Castro had attended CAP’s second inauguration in Caracas. Orlando García, according to his sons, hand-delivered the invitation to Castro in Havana, after spending four days in a protocol house in Miramar. Garcia, CAP, and Castro had held several private meetings before reaching a convivial *rapprochement* - one that was shattered by the rise of Chavez.

In November 2000, Rafael Rivas Vasquez, a man who kept many secrets during his years at DISIP from 1972 until 1994, passed away. He was only 62 when he succumbed to pancreatic cancer at his home in Miami. Before he left Caracas, he reportedly passed on a trove of files to two Venezuelan journalists that implicated Posada and Bosch in the *Cubana* bombing, including his own interview notes with

Hernán Ricardo. The writers, Alexis Rosa and Ernesto Villegas, avowed leftists, published a book based on those files in 2005.

Other players from the *Cubana* tragedy resumed their lives without too much trouble. Freddy Lugo drives a cab and lives in the working class neighborhood of Catia in Caracas. He maintains his innocence and says that he was duped into going along on the *Cubana* flight by Hernán Ricardo who promised him a new camera. Hernán Ricardo evidently landed on his feet after serving ten years in prison for planting the bombs. According to *The Miami Herald*, he was working for the DEA at one point.

Some Bosch/Posada veterans are thriving. In 2002, Governor Jeb Bush appointed Raoul Cantero, Orlando Bosch's attorney, to the Florida Supreme Court, notwithstanding Cantero having no prior experience as a judge. Later, he lobbied for a U.S. Supreme Court appointment for Cantero, who had the distinction of being the grandson of Fulgencio Batista. [Cantero stepped down from the court in August 2008 to resume private practice in Miami.]

In April 2007, Venezuelan police raided the Caracas home of Posada's former business partner and attorney, Joaquin Chaffardet, who fortuitously was out of the country. They claimed to have discovered weapons and documents, but Chaffardet's wife said the agents had planted C-4 explosives and compromising materials during their five hour search. Venezuela charged that Chaffardet was an "accomplice" of Posada and challenged his testimony at Posada's El Paso hearing. He would be in Miami for Posada's triumphant return - where the two toasted their freedom.

Orlando Bosch also had a reunion with his old comrade. The geriatric duo of battle horses celebrated by dining at Miami's Big Five Club. There was no doubt about it. Luis Posada and Orlando Bosch were back on the streets of Miami. They were old and infirm – but they were free.

One former member of the Joint Terrorism Task Force shook his head in wonder at how the Posada case had devolved. He recalled "the day we warned Héctor Pesquera [the FBI chief in Miami] that one day if we did not do something, Luis Posada would be sipping *cortaditos* at Versailles restaurant and embarrass the U.S." He noted morosely that he had seen Pesquera, who secured a tony job as Director of Homeland Security

for Broward County, having his morning coffee with his good friend Camilo Pedreda, who never lost his throne as a Miami kingmaker, despite felony convictions for corruption.

“There’s two guilty parties that prevented that investigation from going through,” mused another investigator. “On the one hand, the Cuban government prevented access to the witnesses and evidence. And the second one was Héctor Pesquera who refused to open an investigation here in Miami. Then you have three congressmen [sic] going to bat for a guy who likely blew up a plane and killed 73 innocent people and later the Italian tourist in 1997. That’s the bottom line.”

On February 15, 2008, Luis Posada celebrated his 80<sup>th</sup> birthday with friends and family. , Posada was upbeat notwithstanding a recent demonstration in Miami by the anti-war group Code Pink demanding his arrest, or that Panama’s Supreme Court had overturned the his and his confederates’ pardons and re-opened their case. Moreover, he had recently received a “target letter,” apprising him of the DOJ’s intention to indict him in the Cuban hotel bombing attacks. .

He was comforted by the fact that 2008 was an election year. His advisers assured him that Attorney General Michael Mukasey was a dedicated Republican, no less than his predecessor Alberto Gonzalez. Phone surveillance of the seedy sex life of Democratic governors like Eliot Spitzer was one thing; Senator Bob Menendez, a New Jersey Democrat, was another tempting target for Mukasey. But wiretapping a fugitive and a convicted felon like Posada and Bosch, both staunchly backed by Miami’s GOP, was quite another matter.

Throughout 2008, Posada sightings became almost commonplace as he popped up at galas, memorials and fundraisers. In March, he attended the memorial service for the virtuoso Cuban bassist Cachao, mingling with the who’s who of Miami. The same month he showed up for a tribute Dr. Oscar Biscet, the long-suffering imprisoned Cuban dissident. There was solemnity at the event but also laughter. Across the room from Luis Posada, amid the ding of clinking glasses, were his patrons: Representatives Lincoln Diaz-Balart and Ileana Ros-Lehtinen. He could not help but think that things were looking up for a man only out of prison a few months.

On May 2, 2008, Los Municipios de Cuba en el Exilio [Cuban Townships in Exile] and the Junta Patriótica held a gala fundraiser in Posada's honor at Club Big Five. The three Miami congressional representatives were invited, according to one of their press secretaries, who declined to say whether they would attend. In the end, perhaps mindful of numerous press inquiries, they stayed clear of the festivities. But some 500 exiles came to pay tribute to Posada at a candle-lit banquet that raised thousands for his legal bills. Posada was in top form in a snappy, dark blue suit, shaking hands and blowing kisses. "He had some facial surgery and he looked very different, much better," said Carol Williams of the *Los Angeles Times*. "The scars on his lower face were gone," while his chin and lower jaw appeared to "have been smoothed out."

Posada was duly summoned to the stage and the crowd, bedecked in their finest, rose to their feet and applauded. When he spoke it was clear that neither age, infirmity nor prison had diminished his belief in armed struggle. "We must not wait for Fidel Castro to die," Posada told the crowd, "[or] for Raul to make mistakes... liberty is not something we must beg for. It is conquered with the sharp edge of the machete. We ask God to sharpen our machetes because difficult times are arriving."

The assembled leapt to their feet again, cheering until he raised his hand in modest acceptance.

All was well.

END