

1 E D U A R D O V I C T O R A R O C E N A P E R R E Z,

2 called as a witness, being first duly sworn, testified

3 as follows:

4 DIRECT EXAMINATION

5 BY MR. FERNANDEZ:

6 Q Are you comfortable with the microphone like
7 that, Mr. Arocena?

8 A I will try.

9 Q Do you speak Spanish, sir?

10 A Yes, sir.

11 Q For how long, sir?

12 A All my life.

13 Q Do you speak English?

14 A A little bit.

15 Q Approximately for how long, sir?

16 A Eight or nine years.

17 Q What language do you feel more comfortable
18 speaking?

19 A In Spanish.

20 Q You indicated that your name is Eduardo Victor
21 Arocena Perez. Why are you known as "Eduardo Arocena"?

22 A Because for legal purposes in this country,
23 the only name which is used is the father's family name.

24 Q The name Perez is your mother's maiden name?

25 A Yes, sir.

1 Q Do your friends know you as "Eduardo" or
2 "Victor"?

3 A Some know me as "Victor" also.

4 Q Who knows you by what name, by "Eduardo" and by
5 "Victor"?

6 A The majority of the people know me as "Eduardo."
7 Others know me as "Victor." I couldn't tell you.

8 Q Sir, have you ever been known as "Omar"?

9 A No, sir.

10 Q Sir, have you signed any papers using the
11 name Omar?

12 A No, sir.

13 Q Have you ever given your name to anyone as
14 "Omar"?

15 A No, sir.

16 Q On September 24, 1982, at the Newark Jetport
17 Inn, did you tell Agent Wack that your name was "Omar"?

18 A No, sir.

19 Q Sir, on that same date, did you tell
20 Detective Brandt that your name was "Omar"?

21 A It is not true.

22 THE COURT: No. The question was, on that
23 same day, did you tell Detective Brandt that your name
24 was "Omar"?

25 THE WITNESS: No, your Honor.

1 Q Sir, on September 25, 1982, again with these
2 same people at the same place, did you tell either
3 Agent Wack or Detective Brandt that your name was "Omar"?

4 A No, sir.

5 Q Do you recall being at the Newark Jetport Inn on
6 that date, sir?

7 A Yes, sir.

8 Q On September 26 at the Westbury Hotel, did you
9 tell Agent Lyons that your name was "Omar"?

10 THE COURT: Mr. Interpreter, you are blocking
11 the view of some of the jurors. It may be good for you
12 but it is not good for the jurors.

13 (Pause)

14 THE COURT: What is the last thing we have,
15 Mr. Reporter?

16 (Record read)

17 A No, sir.

18 Q Do you recall having met with Agent Lyons on
19 that day, sir?

20 A Yes, sir.

21 Q On that same date, did you tell Agent Menapace
22 that your name was "Omar"?

23 A No, sir.

24 Q Did you tell Supervisor Mawn, Agent Mawn, that
25 your name was "Omar"?

1 A No, sir.

2 Q Did you tell Agent Walton on that same date
3 that your name was "Omar"?

4 A No, sir.

5 Q Sir, do you recall having met with these people
6 on that day?

7 A At what place?

8 Q I believe at the Westbury Hotel and then at
9 the offices of the FBI, on September 26, sir?

10 A Yes, sir.

11 Q And you did not tell them that your name was
12 "Omar," sir?

13 A No, sir.

14 Q On September 28, 1982 at the Ramada Inn, at
15 the Miami Airport, did you meet Agent Cannon?

16 A Yes, sir.

17 Q What name did you give him, sir?

18 A "Eduardo Arocena."

19 Q Did you tell Agent Cannon that you had sent
20 Omega 7 communiques signed by Omar?

21 A No, sir.

22 THE COURT: One moment, please.

23 (Pause)

24 THE COURT: I would like to come to the side
25 bar with Miss Fuller.

1 (At the side bar)

2 THE COURT: Miss Fuller, we waited until
3 approximately 11:45, but I understand that you were
4 being processed at your new job and you couldn't get
5 here before now, is that correct?

6 MS. FULLER: Yes.

7 THE COURT: I would like to take this
8 opportunity to thank you and excuse you from your jury
9 service in this case. I don't think we could continue
10 with Miss Fuller, unless there is a basis for doing it.
11 I don't think she has heard the last ten or fifteen
12 minutes of testimony, and I think it would be appropriate
13 to excuse her.

14 Do you agree, gentlemen?

15 MR. AGUILAR: Yes, your Honor.

16 MR. TABAK: Yes, your Honor.

17 THE COURT: Mr. Guranich will give you your
18 instructions and I thank you and wish you good luck in
19 your new job.

20 (In open court)

21 THE COURT: Mr. Reporter, could we have the
22 last question and answer.

23 (Record read)

24 BY MR. FERNANDEZ:

25 Q Sir, on September 28, 1982, at the Ramada Inn

1 at the Miami Airport, did you tell Agent Kiszynski that
2 your name was "Omar"?

3 A No, sir.

4 Q On that same day, did you tell Agent Lee or
5 Agent Walzer that your name was "Omar," sir?

6 A No, sir.

7 Q Do you recall having met with these people on
8 September 28, 1982, sir?

9 A Yes, sir.

10 Q What name did you use, sir?

11 A "Eduardo Arocena."

12 Q Sir, have you ever been known by the name of
13 "Andres"?

14 A Yes, sir.

15 Q When?

16 A Around '80 -- '79 or '80.

17 Q You mean 1979 or 1980?

18 A Yes.

19 Q Why did you use that name, sir?

20 A It was a name, a code name that I had in order
21 to work with intelligence groups from Central America.

22 Q Was this to protect your identity, sir?

23 A Yes, sir.

24 Q From whom, sir?

25 A It was to protect the people whom I was

1 investigating.

2 Q Sir, whom were you investigating?

3 A I was investigating the Communist
4 infiltration, and the Castro infiltration, and drugs
5 coming from Cuba, and international terrorism.

6 Q Sir, where were you doing this?

7 A Outside of the United States, and sometimes
8 inside of the United States.

9 Q Have you been known by the name of "Alejandro
10 Medina," sir?

11 A Yes, sir.

12 Q How did you acquire that identity, sir?

13 A That identity was given to me in the year
14 '68 or '69.

15 Q Let me backtrack a second on "Andres."

16 Did you use the name Andres with a Mr. Manny
17 Fernandez?

18 A Yes, sir.

19 Q Did you use the name Andres with a
20 Mr. Lora?

21 A Yes, sir.

22 Q You indicated that you acquired the identity
23 "Alejandro Medina" in 1970, sir?

24 A In '68.

25 Q How did you come about acquiring that identity,

1 sir?

2 A It was given to me by a government agency.

3 Q Don't tell us. Did you receive a Social
4 Security card under the name?

5 A A complete identity.

6 Q What did this identity consist of, sir?

7 A It consisted of passports, of a driver's
8 license, a birth certificate. In other words, a total
9 identity.

10 Q Did you ever use the name Martin, M-a-r-t-i-n?

11 A The name Martin was a name which was given to
12 people who were trained in the afternoon.

13 Q Well, sir, have you used any other names?

14 A Possibly.

15 Q Have you been known as "John Smith," sir?

16 A Yes, sir.

17 Q Where were you known as "John Smith," sir?

18 A Yes, sir.

19 Q Where were you known as "John Smith," sir?

20 A The name I owe to the District Attorney.

21 Q How did you get this name?

22 A When I was arrested in Miami, a week later
23 I was transferred to New York. It was a Friday afternoon.
24 My lawyer at that time was Miss Carnesolta, and we were so
25 surprised by the transfer that they made of me -- I was taken

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Arocena-direct

1 by the marshals, I was placed in a chartered plane, on
2 a Lear jet, and I was transferred to an airport --
3 I think it was probably Kennedy -- and I was escorted
4 under strong security and I was brought here to the MCC.
5 I spent the night there and the following day, in the
6 morning, they took me to Otisville.

7 When I got to Otisville, they told me that
8 my new name would be "John Smith." I told them that there
9 was a mistake because my name was Eduardo Arocena.
10 They told me that was not true, that in accordance with
11 the government, my name was "John Smith"; if I had anything
12 to protest about, that I should protest to them, and that
13 their job was to keep me locked up at that place and
14 for a long time they had me deprived of any access to
15 my family and of access of speaking to my lawyer.

16 At that time, I didn't know what "John Smith"
17 meant. They put me in with another person that had the
18 same name, "John Smith," and when that person realized
19 that I was not the same as he, he told me the meaning
20 of the name, and when I went crazy and I started kicking
21 the doors and I made life impossible for the guards, I
22 forced them to give me an interview. I am referring to
23 the people inside the institution.

24 They explained to me that they knew nothing
25 about my case, and that if I wanted to know anything about it,

1 I would have to refer to the government, that the
2 government was the one who had sent me there.

3 That afternoon, I received a call -- I
4 should say some sort of a warning. They showed me a
5 telephone number and asked me whether I recognized it.
6 I told them yes, that it was my lawyer's phone number,
7 and they said that I could call him.

8 When I spoke with Ms. Carnesolta, and it is
9 all on the record, the first thing I told her was that
10 I didn't know what they had done to me, that they had
11 me under false pretenses, that they had me under a false
12 name and that they didn't allow me to communicate either
13 with her or with my family, and I asked her to please
14 let my wife know that I was at that place.

15 She asked me where it was and I said, "I
16 don't know what the place is, but it is called Otisville."

17 Then she told me she would take things into
18 hand, take the matter into hand. The conversation was
19 immediately cut off and they took me handcuffed back to
20 the cell, where I had to be 23 hours a day, deprived
21 of -- and only I myself know what they did to me. They
22 were trying to make me bend, using my family as hostages,
23 using them for blackmail, pretending that they were in
24 danger so that I would give witness, so that I would
25 cooperate with the government, because from the very first

1 minute, I said that I wouldn't, I always said that I
2 wouldn't, and I am saying now and always that I will not,
3 and that is the position which I always held, but they
4 did not want me to have that position, because if I were
5 to fall, I would drag in an awful lot of innocent people
6 with me, and I would be as guilty as they are of the
7 monstrous conspiracy against my person, against those
8 who are fighting for our country and against our people,
9 and that I would never do and for that reason I am here,
10 and for that reason I have put up with 14 months in a
11 hole and I will put up with whatever I have to put up
12 with, but they will never make me bend.

13 Up to that point, that is what I can say.

14 Q Your situation has been resolved at this time?

15 A No, it hasn't.

16 Q As far as the name? You are Eduardo Arocena?

17 A It was very hard for me. You should know
18 that in the prison when they put a name on you that
19 says you are cooperating with the government, it is the
20 same as a death sentence, and I challenged the government
21 at that time, and I am still challenging them, and I have
22 been challenging them every day I have been in prison,
23 and that is something that they cannot take away from me
24 and I leave that on the record every day here. For
25 that reason, I say that it has been very difficult for me

1 to survive during this time that I have been in prison.

2 I am not complaining. My compatriots are having a worse
3 time in the prisons in Cuba. This is nothing. For me,
4 this is normal.

5
6
7
8
9 (Continued on next page)

1 Q Sir, when and where were you born?

2 A In Caibarien, Cuba

3 Q In what year?

4 A 26th of February, 1943.

5 Q How long did you live in Cuba?

6 A Until the 26th of November 1965.

7 Q What formal education if any did you receive
8 in Cuba?

9 A Until superior degree, the equivalent of high
10 school here.

11 Q Where did you obtain this education, sir?

12 A In Cuba.

13 Q When did you stop attending school?

14 A When Castro took over.

15 Q What did you do then, sir?

16 A I was forced to leave my studies and to begin
17 to work.

18 Q Where did you begin working?

19 A I began to work as a stevedore.

20 Q Was this on the docks of --

21 A Caibarian is a seaport. It is a port from
22 which they ship out sugar, and they load sugar from the
23 different sugar mills, and the work of the stevedore is to
24 load those boats. That was exactly my work: to load
25 boats.

1 Q In or about 1959, sir, did you become involved
2 in athletics?

3 A Yes, sir.

4 Q What did you do, sir?

5 A I always practice sports, but originally I
6 lifted weights, and I decided to be an olympic wrestler,
7 and I got to become a Cuban champion in that weight group.

8 THE COURT: What weight group was it?

9 THE WITNESS: 138 and a half pounds.

10 Q That was many pounds ago; is that right?

11 A Many pounds and many years.

12 Q As a result of your involvement with athletics,
13 what access if any were you given to places?

14 A Once the provincial and national championships
15 were finished, the champions of those different weight
16 groups would then go to compete against servicemen. Even
17 though I wasn't a follower of the regime, no one could
18 substitute my weight, and so they had no other choice but
19 to send me to compete against servicemen, and in that way
20 I was able to get inside military bases, to participate
21 in their games against them.

22 Q Did you in fact go to military bases?

23 A Yes, sir.

24 Q And what if anything did you see on those bases,
25 sir?

1 A Actually I had the opportunity to see in the
2 beginning before the missile crisis on the base called
3 La Puntilla the beginning of what was the structure of the
4 missiles and the type of armaments that they were putting
5 around it, the construction referring to all of that.

6 Q Where is La Puntilla, sir?

7 A It's near Remedios. It's right in front of
8 the house where my grandfather on my mother's side lives.
9 He is dead now, and may he rest in peace.

10 Q So we understand, you are talking about Cuba;
11 right?

12 A Yes, sir.

13 Q Approximately where was the base with respect to
14 the Island --

15 A It's in the central part of the Province of
16 Villas Camaguay, between Camaguay and Remedios towards the
17 northern part.

18 Q How close was this to the United States?

19 A Well, there exists the classic ninety miles.

20 Q Did there come a time when you went to Oriente
21 Province?

22 A Yes.

23 Q Did you go to Oriente Province?

24 A Yes.

25 Q Why did you go there?

1 A Because I had an argument with my father,
2 and I decided to give up being a stevedore, because that
3 was a mistake that I made at that time. I went to live
4 at Camaguay, at the house of an Uncle of mine.

5 Shortly after being in Camaguay, I went to
6 Oriente, and then I began to work in some government co-
7 ops.

8 Q So the jury may understand, Camaguay and
9 Oriente are provinces of Cuba?

10 A Yes, sir. Here is Camaguay and here is
11 Oriente (indicating).

12 Q Towards the eastern side of the Island?

13 A Yes, towards the eastern part.

14 Q When you went to work at the government co-ops,
15 did you receive or were you offere any training in a new
16 field?

17 A At that time I was very young, and the Cuban
18 Government was recruiting all of the Cuban youth. Without
19 my knowledge, they had selected me, since I was one of
20 the youngest ones in the cooperative to go and study
21 aviation in the Soviet Union.

22 When I realized what was happening, I immedi-
23 ately left Oriente, and I went back to my own town.

24 Q Who was going to pay for you studies?

25 A I presume the government.

1 Q Why didn't you agree to go and study to be
2 a pilot?

3 A Because it was in Russia, and I did not like
4 communism.

5 Q Sir, I notice that you wear glasses. Did you
6 wear glasses at that time, sir?

7 A No, sir.

8 Q How long have you been wearing glasses, sir?

9 A For the last three or four years.

10 Q Did you have any difficulty with your vision
11 back in 1960 and 1961?

12 A No, sir. I had 20/20, perfect vision at that
13 time.

14 Q In or about 1960, was that the time when you
15 became uneasy?

16 A Yes, and I began to conspire, as the rest of
17 the compatriots.

18 Q What do you mean by conspire, sir?

19 A It's a way that we Cubans have of expressing
20 struggling against the regime.

21 Q Did you work for any clandestine anti-Castro
22 groups?

23 A At that time there was a variety of clandestine
24 groups in Cuba.

25 Q Did you join any of those groups?

1 A Yes. I was functioning as part of one
2 of them.

3 Q And what were you taught?

4 A To commit sabotage

5 Q Who taught you, sir?

6 A Other companions, who had already been trained.

7 Q What was your role?

8 A TO help them.

9 Q To help them do what?

10 A To transfer weapons and to get people out of
11 Cuba, to burn cane fields, burn down industrial develop-
12 ment places, to keep our eyes on the regime and to check
13 all the movements of Soviet troops, which at that time
14 were arriving. They didn't come wearing uniforms, but
15 they passed as civilians.

16 We also carried out intelligence work, which
17 were then passed on to foreign agencies.

18 Q Whom were you working for, sir?

19 A The group with which I was associated had
20 connections in the United States.

21 MR. TABAK: Your Honor, the Government would
22 request a side bar at this time.

23 THE COURT: No. He is not going to pursue
24 that.

25 We know there were a lot of Cuban expatriates

1 in the United States at that time, and we will leave it
2 at that.

3 Q Did any of your co-workers get arrested?

4 A Many of them, and I myself was also arrested.

5 Q Were you arrested for anti-Castro activities?

6 A Yes, sir.

7 Q What about your co-workers?

8 A Yes, but for different reasons in that aspect.

9 Q What happened to your friends?

10 A Some went to jail. The majority of them are
11 in Cuba. Some are in the United States, and others were
12 shot before the firing squad.

13 Q Those who were shot before the firing squad,
14 were they given trials?

15 MR. TABAK: Objection on relevance grounds.

16 THE COURT: Well, let's start out with the
17 objection.

18 To the extent the witness knows, he may say so.
19 If he heard it from people, he should say, "I heard it from
20 people".

21 THE WITNESS: No. I know it.

22 THE COURT: Very well.

23 Q What impression did this leave on you?

24 A Just imagine, imagine they are arresting a
25 friend of yours, and later on to find out that he's been

1 shot by a firing squad or to find out that he has been
2 sentenced to X amount of years or simply not to know what's
3 ever happened to him, all just because he is fighting
4 against Castro communism.

5 Q You indicated you were arrested. When were
6 you arrested, sir?

7 A Around 1959, 1960.

8 Q What happened to you, sir?

9 A I was held prisoner for about twelve to fifteen
10 days.

11 Q And were you released?

12 A I was a minor at that time.

13 THE COURT: No. The question was, were you
14 then released?

15 THE WITNESS: Yes. They set me free and
16 another larger group that had fallen with me in prison
17 at that time.

18 Q In 1962 or thereabouts did you start a family,
19 sir?

20 A Yes, sir.

21 Q Were you married?

22 A Twice; yes, sir.

23 Q And where did you live after your first marriage?

24 A In Cuba.

25 Q How did you support your family, sir?

1 A I worked as a stevedore.

2 Q So you went back to Caibarien as a stevedore?

3 A Yes, sir.

4 Q As a result of your first marriage, did you
5 have any children?

6 A Yes, sir.

7 Q And how many did you have?

8 A Four.

9 Q Where are those four kids today?

10 A The two older ones are in the United States,
11 and the two younger ones are in Cuba.

12 Q Have you attempted to get your two younger
13 children from your first marriage out of Cuba?

14 A At the time I came here I tried by all legal
15 means that were permitted at that time. Unfortunately,
16 some very intimate things in the family happened, and it
17 was no longer feasible, and then, at the time of Mariel,
18 in 1980, I went to Cuba to get them, the rest of the
19 family. Unfortunately, I was only able to bring two.
20 The other two small ones the Government did not allow me
21 to bring them.

22 Q What Government did not allow you to bring
23 them?

24 A The Castro Government of Cuba.

25 Q Do you have any other relatives besides your

1 own children in Cuba today?

2 A The greater majority of my family on my
3 mother's side and a large part of my family on my father's
4 side.

5 Q Do you have any fears for your family in Cuba
6 today?

7 A I have always been afraid, but that doesn't
8 stop me from going on and struggrling. There are
9 sacrifices which one might make, and that is what I am
10 making.

11 Q What happened to you in Remedios, Cuba, in
12 1962, sir?

13 A Could you repeat the question?

14 Q In 1962, did you have any knowledge as to any
15 confrontation between the United States and Russia over
16 missiles in Cuba?

17 A I think that was the missile crisis. It was
18 in October?

19 Q Were you in the Remedios school at that time?

20 A No.

21 Q Were you a member of any anti-Castro group at
22 that time?

23 A Yes, sir. The Triple A.

24 Q And did you undertake any type of surveillance
25 at La Puntilla Base in Cuba?

1 A At that time it was impossible to get closer
2 to the bases any longer. The government at that time
3 had absolutely control over the people, and no one could
4 get close to the base, even though we knew what was there.
5 We just had to content ourselves with watching trucks
6 go by that were covered with canvas and see the troops go
7 by and the type of material that they had with them, the
8 amount of troops and the destination of where they were
9 going and the caps where they established themselves,
10 the checkpoints, relative to all intelligence regarding
11 that situation.

12 Q Did you relay that information to anybody in
13 our group?

14 A There was a person who was in charge of
15 picking up or collecting all that information.

16 Q Did you take pictures or did you draw maps?

17 A Yes, sir.

18 Q What did you do with this information?

19 A As I told you before, this was given to a
20 person who was in charge of passing it on. I really
21 don't know.

22 Q Did you participate in any clandestine
23 bombings in Cuba?

24 A Not that I remember.

25 Q You have testified that you were involved in

1 some operations. You previously testified that you
2 were involved in some operations. What was the nature
3 of those operations?

4 A To gather arms and to disarm the militia and
5 to pass those weapons on to the combatants who were in
6 the mountains, to store the weapons for our use in case
7 some group might come from the outside or in case there
8 might be an uprising so the people would have weapons.

9 That was the main thing that we did. That
10 was to get weapons, because the army of Castro disarmed
11 everyone.

12 Q You indicated you disarmed the militia.
13 What is the militia?

14 A The militia is the people's army, which
15 Castro armed. Many were forced into it, but there were
16 many others who wanted to do it.

17 Q At the time of your clandestine operation,
18 who was giving you the orders?

19 A A leader.

20 Q Were you assisted or was your group assisted?

21 A We received assistance from abroad.

22 Q What assistance were you receiving?

23 A It is my understanding that explosives were
24 being received, equipment for -- transferring equipment,
25 surveillance equipment and some weapons.

1 Q Did you receive any training in underwater
2 demolition, sir, at this time?

3 A Yes.

4 Q Who trained you, sir?

5 A Two people, one Cuban and one American.

6 Q When did you decide to leave Cuba, sir?

7 A When the situation became unbearable.

8 Q When was that?

9 THE COURT: I thought he testified that he
10 left on November 26, 195⁶.

11 MR. FERNANDEZ: I am sorry. The question was
12 why.

13 A Practically speaking, I was already marked.
14 Many of our companions had already fallen prisoner, and
15 we were afraid that some might have already begun to
16 speak.

17 There was practically no future for the rest
18 of the family, in that sense, and based on the fact that
19 my survival was practically nil, I got my family together,
20 and I told them of my intention to leave the country.

21 I explained to them the situation that I found myself in,
22 and I told them that even their situation was quite
23 precarious and that I would have to leave the country and
24 then try to get them out, and they were in agreement with
25 that.

ET5

1 Q Who would take care of your family while you were
2 away, sir?

3 A My mother is here, and I spoke to my parents
4 at that time so that they would take over the expenses
5 incurred by my family, and they told me to go without
6 any fear, that they would help in all that was possible,
7 all of which they did up to their last moment, and for
8 which I am extremely proud.

9 Q How did you get to leave Cuba?

10 A Since I worked on a boat as a stevedore, as
11 I mentioned before, we finished loading a boat and I hid
12 with a bunch of other friends of mine -- excuse me, with
13 another friend of mine.

14 Q What kind of boat did you hide in?

15 A It was a large boat. It was a sugar boat.

16 Q Was it registered to any country?

17 A It was a boat under the Lebanese flag, with
18 a Spanish crew. It was going to Morocco, and before
19 the boat sailed, we had to be sure that it was not going
20 to any Communist port so that they would not deport us
21 back to Cuba.

22 Q How did you get on board?

23 A As I explained to you before, I worked as a
24 stevedore.

25 Q Did you hide in the boat?

1 A After we finished loading it, some friends
2 of ours helped us. While we were loading the boat,
3 we made a kind of a hole and we crawled in there. We put
4 a little bit of food and water in there, and we hid
5 in there. They covered us up and then they finished
6 loading the hold. I should mention that we did this
7 just when we were finished loading the boat.

8 When they finished, they covered over the top
9 of it and then they left.

10 Q Who was with you inside that hole?

11 A A friend who worked with me at that time,
12 whose name is Juan Rojas.

13 Q How long did you hide, sir?

14 A We were there about 14 to 16 hours.

15 Q What happened, or how did it come about that
16 you came out in the open?

17 A Before the boat took off, since it is logical
18 that the Communist troops, the soldiers, always checked
19 the whole boat, and they didn't realize we were hidden in
20 there, and then the boat sailed.

21 Q What happened when you came out?

22 A We had to come out because my friend began
23 to become asphyxiated because it was so hot.

24 My friends and I had placed the hole under a
25 fan on the boat so that we could have some oxygen. Otherwise,

1 we would have perished. And when Juan began to become
2 asphyxiated, because he was a little bit stout, I
3 climbed up to the fan and then I dropped a rope down
4 to him and pulled him up. Then when we got outside, I
5 said to Juan, "Let's turn ourselves over to the captain
6 and ask for political asylum," which we did.

7 Q What happened when you did that?

8 A When we came out on deck, we saw that
9 from the bridge they were watching this whole operation of
10 ours. I saw the first officer, and he asked me what we
11 were doing there, and we told him that we were Cubans
12 and that we were running away from the Cuban regime, and
13 we wanted to ask the captain for political asylum.

14 He then took us to see the captain, and the
15 captain gave us an interview and he said to us, "You
16 know what kind of a problem you are getting me into?"
17 He said, "You see, we can still see the coast of Cuba.
18 I could call to have them come and take you in."

19 When this happened, John and I began to run
20 to throw ourselves over the side, into the water. Then
21 the captain began to laugh and said, "No, no, this is just
22 a joke. I am not going to turn you over."

23 So then he ordered that we be given clothes and
24 he gave us a stateroom for us, and he gave us political
25 asylum.

1 After that, we came to an English port in the
2 Bahamas, Freeport. When we got there, the captain asked
3 for political asylum from the English, and the British
4 authorities denied us political asylum.

5 There was a Soviet boat taking on oil, on
6 its way to Cuba, and the British said that if we stayed
7 there, they were going to send us to Cuba on the Soviet
8 boat, and the captain said no, he would not allow such a
9 thing.

10 So we went on to Morocco and we landed at
11 Tangiers. We were there for about two or three days,
12 trying to get political asylum in Tangiers. The
13 authorities in Tangiers did not want to give us political
14 asylum. They wanted us to be left there so that they
15 could turn us over to Cuba, and then the captain sent
16 for the Spanish consul and then the Spanish consul
17 said that he could give us political asylum, if they
18 didn't want us there, but the captain of the boat, who
19 was not in agreement with this, he went personally and got
20 in contact with the American Ambassador in Tangiers, and
21 the American Ambassador came to the boat to see us, and he
22 gave us political asylum. He took us to Tangiers and he
23 put us in a hotel. We were in Tangiers for about a month
24 and then they sent us to Casablanca, where together with
25 Juan I was there for a period of about two months.

1 Q To clarify, when you indicated that Freeport
2 belonged to the British Government, what year was this?

3 A '66.

4 Q This was before its independence?

5 A I would presume so. I am not sure.

6 Q You indicated that you were at Tangiers. Was
7 this Mr. Rojas with you?

8 A Yes, he was with me.

9 Q Who was paying for the bills of your stay
10 in Tangiers?

11 MR. TABAK: Objection.

12 Q If you know.

13 MR. TABAK; Objection.

14 THE COURT: Sustained.

15 Q You were transferred to another city after
16 Tangiers?

17 A To Casablanca.

18 Q Where did you stay in Casablanca?

19 A At a seamen's club, directed by an American
20 agency. They paid everything.

21 Q Were you working at that time, sir?

22 A No, sir.

23 Q During the time you were either at Tangiers
24 or at Casablanca, did you work?

25 A No, sir.

1 Q Roughly, about how much time did you spend
2 there, sir?

3 A About two months.

4 Q Did there come a time when you left Morocco?

5 A From there, we went on to Spain.

6 Q Who took you to Spain, sir?

7 A The North American Consul took us to the boat,
8 and sent us to Spain.

9 Q Where in Spain did you go?

10 A To Madrid.

11 Q What did you do when you got to Madrid?

12 A When I arrived in Madrid, I was interviewed by
13 a series of agencies.

14 Q Did you obtain employment?

15 A Yes. I had to work later on.

16 Q What type of work did you do, sir?

17 A On construction work.

18 Q Who was with you? Was this Mr. Rojas still
19 with you?

20 A Yes, he was still with me, but he was working on
21 another job.

22 Q Well, did there come a time when you were
23 in Spain that you attempted to come to the United States?

24 A Several times, yes.

25 Q Why?

1 A Because this was the original place that I should
2 have come.

3 Q What steps or what efforts did you undertake?

4 A I don't know for what reason, but the red
5 tape regarding my coming to the States took quite some
6 time. I had to wait too long. So I decided to come as
7 a stowaway in a boat, which did not please quite a
8 few people.

9 Q Let's backtrack a second.

10 When you were attempting to come to the
11 United States, did anyone help you in the United States to
12 come to the United States?

13 A One of the contacts that I was trying to make
14 at that time was through the Presbyterian Church.

15 Q What, if anything, did they do to help you?

16 A When I was at Immigration, they took me under
17 their wing.

18 Q At this time, when you were trying to come to
19 the United States, where was your family, sir?

20 A In Cuba.

21 Q Were you receiving information from them?

22 A Yes, correspondence.

23 Q You were worried about your family?

24 A All the time.

25 Q You indicated that you came to the United States

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Arocena-direct

1 as a stowaway. How did that happen?

2 I I got the boat called the S.S. Independence,
3 an American tourist ship, and together with two other
4 people, I got aboard the ship.

5 Q Who were these two people?

6 A Juan Arias, and Angel Diaz.

7 Q Mr. Rojas stayed back in Spain?

8 A Yes, at that time he remained in Spain. I
9 think he was getting married, or something like that.

10 Q You indicated you boarded this U. S. --

11 THE COURT: S.S. Independence, he said.

12 A That was in Palma de Majorca.

13 Q What happened?

14 A Well, when the bark landed -- I must clear up
15 first that we were looking for American boats and when we
16 found out that the S.S. Independence was going to stop
17 at Palma de Majorca, we knew by the itinerary that they
18 had, we knew that that line had three boats, and we had
19 missed the first one and we caught this one.

20 Q Were you discovered aboard the S. S. Independence?

21 A When we went to go aboard the ship, I was
22 the first one to go on and my two friends came on a couple
23 of minutes later. For a reason which they did not
24 explain to me, they went back off and I was aboard the ship
25 all day. It was practically impossible for them to get back

1 on the ship. I was up on the deck and I could see them
2 outside on the dock. Upon seeing that they were not able
3 to get on, since I was the person who had experience in
4 that type of situation, I got off the boat again and went to
5 the port and I asked them why they had not gotten on. They
6 told me that it was impossible because there were a lot
7 of policemen.

8 I explained to them that we would try again, but
9 I told them that this time if they didn't get on, then
10 they would stay, and I explained to them exactly how to
11 do it, and indeed I got on first and they got on after
12 me, and all three of us went aboard.

13 When the boat sailed, we went to look for
14 a place where to hide.

15 When I found a place, I went back to look for
16 my friends and they had already been discovered. One
17 had gone one way and the other one had gone another way,
18 and they were running around the boat, and since on the
19 crew there were people who spoke Spanish, I knew what the
20 situation was. I knew they were looking for people running
21 around the boat, that is, stowaways, and so I hid
22 myself.

23 Then I found out that they caught them a few
24 hours later and they were looking for me, too, and for me
25 to escape, I put on a jacket, a servant's jacket and I

1 started to work with the rest of the people and I was able
2 to escape for the rest of the morning, until I realized
3 that the boat was not able to turn around and go back,
4 and then I let them catch me.

5 Q When you got to America, were you turned over
6 to the Immigration authorities?

7 A Yes, sir.

8 Q What happened at that point in connection with
9 the Presbyterian Church?

10 A They tried to send us back and the church
11 interceded for us. The effort to send us back really
12 wasn't much of an effort, because Spain didn't want us,
13 they said that they had a lot of Cubans over there, and
14 the American Government gave us entrance to the
15 United States.

16 THE COURT: When was that?

17 THE WITNESS: That was in June, 1966.

18 Q At the time that you were let out of the
19 Immigration hole, what did you do?

20 A When they let us out, I went to look for
21 the director of the school where I had been educated
22 in Cuba, who was in charge of the Presbyterian Church.
23 Immediately we went to fill out the Social Security card
24 and once I had filled it out, right next to that was the
25 office of the draft and I filled out the application for

1 that.

2 Q What branch of the service did you attempt to
3 enlist in?

4 A Any one of them. I enlisted as a volunteer.
5 The Vietnam war was on, and I volunteered.

6 Q Were you accepted by the draft?

7 A After several attempts, they rejected me
8 because I didn't speak English well, and I imagine
9 that they took into consideration the amount of family
10 members that I had.

11 Q At this time, in 1966, were you receiving
12 help from the Presbyterian Church?

13 A They paid our rent, and I think they got
14 \$250. They took us immediately out to look for work and the
15 very next week, I was already working.

16 Q Where did you live at this time?

17 A It was just a little, small apartment. I don't
18 remember exactly. It was near the church.

19 Q I am sorry, what city?

20 A In Newark.

21 Q Who lived with you at that time?

22 A Newark, New Jersey.

23 Q Who lived with you at that time?

24 A The person living with me at that time was Angel
25 Diaz.

1 Q You indicated you obtained employment. Where
2 did you get employment, sir?

3 A It was a company in East Orange, which made
4 loudspeakers for record players.

5 Q Would this have been the Fisher Company?

6 A Yes, sir.

7 Q This was in New Jersey, where you were
8 working?

9 A Yes, in New Jersey.

10 Q At this time, where was your family, sir?

11 A They were still in Cuba.

12 Q Were you trying to bring your family to the
13 United States?

14 A All the time.

15 Q What were you doing at this time to get your
16 family to the United States?

17 A I was filling out the necessary legal papers,
18 all the requirements that they asked for at that time.
19 I even filled out the claim papers, but as I said before,
20 because of reasons beyond my power, my marriage broke up and
21 only my mother, my sister, my uncle and my grandmother,
22 who died two months and a week ago, were able to come.

23 Q You testified that subsequent to that, you were
24 able to be reunited with two of your children, is that
25 correct?

1 A Yes, sir.

2 THE COURT: I think this would be a good time
3 for us to take our luncheon recess. I see it is 1:15.

4 We will resume at 2:15. Ladies and gentlemen,
5 please do not discuss the case among yourselves, and
6 continue to keep an open mind. We will resume at 2:15.

7 You may step down, Mr. Arocena.

8 THE WITNESS: Thank you, your Honor.

9 (The jury left the courtroom)

10 THE COURT: We will resume at 2:15.

11 (Luncheon recess)

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AFTERNOON SESSION

(2:15 p.m.)

(Jury present.)

E D U A R D O A R O C E N A , resumed.

THE COURT: You may proceed, Counsel.

MR. FERNANDEZ: Thank you, your Honor.

DIRECT EXAMINATION (Continued)

BY MR. FERNANDEZ:

Q At the time of the break bou had testified

you were working for Fisher in New Jersey.

A Yes, sir.

Q Did there come a time when you finished working

for the Fisher company?

A Yes, sir.

Q Where did you go and what did you do, sir?

A I went to look for a better job.

Q Did you in fact -- go ahead.

A I went to work in a place in Elizabeth, New

Jersey, called Wayfirm. It's a place where they select

food warehouses -- not food warehouses but rather for chain

stores, like Shoprite, Foodtown and others. I worked

as a merchandise selector. I worked there for about a

year and a half.

Q While you were working at the Wayfirm did you

1 meet anybody important in your life?

2 A It wasn't precisely in Wayfirm, but it was
3 in Fisher where I met someone who was extremely important
4 in my life.

5 Q Who was that person?

6 A My present wife, Miriam Arocena.

7 Q You indicated you were working at Wayfirm.
8 What year was this?

9 A 1967.

10 Q After 1967 did there come a time when you
11 left for the City of Miami, Florida?

12 A Yes, sir.

13 Q Why did you go to Miami, sir?

14 A I had to go to take a sort of training.

15 Q How long were you in Miami, sir?

16 A Around two months.

17 Q Before leaving for Miami did you have to make
18 any type of arrangements, or what arrangements if any did
19 you make before leaving for Miami?

20 A I had to leave my job.

21 Q What happened to your apartment?

22 A I left it all. I just lost it all.

23 Q What did you do in Miami that was so important,
24 sir?

25 A The reason for my going to Miami is that I was

1 going to get some training there and from there go to Cuba.

2 Q What training did you undertake in Miami?

3 A Infiltration training and everything related
4 to attacks and destruction of enemy installations
5 et cetera.

6 Q And who was the enemy at this time, sir?

7 A The one who was still the enemy at this time:
8 The Communist regime of Cuba.

9 Q Who taught you those infiltration techniques?

10 A American agents.

11 Q Where were you taught, sir?

12 A In the Everglades.

13 Q In relationship to Miami, where are the
14 Everglades and what are they?

15 A They are swamps. It's a swampy region to the
16 west of Miami. At that time there were some camps
17 inside of the swamps. There was a considerable amount
18 of them there, about two thousand, and they were divided
19 into different camps, different areas, and they trained
20 at different time periods.

21 Q What teachers did you have there, sir?

22 A There were instructors in explosives and in
23 weapons, surveillance and taking photographs and demoli-
24 tion and underwater demolition, infiltration, more or
25 less concerning all of those things.

1 Q In what language did you receive instruction?
2 Was it English or Spanish?

3 A In Spanish.

4 Q And did those teachers -- did they dress in any
5 type of uniform?

6 A They used fatigues, camouflage uniforms.

7 Q During the course of this trial we saw some
8 uniforms, I believe, taken from a Mini-Stor-It warehouse.
9 Were these the type of uniforms that were being used by
10 the people who were teaching you, sir?

11 A Similar to those.

12 Q You indicated they taught you about explosives.
13 Did they teach you anything about the use of modern
14 weapons?

15 A It depended on the kind of training that each
16 group received.

17 MR. TABAK: Your Honor, the Government requests
18 a side bar at this time.

19 THE COURT: He has answered a question.
20 If you wish to object to the next question, do so.

21 MR. TABAK: I object to the whole line of
22 questioning, based on prior discussion.

23 THE COURT: There is no indication of anything
24 other than some group that he had joined was training and,
25 mind you, this is back in --

1 MR. FERNANDEZ: 1969 and '70.

2 THE COURT: -- 1969 and '70.

3 I am mindful of the problem that you have in
4 mind, and I am mindful of the statements which have been
5 made to me by defense counsel, and I don't think we are
6 going to the point which concerns you.

7 MR. FERNANDEZ: We are not, your Honor. We are
8 just going into the training.

9 Q You indicated you were taught about explosives.
10 What kinds of explosives were you taught?

11 A Military explosives of all types.

12 Q Did you learn how to make bombs, sir?

13 A Yes.

14 Q Did you learn how to make Molotov cocktails,
15 sir?

16 A Yes.

17 Q When you were learning about modern weapons,
18 were you taught how to use and assemble weapons such as a
19 MAC 10?

20 A A variety of arms.

21 Q So you were familiar with the different
22 calibres that the different weapons have?

23 A Yes, sir.

24 Q In essence, what was the purpose of this
25 training?

1 A To prepare us to begin an invasion of Cuba
2 to overthrow the Cuban regime and to overthrow the
3 occupying Soviet Army in our country.

4 Q Mr. Arocena, during your classes on explosives,
5 were you given manuals?

6 A Yes, sir. Each one of us received a manual.

7 Q And what language was this manual written in?

8 A It was in Spanish and there was some in
9 English.

10 Q And what did the manual contain? Informa-
11 tion about what?

12 A About everything regarding the handling of
13 explosives and the learning of the infiltration, the use
14 of weapons and their calibres, the use of landing fields,
15 the selection of points of disembarkation and a series of
16 things like how to commit sabotage in different cities in
17 factories and in camps as well.

18 Q You have previously testified that you were
19 divided in groups. How many people were in your group?

20 A About fifty.

21 Q And how many people were being trained at
22 this time in the Everglades in Florida?

23 A I thought -- or we thought there were about
24 at least two thousand people, two thousand men.

25 Q Did there come a time when you received

1 orders?

2 A I received orders all the time.

3 Q Well, did there come a time that you left the
4 camp?

5 A I came back to New Jersey.

6 Q Why did you leave the camp?

7 A Because an order came through that we were
8 supposed to go back, because you were to put everything
9 on hold and we were to wait for a better situation.

10 THE COURT: When did you return to New Jersey?

11 THE WITNESS: Two months later.

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13 (Continued on the next page.)

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1 Q This was in 1969, I believe?

2 A At the beginning of 1969.

3 Q Before you left this camp in the Everglades,
4 were you given an identity?

5 A Yes, sir.

6 Q What were you supposed to do with this identity?

7 A I was to keep it for whatever time I would
8 need it.

9 Q What would you need it for?

10 A For the time when we were to go on our
11 mission.

12 Q What identity were you given, sir?

13 A "Alejandro Medina."

14 Q When you returned to New Jersey, did you return
15 as "Alejandro Medina" or did you return as "Eduardo
16 Arocena"?

17 A No, I went back as "Eduardo Arocena."

18 Q Where was Alejandro Medina?

19 A He was left on hold.

20 Q You did return to New Jersey?

21 THE COURT: He told us that, yes.

22 A Yes, sir.

23 THE COURT: After two months at the camp.

24 Q What did you do when you returned to
25 New Jersey?

1 A I began to look for work because I had lost the
2 job that I had previously.

3 Q Did you obtain employment?

4 A It was a little difficult, but I did get one.

5 Q What kind of job did you get, sir?

6 A At first I got a job at a foundry, but it
7 paid very little. Then I got a job in a candy factory.
8 Then I went to an automative plant in Linden, New Jersey,
9 General Motors.

10 Q Did anything important happen to you during
11 1969, after you returned to New Jersey?

12 A Yes. A short time afterwards, I got married.

13 Q This was to Miriam Arocena?

14 A Yes, sir.

15 Q After you got married in 1969, when did you
16 become involved with anti-Castro activities again?

17 A I never stopped being an anti-Castro fighter.

18 Q Did you become involved with a person by the
19 name of Vicente Mendez?

20 A Yes, sir.

21 Q Who was Vicente Mendez?

22 A A great man, a man who gave his life for the
23 freedom of our country, a man who began the invasion of
24 Cuba with a group of men on a commando infiltration attack
25 in Cuba. Unfortunately, he perished.

1 Q Was Mr. Mendez involved with Omega 7, sir?

2 A No, sir. He was a member of Alpha 66, another
3 Cuban group.

4 Q Where is this Alpha 66 from?

5 A It is a respectable Cuban organization.

6 Q Why is that so?

7 A Because it is an organization which has always
8 distinguished itself by fighting against Fidel Castro.

9 Q How did Mr. Mendez' invasion come to an end?

10 A After he entered Cuba, he and some of his
11 men were in a brief encounter, and he lost his life in
12 that encounter.

13 Q Did you at this time return to Miami, sir?

14 A Yes, sir, because I must say that at that time,
15 I had left my wife, she was at that time in her eighth
16 month of pregnancy with my older son, who is sitting
17 there.

18 Q Why did you leave her?

19 A Because when one's fatherland calls, one has
20 to leave everything. I know that is hard for one's family,
21 but it must be that way.

22 Q Who did you see in Miami?

23 A Can you repeat the question?

24 THE COURT: Who did you see in Miami?

25 A Specifically, in what aspect?

1 Q When Mendez had attacked Cuba you went to
2 Miami, and you had left your family because your fatherland
3 called. Who did you see in Miami?

4 A After the disembarkation of Mendez, or the
5 invasion of Mendez, I went to Miami to offer myself as a
6 volunteer in Alpha 66, and they asked me in what way I
7 had left -- or in what condition I had left my home. I
8 told them about having left my wife in the condition in
9 which she was, that the money that I had was very little,
10 and I asked them what contingencies they had for soldiers
11 who were going to be fighting at that time.

12 They told me that unfortunately they were not
13 in a situation to face situations like that and they
14 advised me to return home, which I did very much in spite
15 of myself.

16 Q So you did not go to Cuba to fight?

17 A It was my desire to go, but I had no other
18 choice but to go back.

19 Q Where did you go back to?

20 A I went back to my wife's side and to my job
21 and at that time I had begun working at the port.

22 Q What port, what city?

23 A The Port of Newark, in New Jersey.

24 Q Where did you work at the port?

25 A At the port with a stevedore company for 11 and a

1 half years.

2 Q That would be until 1980, or thereabouts?

3 A Up until 1980, yes.

4 Q At the time that you returned to New Jersey
5 from Miami, not having gone to Cuba, did you get involved
6 with any political groups?

7 A No, sir.

8 Q In 1969 or '70, did you meet a man named
9 Fabian?

10 A Yes, sir.

11 Q Who was this man?

12 A Fabian at that time was the head of the
13 insurrectional movement of Marti, a very great patriotic
14 movement from Cuba.

15 Q What was the purpose of that group, sir?

16 A The same purpose as all of those groups had
17 in exile, and that is to struggle for the freedom of our
18 country.

19 Q Did you become involved in that group?

20 A No.

21 Q Why not?

22 A I decided not to participate any longer
23 directly with any group. Yes, I helped them. I helped
24 them to collect money for dinners, when they had their
25 rallies. I would help them, but I never was a member of

1 their group.

2 Q Do you know if any of these groups such as
3 MIM advocate violence against the Cuban Government?

4 A All of the revolutionary groups know that the
5 only way of overthrowing the Communist Government in Cuba
6 is with weapons in one's hand. The Cuban regime will
7 never be overthrown with words, but rather by action.
8 The Cuban territory --

9 Q Is that action in Cuban territory?

10 A Yes, on Cuban territory.

11 Q Where is Mr. Fabian today, sir?

12 A I have not seen him for more than five years.

13 Q Do you know if he is a fugitive at all?

14 A I don't think so.

15 Q Mr. Arocena, are groups such as this MIM
16 group effective in fighting Communism?

17 A Yes.

18 Q How?

19 A Because ideologically the MIM is identified
20 with the group of Marti, which is the other side with which
21 we can attack Communism in Cuba, and the insurrectional
22 unit of Marti, which is MIM, has the capable structure
23 of carrying a war to Cuba in the future.

24 Q Sir, are you obsessed with Communism or are
25 you obsessed with Cuba?

1 A I am obsessed with Communism, which has my
2 country held prisoner.

3 Q What are you doing against Communism, sir?

4 A I struggle against it.

5 Q How do you struggle against it?

6 A In the best way possible.

7 Q What is the best way possible, sir?

8 A To struggle against it ideologically and to
9 struggle against it with weapons in my hand.

10 Q But you are not fighting Communism in Cuba,
11 are you?

12 A No. I have not had opportunities here.

13 THE COURT: We will change interpreters at
14 this time, and give Mr. Palmer some relief and put our
15 other interpreter, who has been previously sworn, to work.
16 Mr. Palmer undoubtedly will be back and we will be
17 rotating our interpreters.

18 Please state your name.

19 MR. ORRANTIA: Dagoberto Orrantia.

20 THE COURT: You may proceed.

21 MR. FERNANDEZ: Thank you, your Honor.

22 BY MR. FERNANDEZ:

23 Q After you came back from Miami and after you
24 had met with the group MIM, did you start doing any anti-
25 Communist activities or work with a man named Dionisio?

1 A I did meet with Dionisio Suarez, yes.

2 Q What did you do and how did you meet him?

3 A At that time, Dionisio was working for a car
4 company as a dealer, and he represented Orlando Bosch,
5 B-o-s-c-h, a great patriot, a great Cuban and a man who I
6 admire very much.

7 Q Why do you admire this Mr. Bosch?

8 A Because he is a professional man, he has
9 his profession and instead of dedicating himself to make
10 money, he decided to struggle for the fatherland.

11 Q I want to go back a second to Dionisio. His
12 last name is Suarez?

13 A If it is the same Dionisio. I am thinking of,
14 yes.

15 Q Do you know his last name?

16 A It is Suarez.

17 Q Do you know where Mr. Suarez is now?

18 A I think he is an escapee.

19 Q A fugitive?

20 A He is a fugitive.

21 Q Why is he a fugitive, sir, if you know?

22 A I have heard that he was involved in the .
23 LeTellier case.

24 Q Did Mr. Suarez commit a crime against the U.S.?

25 A Not that I know of.

1 Q I want to get back to Mr. Bosch.

2 Where is Mr. Bosch now, if you know?

3 A Mr. Bosch is now in prison in a jail in
4 Venezuela.

5 Q If you know, why is he in prison in a jail in
6 Venezuela?

7 A He was accused of blowing up a plane. That
8 was never proven. He came out innocent but because of
9 pressures from the Cuban Government and pressure from the
10 U. S. Government and due to the cowardice of the Venezuelan
11 Government, our great compatriot, Orlando Bosch, is still
12 in prison, even though he is innocent, because he may be
13 guilty for everybody else, but for us he is still a
14 patriot and innocent, the same as the rest of his
15 companions.

16 Q Did you know Orlando Bosch, sir?

17 A I was fortunate enough to meet him and I also had
18 the honor.

19 Q When and where did you meet him, sir?

20 A One time when I was in Venezuela.

21 Q Where was he?

22 A In prison, in the jail where he was in
23 Venezuela.

24 Q Mr. Arocena, when was the first time that you
25 heard of Omega 7?

1 A In the year '75, 1975.

2 Q Where and what were the surrounding circumstances
3 of your listening or hearing of Omega 7?

4 A I heard -- I listened in the radio and I also
5 saw on television that they had attacked, I think, a
6 radio station.

7 Q Did you say a radio station?

8 THE COURT: That is what he said, a radio
9 station.

10 A A radio and TV station.

11 Q You heard it at the radio and TV station,
12 but what did you say they attacked?

13 A They attacked the Venezuelan Embassy,
14 protesting the jailing of Orlando Bosch.

15 Q So Mr. Bosch has been a prisoner since
16 1975?

17 A More or less, yes.

18 Q If you know, Mr. Arocena, who formed Omega 7?

19 A I don't think anyone knows that, as of yet.

20 Q If you know, how many members does Omega 7 have?

21 A I don't think anyone knows that at this time.

22 Q Mr. Arocena, Agent Wack, sitting in this
23 courtroom, testified that you told him that you founded
24 Omega 7 on September 11, 1974, sir. Is that true?

25 A No, it isn't true.

1 Q Mr. Wack also testified, sir, that you got the
2 letter "Omega" from the Greek alphabet, meaning the end,
3 or the final means. Did you ever tell Agent Wack that?

4 A No.

5 Q Did you ever talk to Agent Wack?

6 A When I went before the grand jury and then in
7 subsequent interviews after that.

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1 Q Do you know, sir, who the leader of Omega 7 is?

2 A According to the information in the newspapers
3 and in the news media, it is probably Omar.

4 Q Are you Omar?

5 THE COURT: He already told us he was not Omar.
6 You started with that. He has already said he was not
7 Omar and he doesn't know who Omar is.

8 Is that correct, Mr. Arocena?

9 THE WITNESS: I do not have the privilege or
10 the honor of being Omar, and neither do I know who is Omar.

11 Q Do you know if Omega 7 exists today, sir?

12 A Possibly it exists.

13 Q Sir, after you came to New Jersey the end of
14 1969, the beginning of 1970, you indicated you were employed
15 as a stevedore; is that correct?

16 A Yes, sir.

17 Q How many dependents did you have at that time?

18 A You mean, in '69, '70?

19 Q Yes, thereabouts.

20 A My wife and my son.

21 Q Did your wife start a business at that time,
22 around that time?

23 A No, sir. It was later.

24 Q Did your wife start a business at a later time?

25 A Yes, sir.

1 Q What kind of business id your wife start?

2 A A business making pinatas.

3 Q What is a pinata?

4 A It is a figure made out of cardboard filled
5 with candies and used at parties. The children break
6 it at parties. And other things Like that. They fill
7 it up with toys and candies.

8 Q And did you help your wife with her pinata
9 business.

10 A I was the one who made the deliveries.

11 Q How did you make the deliveries, sir?

12 A In my car.

13 Q Did you use any other cars besides your car?

14 A No. I used mine, but when it broke down I did
15 rent other cars so that I could make the deliveries and I
16 cold buy the supplies that we needed to make the pinatas.

17 Q When you rented cars did you ever use any other
18 name other than Eduardo Arocena?

19 A No. I always used the name Eduardo Arocena,
20 because I always paid by credit card.

21 Q Did you rent cars many times?

22 A Quite regularly, yes.

23 Q Your car must have broken down a lot, then?

24 A Unfortunately, yes.

25 Q Why didn't you get a new car?

1 A That's what I should have done.

2 Q At this time that you were in New Jersey, did
3 you have a lot of friends, sir?

4 A You can figure that just in the port there
5 were around seven hundred or eight hundred Cubans. I used
6 to get along very well with practically everybody at the
7 port, practically all the races, all the members of the
8 work force around the port. We were all brothers. And,
9 in addition to that, I had many other friends in the area
10 of New Jersey.

11 Fortunately, I am a person who has many
12 friends.

13 Q Were any of your friends involved in any
14 illegal activities?

15 A I do not make it my business to go inquiring
16 into people's private lives, but what I could tell, they
17 all led normal lives.

18 Q Did you know, as one of your friends in New
19 Jersey, a Mr. Ernesto Rodriguez?

20 A Yes, sir. He is a person that I hold in very
21 high esteem. I love him as if he were my father, and I
22 have known him for about twelve or fifteen years.

23 Q Are you his friend today?

24 A Yes, sir.

25 Q Do you know if he was involved with Omega 7, sir?

1 A No.

2 Q Do you recall having appeared before the
3 grand jury on September 2, 1982?

4 A Yes, sir.

5 Q Was Mr. Rodriguez with you at that time, sir?

6 A Yes, sir.

7 Q Do you know why he was there?

8 A Because he had been called before the grand
9 jury also.

10 Q Do you know Pedro Remon, sir?

11 A Yes, sir.

12 Q Who is he, sir?

13 A A person that I met. He worked for a truck
14 company.

15 Q Is he a friend of yours -- I am sorry.

16 A A good person and a good revolutionary.

17 Q Why is he a good person and why is he a good
18 revolutionary?

19 A Because he has demonstrated it up until today.

20 Q Is he your friend, sir?

21 A Yes, sir.

22 Q Was he involved in the Omega 7, sir?

23 A No, sir.

24 Q Sir, in or about September of 1982 and there-
25 after did you tell Agent Wack that Mr. Pedro Remon was

1 involved in Omega 7?

2 A No, sir.

3 Q You never made that statement to Mr. Wack?

4 A No, sir.

5 A Did you ever make that statement to anyone?

6 A No, sir.

7 Q Do you know a person by the name of Andres
8 Garcia?

9 A Yes, sir. He worked with me at the port.

10 Q How long did he work with you at the port?

11 A He worked for a different company from mine.
12 In fact, he had been there longer than I had, but I met
13 him about six or seven years before that.

14 Q How did you get to know him?

15 A Well, usually we worked for different companies,
16 and when we go from one company to the other we have to
17 work with different people.

18 Suppose that we have to fill a truck with
19 merchandise, and he was my partner, or if we had to work
20 loading a ship he would be the driver and he would move
21 the merchandise into the ship.

22 So I met him in those circumstances. Aside
23 from that we used to eat lunch together at the port.
24 That is what all the workers around the port did:
25 We used to eat lunch together when we had our short time.

1 Q Sir, was Mr. Garica involved in Omega 7?

2 A No.

3 Q Do you know if Mr. Garcia was called before
4 the grand jury on September 2, 1982?

5 A Yes, sir.

6 Q Do you know Ramon Sanchez?

7 A Yes; I did know him.

8 Q Is he your friend?

9 A I knew him. He was not my friend, but I did
10 know him.

11 Q Was he a member of Omega 7?

12 A No, sir.

13 Q Did you know Eduardo Losada-Fernandez?

14 A Yes, sir.

15 Q How did you get to know him?

16 A He had a grocery store across the street from
17 the restaurant where I used to eat breakfast, and some-
18 times I ate lunch when I came back from work. He always
19 went there to drink coffee.

20 Q Was this in New Jersey?

21 A In Newark, New Jersey.

22 Q And what kind of a neighborhood was your apart-
23 ment in that you had breakfast in?

24 A It was a normal neighborhood. Neighbors lived
25 there.

1 Q Was it Hiapanic or any other nationality?

2 A Cubans, Spaniards, Portuguese. It was pretty
3 evenly divided.

4 Q Did you ever fire any guns at Mr. Losada?

5 A No, sir.

6 Q Do you know if Mr. Lassada ever practiced with
7 a firearm at that store?

8 A I don't have any knowledge of that.

9 Q Did you know a Mr. Eduardo Ochoa while you were
10 living in New Jersey?

11 A Yes, sir.

12 Q How did you get to know him, jir?

13 A He was my friend, and aside from that he was
14 the person who was in charge of my insurance, insurance
15 for my apartment and for my car, a good person.

16 Q Was he a member of Omega 7?

17 A No, sir.

18 Q While you were living in New Jersey did you
19 meet a man named Manny Fernandez?

20 A No, sir.

21 Q When you were in New Jersey did you ever meet
22 a man by the name of Jose Gracia?

23 A I did meet a person named Jose Gracia, yes.

24 Q How did you get to know him, sir?

25 A I saw him on different occasions at an insurance

1 company.

2 Q Was he a member of Omega 7, sir?

3 A No, sir.

4 Q During those years that you were working at
5 the docks at the Port of Newark, New Jersey, after you made
6 contact with this MIM group that Mr. Fabian had, did you
7 ever make contact with any other groups?

8 A I attended all the revolutionary acts. In one
9 way or another I did get to have quite a bit of knowledge
10 about the different groups.

11 I am speaking about their existence.

12 Q What kind of acts did you attend?

13 A Patriotic acts, protests against the Cuban
14 regime, and the acts in homage to our patriots.

15 Q Did you participate in any acts of violence
16 in this country, sir?

17 A No, sir.

18 Q Were you aware of any groups being involved
19 in acts of violence in this country, sir?

20 A No, sir.

21 Q You indicated that you had attended functions,
22 I believe, of groups. What groups had functions in this
23 country?

24 A Could you specify the question for me?

25 I don't quite understand it.

1 Q I believe you testified about homages to fallen
2 parties and activities that were sponsored by different
3 groups. What were the names of the groups that were
4 sponsoring the different activities?

5 A These were sponsored by MIM; they were sponsored
6 by EBNC, the National Cuban movement; the Patriotic Junta;
7 the Masons, Abdallah, Alfa 66, Cuban Workers -- many, many
8 other organizations that I cannot recall their names just
9 now.

10 Q During the time that you were in New Jersey
11 did you do business with an insurance agent named Manny
12 Fernandez?

13 A No, sir.

14 Q Did you know while you were in New Jersey a
15 Mr. Maximilliano Lora?

16 A Yes, sir.

17 Q And did you know a Mr. Tony Ibarria?

18 A Mr. Tony Ibarria, yes. I did know him.

19 Q Who was this man?

20 A When I came to this country, Tony Ibarria was
21 a very prestigious person. He had a furniture store, and
22 he extended credit to people who had just arrived from
23 Cuba. He helped them to get oriented to their new life.

24 All, everything that I knew about him was
25 always about his high reputation within the community.

1 Q Was Mr. Ibarria a member of Omega 7, sir?

2 A No, sir.

3 Q During February of 1975 were you living in
4 New Jersey, sir?

5 A Yes, sir.

6 Q Did you know that on or about that date the
7 Venezuelan Consulate, which is located at 7 East 51st
8 Street, was bombed?

9 A I think I learned about that before from what
10 had come out in newspapers and on television.

11 Q Do you know who bombed that Consulate, sir?

12 A According to what I believe the news stated
13 at that time, Omega 7 took responsibility for that action.

14 Q Did any of your friends at the docks at that
15 time tell you that they were members of Omega 7, sir?

16 A I don't think that anyone who is a member
17 of Omega 7 is ever going to say it. That is why when
18 he asks if so-and-so is a member of Omega 7 and I say no,
19 I mean to add that I have no knowledge of that.

20 Q - - - Do you have any knowledge as to why that
21 Venezuelan Consulate was bombed, sir?

22 A I suppose that it was because of the condi-
23 tions in which Boch was kept in prison in Venezuela and
24 because they had relations with Castro.

25 THE COURT: No. The question is, do you know

1 why the Venezuelan Consulate was bombed, not what you
2 suppose.

3 Do you know why the Venezuelan Consulate was
4 bombed?

5 THE WITNESS: I do not know it.

6 Q Sir, on September 26 of 1982 did you tell
7 FBI Agent Lyons that you had built the bomb that exploded
8 there at the Venezuelan Consulate?

9 A No.

10 Q In June 1976 do you know if Pedro Remon called
11 CBS News?

12 A I have no knowledge of that.

13 Q Do you have any knowledge of a bomb that went
14 off on or about that date at the Cuban Delegation on
15 67th Street in Manhattan, sir?

16 A No. From what came out in newspapers and
17 on TV, yes.

18 Q You have no perjonal knowledge about that what-
19 soever?

20 A No, sir.

21 Q Later that year, on September 16, 1976, did
22 you have any dealings with the Soviet vessel Ivan Shepetkov?

23 A No, sir.

24 Q Was this vessel moored at the docks where you
25 were working, sir?

1 A That ship was moored in Elizabeth, and I
2 worked in Newark. What divides those two ports is a
3 series of canals. But, no, I did not have any knowledge
4 of that?

5 A When you were living in New Jersey did you
6 come across a person named Eulalio Negrin?

7 A Yes, sir.

8 MR. FERNANDEZ: I am entering into a new area,
9 your Honor.

10 THE COURT: Very well. We will take a short
11 recess, ladies and gentlemen.

12 Please do not discuss the case among yourselves.

13 The jury is excused.

14 The witness may step down.

15 (The jury left the courtroom.)

16 (Recess.)

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18 (Continued on the next page.)

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1 (Jury present)

2 THE COURT: Mr. Arocena.

3 You may proceed, Mr. Fernandez.

4 MR. FERNANDEZ: Thank you, your Honor.

5 BY MR. FERNANDEZ:

6 Q Mr. Arocena, you testified you were working
7 as a stevedore in Newark after '70 through 1980, is that
8 correct?

9 A Yes, sir.

10 Q Were you involved in any union activities,
11 sir?

12 A I did help the people from the union, yes.

13 Q Did you belong to any unions as a
14 stevedore?

15 A Yes, to my local, 1235.

16 Q Are you still a member today?

17 A Yes, sir.

18 Q Do you pay dues to the union?

19 A Since I have been in prison I have not, but
20 I still continue with my membership.

21 Q At the time that you were working as a
22 stevedore, were you supervised?

23 A Yes, I was supervised.

24 Q Among your assignments, were you asked to
25 load and unload foreign vessels?

1 A Yes, sir.

2 Q Approximately how many vessels would you work
3 on during, let's say, a day?

4 MR. TABAK: I object on grounds of relevance.

5 MR. FERNANDEZ: I am going to tie this up to the
6 vessel moored right across from where he was working.

7 THE COURT: Then I think you ought to get to
8 a specific date.

9 MR. FERNANDEZ: Yes, sir.

10 Q On or about September 16, 1976, do you
11 remember what your assignment was that day?

12 A I don't recall at this time.

13 Q Did you have access to the interior of the
14 vessels that you unloaded?

15 A Yes.

16 Q So you could go in and go out?

17 A Yes. All the boats that I loaded and
18 unloaded, I could go in and out freely.

19 Q So you had opportunity to enter into a vessel
20 and hide items, if you had wanted to?

21 A Easily, yes.

22 Q Did it ever come to your attention that a
23 Russian vessel was destroyed because of a bomb that was
24 hidden inside it?

25 A Well, I was working one morning when I heard

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1 the commotion and all my coworkers saying that a bomb
2 had been placed on a ship, but they said that the bomb
3 had been placed in the water.

4 Q So to your knowledge no one ever planted
5 a bomb inside a Russian vessel, did they?

6 A No, because according to what people said,
7 they had seen one or two persons swimming in the water
8 and on the basis of that, they said that they had placed
9 a submarine, underwater bomb. No one ever talked about
10 a bomb inside the ship.

11 Q As a stevedore, you would have had access to
12 the inside of the vessels, right?

13 MR. TABAK: I object. The testimony was that
14 it was at a different port from his. It is not relevant.

15 THE COURT: Sustained.

16 Q Did you ever swim underwater to put a magnet
17 bomb at the Soviet ship Ivan Shepetkov?

18 A No, sir.

19 Q I believe before we had the break I asked
20 you if you knew Eulalio Negrin. Did you know him?

21 A And I answered yes.

22 Q Where did you know him from?

23 A Through the newspapers of that time.

24 Q What time are you referring to, sir?

25 A At the time I think it was 1976, '77, '78

1 when he was working -- he was traveling to Cuba and he was
2 working for the Castro Government.

3 Q Prior to that time, did you at any time own a
4 motorcycle?

5 A I don't even know how to drive a motor-
6 cycle.

7 Q Have you ever used a motorcycle or an automobile
8 in any illegal activities, sir?

9 A No, sir.

10 Q You testified that you knew Mr. Negrin. What
11 did Mr. Negrin do for a living, if you know?

12 A It was said that he made trips to Cuba and
13 that he negotiated to bring people from Cuba. It was
14 also said that he did intelligence work and that he
15 surveyed anti-Castro groups and passed on the information
16 to Cuba.

17 It was also said that he had ties to drug
18 activity with Cuba.

19 Q Did you know of his reputation in the community
20 here in New Jersey, sir?

21 A He had a quite controversial reputation.

22 Q Why did he have a controversial reputation, sir?

23 A He was not well regarded by the Cuban community
24 because of the relations that he had with the Castro
25 Government, because for all the Cubans, he was a Castro

1 agent.

2 Q Did you know whether Mr. Negrin had business
3 enemies or not?

4 A I suppose that he did have quite a few enemies.

5 THE COURT: It is not whether you suppose.
6 Do you know whether he had business enemies?

7 THE WITNESS: No, I didn't know any personal
8 enemies of his -- I didn't know personally any enemies
9 of his, if that is what your Honor is referring to.

10 THE COURT: Yes, because you said you
11 supposed, and the question is do you know, and now you
12 have indicated that you do not know any personal enemies
13 of his. Is that correct?

14 THE WITNESS: Yes, but I am basing myself
15 on what was known through newspapers regarding his
16 activities within the community.

17 THE COURT: So what you knew about Mr. Negrin
18 you knew through the newspapers, is that correct?

19 THE WITNESS: Yes, because I never did know
20 Mr. Negrin personally.

21 Q What papers did you read -- in what papers
22 did you read about Mr. Negrin, sir?

23 MR. TABAK: Objection.

24 THE COURT: Grounds?

25 MR. TABAK: Calls for hearsay. It is not

1 relevant.

2 THE COURT: It would seem to. On the subject
3 at hand, it would seem to. Accordingly, the objection is
4 sustained.

5 Q Out of your own knowledge, did you know whether
6 or not Mr. Negrin charged people for bringing relatives
7 from Cuba?

8 MR. TABAK: Objection. Asked and answered.

9 MR. FERNANDEZ: I don't believe it was.

10 THE COURT: It sounds from what his previous
11 answers were that all he knew of Mr. Negrin was what he
12 read in the newspapers.

13 MR. FERNANDEZ: The question was, your
14 Honor, if he had found through the newspapers, through
15 an ad, if this was the case.

16 THE COURT: That again would be hearsay.
17 That is your adversary's objection. Is that correct?

18 MR. TABAK: Yes, your Honor.

19 THE COURT: If the grounds of his knowledge
20 were newspaper accounts, his knowledge would be based on
21 hearsay. That is the basis of the government's
22 objection, which I sustained and which I will reiterate
23 at this time. Sustained.

24 MR. FERNANDEZ: Thank you.

25 Q Did you know about Mr. Negrin's death?

1 A Through the newspapers.

2 Q So you have no personal knowledge of his death?

3 A No, only through the newspapers, and what came
4 out by radio and on television.

5 Q You did not discuss Mr. Negrin's murder
6 with any FBI agents on or about September 24, 25 or 26
7 of 1982, sir?

8 A No, sir.

9 Q Do you know where Mr. Negrin is buried today,
10 sir?

11 MR. TABAK: Objection.

12 Q Do you know other --

13 MR. TABAK: Obejction.

14 THE COURT: I don't know that that is relevant,
15 under the circumstnaces, to anything that has occurred
16 during the course of this trial. It is well established
17 that Mr. Negrin was killed in 1976, but I don't see the
18 relevance of where he is buried, whether it be here or
19 somewhere else.

20 Sustained.

21 Q On September 9, 1978, sir, did Mr. Pedro
22 Ramon call WCBS Radio in Manhattan? Do you know?

23 A Not that I know of.

24 Q On October 5, 1978, sir, did you have any
25 connection whatsoever with the bomb that exploded at the

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1 Jerry Cosby Sporting Goods store?

2 A No, sir.

3 Q Did you ever discuss your participation in this
4 bombing with any FBI agents subsequent to that date, sir?

5 A No, sir.

6 Q On December 28 and December 29, 1978,
7 sir, did you build a bomb that exploded at the Cuban Mission
8 of the United Nations, in Manhattan?

9 A No, sir.

10 Q Did you ever discuss having built this bomb
11 on or about September 24, 25 or 26 with agents from the FBI?
12 That is '82, the year.

13 A No, sir.

14 Q Do you have any information from your own personal
15 knowledge dealing with the bombings at Jerry Cosby and at
16 the Cuban Mission on the two dates I previously mentioned?

17 A No, sir.

18 Q On December 29, 1978, did you participate on
19 a call that was made to WCBS Radio wherein Omega 7 claimed
20 that the bombings at the Cuban Mission and Avery Fisher Hall
21 were made by them?

22 A No, sir.

23 Q Did you ever go to Madison Square Garden, sir?

24 A Unfortunately, I have never.

25 Q Do you know where it is?

1 A In New York.

2 Q Do you know where the Cuban Mission is in
3 New York, sir?

4 THE COURT: Or where it was on a particular
5 date?

6 Q Where it was on September 28 and 29, 1978?

7 A What was the date?

8 Q 1978, December 28 and 29.

9 A No, I do not remember.

10 Q Did you know the telephone number or how to
11 get access to WCBS Radio during December of '77 or September
12 of 1978?

13 A No.

14 Q Do you know now, sir?

15 A Neither do I know now.

16 Q Did you ever make any calls to WCBS Radio
17 during the years of 1977 and '78, claiming responsibility
18 for any bombings for Omega 7?

19 A No, sir.

20 Q -- You have previously testified that you had --
21 flown to Miami, I believe, on two or three prior occasions
22 from Newark, New Jersey. From what airport did you go
23 to Miami?

24 A Usually Newark Airport.

25 Q Do you know where JFK International Airport is,

1 sir?

2 A In New York.

3 Q Have you been to that airport, sir?

4 A I may have been there once. I don't recall.

5 Q Well, were you there on March 25, 1979 and

6 did you purchase a ticket to Los Angeles?

7 A No.

8 Q When you flew to Miami, sir, what airline did
9 you use?

10 A I used anyone, whatever is accessible.

11 Q Did you ever use TWA, sir?

12 A I don't recall. I don't believe so.

13 Q Did you ever go to JFK Airport to book a
14 flight to LA on TWA?

15 A No, sir.

16 Q On March 25, 1979, were you living in
17 New Jersey?

18 A Yes, sir.

19 Q On that same date, did you have anything to do
20 with a bomb that exploded at Almacen El Espanol, in New York
21 City?

22 A No.

23 Q On that same day, did you have anything to do
24 with a bomb that exploded at the Progama Cubano, in
25 Weehawken, New Jersey?

1 A No.

2 Q Have you ever had explosives in your house, sir?

3 A No, because I have children.

4 Q Have you ever transported explosives from

5 New Jersey into New York?

6 A Never.

7 Q You indicated that you did not have explosives

8 at home because you had children. Did you ever store

9 explosives at St. John's Lutheran Church in Union City,

10 New Jersey, sir?

11 A I have never stored explosives in any place.

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1 Q Are you familiar with the St. John's Lutheran
2 Church in Union City, sir?

3 A I don't even know where it is.

4 Q Did you ever give Mr. Ochoa explosives and ask
5 him to store them for you in June of 1979?

6 A No, sir.

7 Q Did you ever obtain any explosives from a
8 Mr. Ramon Sanchez in or about June 1979, sir?

9 A No, sir.

10 Q During June 1979 did you have occasion to fly
11 from New Jersey to Florida?

12 A Possibly.

13 Q Did you meet with Mr. Sanchez in Florida?

14 A I don't believe so.

15 Q On November 25, 1979, sir, do you recall what
16 you were doing?

17 A I don't recall.

18 Q On that date, Mr. Eulalio Negrin was murdered
19 in Union City, New Jersey. Do you recall having told
20 Agent Wack that you were responsible for that murder?

21 A No, sir.

22 Q Do you recall having told Agent Wack or another
23 FBI agent that you surveilled Mr. Negrin in two different
24 vehicles?

25 A That is not true.

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Q Do you ever recall telling any FBI agents that you and Mr. Ramon Sanchez were stealing a car to effect this mission in June of 1979?

A That is not true.

Q On or about December 7, 1979 did you participate in the bombing of the Cuban Mission to the United Nations at 315 Lexington Avenue in New York City?

A No, sir.

Q Do you recall what you were doing that day, sir?

A I must have been home.

Q Did you come to New York on that date, sir?

A I don't think so.

Q How often did you come to New York when you were living in New Jersey, sir?

A I came to New York a few times.

Q Why would you come to New York?

A I went to visit a friend of mine, Enrique Castro.

Q Do you know where he lived?

A He had a jewelry store in New York.

Q Where wa his jewelry store, the address?

A 69 Clifton Street.

Q On December 11, 1979, sir, did you participate in a bombing that took place at the Soviet Mission at 136 East 7th Street?

1 A No, sir.

2 Q Do you recall what you were doing on that day,
3 sir?

4 A Probably at home, watching television.

5 Q On January 13, 1980 --

6 THE COURT: Do you know what day of the
7 week that was that you were at home watching television?

8 THE WITNESS: No, sir, but usually when I
9 finished my work and I went home, then I would turn on the
10 television and I would sit down and watch TV. I did that
11 practically every day. That is normal practice with me.

12 Q On January 13, 1980, did you participate in
13 the bombing of the Aeroflot Soviet Airlines ticket office
14 at 545 Fifth Avenue?

15 A No, sir.

16 Q Did you go to Miami during January of 1980,
17 sir?

18 A Possibly.

19 Q While you were at Miami in January of 1980 --
20 were you in Miami during January of 1980?

21 THE COURT: He said possibly.

22 MR. FERNANDEZ: I am sorry.

23 Q Did you participate in the bombing of the
24 Padrom Tobacco Company in Miami in January of 198?

25 A No, sir.

1 Q Did you ever participate in the surveillance
2 of any foreign officials in this country?

3 A No, sir, although it is a practice of Cubans
4 to keep Castro agents under surveillancew when they are in
5 the United States.

6 Q How do you know it is a practice?

7 A Everybody comments on it.

8 Q Did you participate in surveillance of an
9 Ambassador by the name of Raul Roa?

10 A No, sir.

11 Q March 15, 1980, did you transport a remote
12 control transmitter from New Jersey to New York, sir?

13 A No.

14 Q What if anything do you know out of your own
15 personal knowledge with regard to the attempted bombing
16 of Raul Roa?

17 A What was published in the newspapers of the
18 time.

19 Q You have no personal knowledge of that incident?

20 A No, only what came out in the newspapers and
21 on radio and television.

22 Q Did you have anything to do with the assassina-
23 tion of Felix Ga4cia?

24 A No, sir.

25 Q Do you know who Felix Garcia was?

1 A A Castro agent, according to the newspapers.

2 Q Do you have any personal knowledge as to who
3 Felix Garcia was?

4 A No, sir.

5 Q Did there come a time in 1980 when you moved
6 your family to Miami, Florida?

7 A It was the latter part. We did move to Miami.
8 It was towards the end of 1980.

9 Q Why did you move to Miami, sir?

10 A Because I didn't like the cold. My children,
11 who had always been healthy, were being affected by the
12 cold, and I wanted to move them to a better, warmer
13 climate, and I also wanted to find a better life for
14 myself.

15 Q In 1980, sir, did you participate in the
16 Mariel boat lift?

17 A Yes, sir.

18 Q What was your involvement in the Mariel boat
19 lift, sir?

20 A I had two objectives. One was to get in
21 touch with my family, and the other was to make contact
22 with the insurrectionists inside Cuba, to supervise an
23 action that was being carried out at that time inside
24 Cuban territory.

25 Q Did you travel to Cuba, sir?

1 A Yes, sir.

2 Q Whom did you meet in Cuba?

3 A With several high officials of the regime in
4 Cuba, military.

5 Q What regime is this, sir?

6 A The Communist regime of Cuba.

7 Q Sir, weren't you fighting -- I am sorry.

8 A But I clarify this, that these officials
9 are part of the resistance. Part of the objective was
10 that before me, ahead of me was another ship with a
11 different mission, a mission that was to be carried out
12 inside Cuban territory, as I stated before.

13 MR. TABAK: Your Honor, the Government objects.
14 This has nothing to do with the indictment, nothing that
15 went on inside of Cuba.

16 THE COURT: Well the jury heard the previous
17 answer, so I will let this one stand. At the same
18 time, I do not see that this goes to the charges in the
19 indictment.

20 MR. FERNANDEZ: Most respectfully, we will tie
21 this up, especially with regard to Count 21.

22 THE COURT: All right. On that representata-
23 tion, I will let you proceed, although I must say I don't
24 see the connection.

25 All right. Overruled.

1 A The group that was ahead of me had a mission
2 to carry some germs to introduce them in Cuba to be used
3 against the Soviets and against the Cuban economy, to
4 begin what was called chemical war, which later on produced
5 results that were not what we had expected, because we
6 thought that it was going to be used against the Soviet
7 forces, and it was used against our people, and with that
8 we did not agree.

9 Q Did you attempt to obtain any information
10 about the narcotics trade that filtrates through Cuba?

11 A Yes, sir.

12 Q What information were you able to obtain?

13 A That Castro was using Cuban beaches and
14 Cuban coasts as a springboard to bring drugs into the
15 United States.

16 In addition to that, there are fields of
17 cultivation in Cuba that are used for the harvesting of
18 drugs, marijuana and drugs like that, that helps the
19 Communist regime to pay for subversion in Latin-America
20 and to destroy the United States?

21 Q When you returned from Cuba in 1980, did you
22 make any contacts with people that were involved in the
23 drug trade here in the United States?

24 A Usually any Cuban that was connected with the
25 drug traffic and that we knew had any connections with

1 Cuba would be surveilled, in other words, to find out what
2 kind of connections he had with the Cuban Government.

3 Q Were you doing this surveillance for Omega 7?

4 A No, sir.

5 Q Did you come across a Mr. Manual Fernandez in
6 Miami, sir?

7 A Yes, sir.

8 Q What was the extent of your involvement with
9 this person, sir?

10 A Manny Fernandez was introduced to me by
11 Mr. Gonzalez, Mr. Necuze and Mr. Ibarria. At the time
12 when I met him, according to what Mr. Gonzalez said,
13 Mr. Fernandez' intentions were to set up legal business
14 through Panama.

15 Q Did there come a time when Mr. Fernandez to
16 get involved in illegal activities?

17 A No, sir. What happened is that when
18 Mr. Manny came to us, and when I say, "us" I am talking
19 about Mr. Gonzalez and myself, and he spoke to us about
20 business, then we began to do surveillance of him, of
21 his background, because we came to realize through the
22 investigations that we did that Mr. Fernandez had con-
23 nections with Cuba.

24 We immediately began to do intelligence work,
25 and we began to do a set-up around him.

1 Q Let's backtrack, sir.

2 When you went to Miami in 1980 did you set
3 up a business?

4 A No. When I went to Miami I began to work
5 as an insurance salesman for the company of Mr. Ignacio
6 Gonzalez.

7 Q What was the name of that company, sir, if you
8 remember?

9 A I don't recall exactly at this time.

10 Q Did there come a time that you formed a company
11 known as Beta?

12 A After that company that Gonzalez had, he opned
13 up another business that was Financial Consultants, and
14 immediately after that Gonzalez and I opened up another
15 business that was Beta Import & Export.

16 Q Now, with regard to Financial Consultants, what
17 was the nature of the work that you did? Who was employed
18 with you?

19 A Mr. Necuze, Gonzalez, Mr. Justo Rodriguez,
20 Nestor Gomez and I.

21 Q All right. This Mr. Necuze tht worked with
22 you at Financial Consultants: Was he the person who came
23 and testified in court?

24 A Yes, sir. The same person.

25 Q Where did you know this man from?

1 A This man I knew for a while in New Jersey.
2 It must have been the year '78, '79. He usually went
3 to eat lunch at the same place where I went. He was
4 always accompanied by Ochoa. I think, though, at that
5 time he also used to go there with Ignacio Gonzalez.
6 They worked for Prudential Insurance Company in Newark,
7 New Jersey.

8 Q After 1980, before 1982, did there come a
9 time when you sat with Mr. Necuze and Mr. Gonzalez and
10 asked Mr. Necuze to join Omega 7?

11 A No. That is not true.

12 Q You are aware that he testified to that effect
13 about a week ago?

14 A Oh, yes.

15 Q Was he telling the truth at that time?

16 A No, sir. He was just trying to save his skin.

17 Q Save his skin from what?

18 A He should know.

19 Q Well, do you know?

20 A I don't know, but he should.

21 Q You also indicated that you met Mr. Fernandez
22 through Mr. Gonzalez, Mr. Necuze and Mr. Ibarria, the
23 gentlemen that you previously spoke about, that was
24 helping Cubans from New Jersey.

25 A Yes, sir.

1 Q Was he helping Cubans in Miami?

2 A I didn't know that about the activities in
3 Miami. When he came here I thought he was the same
4 person, Tony Ibarria. In fact, I don't know anything
5 about him except what Mr. Manny Gonzalez has said about
6 him.

7 Q Talking bout Manny Gonzalez --

8 A Manny Fernandez. Excuse me.

9 Q Talking about Manny Fernandez, were you aware
10 that Manny Fernandez paid someone \$10,000 to meet you?

11 A I don't believe that. That sounds like a
12 story to me.

13 MR. TABAK: I am going to object. That is
14 not what the testimony is.

15 THE COURT: That is not my recollection of
16 the testimony. I don't know if the jury recalls it.
17 Of course, their recollection controls.

18 In any event, he has answered the question.

19 Q When you were working for Financial Consultants,
20 did you help Justo Rodriguez get a job with Mr.
21 Fernandez?

22 A I held him in very high esteem. He was a
23 Cuban refugee. He was a person who had come from Cuba
24 after suffering a lot, and at that time I held him in
25 very high esteem.

1 For me, a man who spent such a long time in
2 prison, especially someone who is so highly valued as
3 are political prisoners, so I really from my heard tried
4 to help him.

5 Then, knowing that he was working at a job that
6 paid very little -- in fact, he was fired from this job,
7 and he had been out of work for about a month, that is when
8 I spoke with Gonzalez so he would give him a job.

9 Gonzalez said to me that he didn't know any
10 English, but I said, "Gonzalez, he does have a lot of
11 connections, and I think that he might be able to reach
12 people and sell them insurance."

13 And that's hbw he started working with Gonzalez,
14 with a better salary and under better conditions than he
15 had before.

16 Q During 1981, did there come a time when you
17 asked Mr. Justo Rodriguez to join Omega 7?

18 A No, sir.

19 Q You are aware he testified in court that you
20 did that?

21 MR. TABAK: I object. That is not what the
22 testimony was.

23 THE COURT: Sustained as to form.

24 Why don't you rephrase it, to accord with
25 Mr. Rodriguez' testimony.

1 Q Did you have any business dealings with a
2 Nestor Gomez at Financial Consultants?

3 A He was an employee of Financial Consultants.

4 Q To your knowledge, was he involved in any
5 illegal activities?

6 A Not that I had any knowledge of.

7 Q While you were at Financial Consultants, you
8 met Manny Fernandez?

9 A Yes.

10 Q Previously, you testified that you did some
11 surveillance work.

12 A I think it was during the first meeting that
13 he had with Necuze, Gonzalez and Ibarria. My office was
14 next door. They were having a conversation, and they
15 went downstairs to have some coffee and I went from my
16 office to Gonzalez' office. I saw on a table a small
17 bag that one of them carried. I don't know if it was
18 Gonzalez or Tony, and I know that in that type of case is
19 where they usually put their books, and I opened it, and
20 he had an address book. I took the book, and I went to
21 a copying machine and I started copying all of them, put
22 it back again, and we began checking out all those persons
23 were related, that had relations with Manny Fernandez.

24 Apparently the story that they tell is com-
25 pletely different from ours, but it is the Government's
story.

1 Q Well, why would you take his telephone
2 directory from his handbag?

3 A Because we did all types of intelligence with this
4 type of individual.

5 Q Who were you making this intelligence for?

6 A We gathered all that intelligence, and we passed
7 it on to other agencies.

8 Q Were you ever contracted by Mr. Fernandez to
9 perform collections for him?

10 A He spoke about that one time.

11 Q What did you tell him?

12 A He didn't say anything like that to me. He
13 proposed that to Mr. Necuze. In order to keep him
14 close by and in order to find out what he was doing, but
15 nobody ever really did any kind of intelligence work on
16 Mr. Fernandez --

17 MR. FERNANDEZ: Was it on or for Mr. Fernandez?

18 THE COURT: "On."

19 A No, no, no, we kept Mr. Fernandez under
20 surveillance, and there is proof of all that.

21 Q What proof is there, sir?

22 A Ask the government. They have it, the way they
23 have a lot of other information they don't want to show.

24 MR. TABAK: I object. Everything seized was
25 produced to the defense. They have equal access.

1 THE COURT: Sustained. It is not responsive
2 to the question, in any event. Accordingly, the
3 answer, at least that part of the answer, is stricken. Unless
4 counsel can make a proffer at the side bar, we ought to get
5 on with it.

6 MR. FERNANDEZ: Let's go to the side bar.

7 THE COURT: Yes.

8 (At the side bar)

9 MR. FERNANDEZ: Your Honor, I would like to
10 suggest to the Court that perhaps we ask the jury to step
11 out so that I may inquire out of the presence of the jury
12 what information my client is talking about. I cannot
13 make any other representation to the court at this time.

14 THE COURT: I will have your client step down
15 so that you may speak with him.

16 MR. TABAK: Your Honor, we have put into
17 evidence everything from Mini-Stor-It and everything from
18 the hideout. They have had months to get ready on this.
19 I don't understand why any further time is necessary at
20 this point.

21 THE COURT: Under the circumstances, I will permit
22 the witness to step down to confer with his counsel.

23 MR. FERNANDEZ: Thank you, your Honor.

24 (In open court)

25 THE COURT: Mr. Arocena, you may step down from

1 the stand so that you may consult with your counsel
2 in the privacy of the back room. We will await your
3 return.

4 MR. FERNANDEZ: Thank you, your Honor.

5 (Pause)

6 THE COURT: Mr. Arocena, would you return to the
7 stand.

8 MR. FERNANDEZ: We wanted to clarify something
9 off the evidence --

10 THE COURT: You had indicated you wanted
11 to confer with your client and now you can proceed.
12 If you want to discuss anything with Mr. Tabak
13 privately, you may.

14 MR. FERNANDEZ: Yes, your Honor.

15 (Pause)

16 THE COURT: I note counsel seem to have finished
17 their private discussion, which I had suggested that they
18 engage in.

19 You may proceed, Mr. Fernandez.

20 MR. FERNANDEZ: Thank you.

21 BY MR. FERNANDEZ:

22 Q Mr. Arocena, did Mr. Fernandez ever give you
23 any money to kidnap and/or murder a Mr. Luis Fuentes?

24 A No, sir.

25 Q Did Mr. Fuentes ever give you any money, sir?

1 A Never.

2 Q Did you ever offer to sell him firearms?

3 A No, sir.

4 Q Did Mr. Fernandez ever ask you to burn the
5 vehicle that belonged to Hugo Romero?

6 A No, sir.

7 Q How many conversations did you have with
8 Mr. Fernandez?

9 A Four or five conversations.

10 Q Didn't Mr. Fernandez use the telephone at your
11 house to make telephone calls, sir?

12 A Unfortunately, yes. Abusing my trust, he did
13 go ahead and make a phone call from my house. He took
14 advantage for four or five minutes, and he did use the
15 phone to make a call. He told me that he wanted to call
16 his lawyer. He was outside in the car, and he asked me
17 to use the telephone to call his lawyer and I, being
18 desent with him, I did allow him to come in for a short
19 time, and that is why that phone call appears in my
20 telephone.

21 Q How did he come to know where you lived?

22 A Because the government took him there.

23 MR. FERNANDEZ: Strike that.

24 THE COURT: All right, we will strike that, on the
25 motion of defense counsel. The jury will disregard the last

1 response, about the government taking him there.

2 Q Did Mr. Fernandez, during his four or five
3 conversations with you, discuss any acts or collections to
4 be done of a Mr. Oscar Dario?

5 A No, sir.

6 Q Did he ever discuss with you any plots to
7 murder a Mr. Ramon Vanyo?

8 A No, sir.

9 Q Did he ever offer to buy silencers from you?

10 A He was always talking about buying arms and
11 a whole bunch of things for his business, did I know
12 where to get them, and I would tell him that I didn't know
13 and that I would try and see. He is still waiting.

14 Q Did he ever introduce you to Maximiliano Lora?

15 A Yes, sir.

16 Q In what connection did he introduce Mr. Lora
17 to you?

18 A It was his bodyguard.

19 Q Did he ever have Mr. Lora work with you?

20 A No, sir.

21 Q Did Mr. Lora ever work with you?

22 A No.

23 Q Was there a time during 1981 or '82 that
24 Mr. Fernandez called you from his house in Coral Gables
25 and asked you to come and assist him?

1 A Yes, he did call, yes.

2 Q Why would he call you to help him?

3 A He said that he had a problem, that he had a
4 bunch of people surrounding the house, and I told him,
5 "I can't do anything about that." I also found out that he
6 had called Gonzalez, he had called Necuze, he had called
7 the whole world. Apparently he was desperate, calling
8 everybody.

9 The only dumb one that he found was me.

10 Q Do you know if he called the police?

11 A I don't have any knowledge of that.

12 Q Did you have any knowledge of any attack
13 that was made on Mr. Fernandez' house, or apartment, when
14 he had half a million dollars in connection with Luis
15 Fuentes?

16 A He did once tell a story that somebody attacked
17 him, that somebody shot him, and that somebody shot him
18 in the buttocks.

19 Q Did he ask you to do anything after this
20 incident?

21 A No. That was before he was introduced to
22 Gonzalez, Necuze and to me.

23 Q Did Mr. Fernandez tell you what happened to
24 Mr. Fuentes?

25 A I don't know.

1 Q Did Mr. Fernandez ever ask you to commit
2 arson or bomb the Mexican Consulate in Miami, Florida?

3 A No, never.

4 Q Do you have any knowledge as to what happened
5 at the Mexican Consulate in Miami on or about September 11,
6 1981?

7 A I think according to what came out in the
8 newspapers and in the news media of that time, I think
9 the Mexican Embassy was bombed at that time.

10 Q But you have no personal knowledge of what
11 happened there, sir?

12 A No, sir.

13 Q Sir, on September 28, 1982, at the Ramada
14 Inn, east of the Miami Airport, did you tell FBI
15 agent Kiszinski or FBI Agent Lee or FBI Agent Walzer that
16 you had knowledge of what had happened at the Mexican
17 Consulate on September 11, 1981?

18 A No, sir.

19 Q Did you know in Miami a person by the name of
20 Max Lesnick?

21 A Everybody knows him in Miami. I know him
22 through the newspapers, and I saw him here personally, the
23 day I saw him testifying here. I had never seen him
24 before.

25 Q Do you know whether Mr. Lesnick has a newspaper

1 or a magazine in Miami?

2 A He has a magazine that is basically devoted to
3 giving publicity to agencies and people who travel to Cuba
4 and to also spread propaganda about Castro's Cuba and to
5 attack revolutionaries in the area of Miami and in other
6 areas.

7 Q But to your knowledge -- not what you have
8 read, but to your knowledge, was this man a Castro agent?

9 A Personally, I have no knowledge of that.
10 I am talking about what was published in newspapers and
11 what is commented. I know that he was an official in the
12 Castro government. I think he was a commander.

13 MR. TABAK: The government moves to strike
14 everything after that he has no personal knowledge.

15 THE COURT: Strike it. The witness has
16 indicated in the first instance no personal knowledge on
17 this subject.

18 Did you ever speak to Mr. Lesnick about this?

19 THE WITNESS: Never, your Honor.

20 THE COURT: So anything you would have heard
21 you would have read in the newspapers or heard rumors about,
22 right?

23 THE WITNESS: About what the newspapers
24 published about him, and also about the controversies he
25 generated with other people within the community, which were

1 quite numerous.

2 THE COURT: I will strike that part of the
3 response as not being based on personal knowledge.

4 The jury will disregard the last part of the
5 witness' answer, about the position or positions Mr. Lesnick
6 may have occupied in Cuba.

7 Q Did you ever recruit either Mr. Necuze
8 or Mr. Rodriguez to go and bomb the offices of Replica
9 Magazine on or about September 11, 1981, sir?

10 A No, sir.

11 Q Do you have any personal knowledge about the
12 bomb that was set off at the offices of the Replica
13 Magazine on that date?

14 A What came out in the newspapers and in the
15 news media.

16 Q So you have no personal knowledge other than
17 what you read in the papers?

18 A No, sir.

19 Q Did you ever tell any of the agents that you
20 met on September 28, 1982 that you had personal knowledge
21 about the explosions that was set off at Replica Magazine,
22 sir?

23 A No, sir.

24 Q Did you have any connection or any knowledge --
25 strike that.

rmjah 10 Arocena-direct

1 Do you have any personal knowledge about the
2 bomb that went off on East 41st Street in New York at the
3 Mexican Consulate on September 12, 1981?

4 A No, sir.

5 Q Did you ever make a statement to any of the
6 FBI on or about September 25 or 26 of 1982 that you had
7 prepared the bomb that was set off on that date?

8 A No, sir.

9 Q Do you recall appearing before the grand jury
10 in New York on September 2, 1982, sir?

11 A Yes, sir.

12 Q Do you remember having come to this building?

13 A Yes, sir.

14 Q You were subpoenaed, is that correct?

15 A Yes, sir. A subpoena was handed to me in
16 Miami.

17 Q Did you come here voluntarily or of your own
18 free will?

19 A They handed me a subpoena. I had to come.

20 Q Did you appear before the grand jury on that
21 date?

22 A Yes, sir.

23 Q Who asked you questions?

24 A Mr. Tabak.

25 Q Did he ask you questions more or less of the

1 same type I asked you today, about knowledge of specific
2 incidents that occurred prior to September 2, 1982 in
3 connection with Omega 7?

4 A Yes.

5 Q Did you give him any response that was not true?

6 A What I considered necessary at that time.

7 Q What do you mean, what you considered necessary
8 not to tell the truth at that moment?

9 A I didn't say that. I said that I answered with
10 the truth at that time.

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T12 13 (Continued on next page)
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1 Q Perhaps I didn't ask you the question right.

2 Your testimony today is that at that time,
3 when you were giving the responses to those questions,
4 you were telling the truth?

5 A Please repeat the question.

6 THE COURT: Is it your testimony today that
7 all of the answers you gave in the grand jury were
8 truthful?

9 THE WITNESS: Yes. I tried to do the best I
10 could, according to what my recollection was.

11 Q So today, a couple of years afterwards, were
12 there any responses to any questions that were not
13 truthful?

14 A It's possible.

15 Q You indicated that you did not know the name
16 Alejandro Medina at that time.

17 A Yes, sir.

18 Q Did you forget or did you just not understand
19 the question?

20 A Not only did I only understand the question,
21 but I forgot, too, and I had no time to rectify it.

22 Q You forgot that you used the name Alejandro
23 Medina?

24 A When I came back from lunch I remembered, but
25 that was afterwards, after they had asked me the questions,

1 but it was late then to rectify it.

2 Q You didn't have an attorney present with you
3 at the grand jury?

4 A No, sir.

5 Q Whom did you go to the grand jury with?

6 A I went alone.

7 Q Did you answer any questions for for Mr. Tabak
8 regarding Beta Imports?

9 A He did ask me some questions about Beta.

10 Q And were your answers truthful, sir?

11 A Yes.

12 Q In your response to the grand jury, you
13 indicated that you had met with foreign officials.

14 A I don't recall just now.

15 Q I will get back to that.

16 After your meeting with the grand jury, were
17 you ordered to do anything?

18 A To have my fingerprints taken and to give some
19 handwriting exemplars.

20 Q And what did you do? Did you go and do as
21 asked?

22 A It was an order that Mr. Tabak gave me, and
23 since it was an order given by the grand jury I had to go
24 and do it.

25 Q So as soon as you finished with the grand jury

1 you went across to the FBI offices?

2 A No. I was escorted by Mr. Wack, the FBI
3 agent, Mr. Wack and also Detective Brandt also accompanied
4 me.

5 On that occasion, Mr. Ernesto Rodriguez was
6 also with me.

7 Q How long did those handwriting exemplars take
8 to make?

9 A Forty-five minutes, around, around there.

10 Q Did you discuss with either Agent Wack or
11 Detective Brandt anything other than your giving of the
12 handwriting exemplars and voice print -- I am sorry --
13 fingerprints?

14 A No. For that we would have had to return
15 to the grand jury, from which I had come. That's when I
16 met Mr. Larry Wack.

17 I think -- I recall that when we got to, I
18 think, the fourteen th floor, Mr. Larry Wack identified
19 himself to me. He said that he was an FBI agent, and
20 he tried to approach there with me, and I told him that
21 I had come from speaking to the grand jury that I was
22 not going to talk with anyone.

23 When I came out from the grand jury to have
24 these exemplars done, these prints done, Mr. Wack came
25 straight to me and said to me, "I finally caught you.

1 I have been after you for eight years. You are mine."

2 I remember another thing that happened, too.

3 When Agent Wack said that to me, I said, "I am sorry for
4 you. You have wasted your time. You have the wrong
5 man."

6 Then Agent Lyons came, and he said, "Did you
7 know that the early bird catches the worm?" And I looked
8 at him and I said, "The only birds that I see here are
9 fat ones, lazy, and the only ones they can catch are the
10 ones that are brought to them, because they never caught
11 any."

12 And then we went to have the fingerprints
13 taken.

14 MR. FERNANDEZ: May I inquire, your Honor, how
15 long you plan to sit this afternoon?

16 THE COURT: I think we would be well advised
17 to recess at this time.

18 Ladies and gentlemen, please do not discuss
19 the case among yourselves. In the event you learn any-
20 thing about the case from any source outside of the court-
21 room you are directed to report that matter to Mr. Guranich
22 when you return tomorrow morning.

23 Finally, we have not yet finished the direct
24 examination of Mr. Arocena. We still have cross-
25 examination and possibly redirect examination.

1 So continue to keep an open mind on all
2 aspects of the case until you have heard it all, after
3 the summations and the charge, which hopefully will be
4 coming next week, and then you will have the case for your
5 consideration.

6 Ladies and gentlemen, you are excused until
7 ten o'clock tomorrow morning.

8 (Adjourned to September 11, 1984, at 10:00 a.m.)

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UNITED STATES OF AMERICA

v.

S 83 Crim. 821 (RJW)

EDUARDO AROCENA.

New York, N. Y.
September 11, 1984
10:00 a.m.

(Trial continued.)

- -

(Jury present:)

THE COURT: Good morning, ladies and gentlemen.

- -

E D W A R D O A R O C E N A P E R E Z , resumed.

THE COURT: Mr. Arocena, you will be continuing
your testimony under the oath that was administered to you
when you first took the stand.

Do you understand?

THE WITNESS: (Through the interpreter) Yes,
I do.

THE COURT: You may proceed, Mr. Fernandez.

~~DIRECT EXAMINATION - (Continued)~~

BY MR. FERNANDEZ:

Q Mr. Arocena, yesterday, when we parted, you were
talking about the incident that occurred on September 2,
1982, just after you had testified before the grand jury.

1 Now, sir, that same day, September 2, 1982,
2 did you have anybody set bombs in Miami?

3 A No, sir.

4 Q You were testifying at the time we broke about
5 a conversation that you had with Agent Wack and Detective
6 Brandt. Did you have any other conversations with any
7 other agents on that day?

8 THE COURT: September 2nd.

9 Q (Continuing) September 2, 1982.

10 A Only with Mr. Lyons, the incident which I
11 explained previously, and with the agent who took my finger-
12 prints.

13 Q Now, sir, did you exchange any business cards
14 with any of the agents from the FBI?

15 THE COURT: On September 2nd.

16 Q (Continuing) On September 2, 1982?

17 A I don't remember if I did. I do remember
18 that I gave a card to Mr. Tabak during the interview at
19 the grand jury.

20 Q After September 2nd and before September 17,
21 1982, did you receive any phone calls from anybody, from
22 the U. S. Attorney's office or the FBI in New York?

23 A No. What I received was a visit by two agents
24 at my house, two weeks later.

25 Q Is this your house in Miami, sir?

1 A Yes, sir.

2 Q Who visited you?

3 A Agent Cannon and Agent Lee.

4 Q What was the reason for the visit, if you know?

5 A They told me that they wanted to talk to me.

6 They told me that they wanted to talk to me off the record,
7 they had a message from the New York office and that all
8 they wanted to do was to make that delivery to me.

9 They asked me if I knew Jose Dendrado Napoli. ^{TEHRANI NAPOLIS}

10 I told them, yes, that I did know him, and they said to me,
11 "Do you know what happened to Dendrado?" and I said, "Yes.
12 I heard something about that. I think he had problems
13 with the grand jury."

14 Agent Cannon said to me, yes, indeed, he
15 committed perjury and he was under arrest for that, and
16 Agent Lee said, "That's what's going to happen to you,
17 besides the fact that we know it was you who set the bomb
18 at the Mexican Embassy in New York."

19 Right after that, I told him that I didn't know
20 anything about what they were talking about, and I told them
21 to leave. They said that they were going to leave and
22 that I should consider what they were saying.

23 I asked them for a card, but they refused to
24 give me one, and they said, "Remember that the agent from
25 the New York office wants to see you, anyhow, sooner or

1 later," and then they left.

2 Q Sir, where did this conversation take place?

3 A In my house, in the family room..

4 Q Was there anyone else present at that time
5 other than Agents Lee and Cannon and yourself?

6 A My wife was there, but she was in the bedroom.
7 Usually, when someone comes to the house, she goes into
8 the bedroom with the children.

9 Q Why did you ask the agents for a card?

10 A Because I wanted to be sure that it was exactly
11 they whom I was speaking with, and they didn't want to give
12 me any proof that they had been there that day.

13 Right from the very beginning, they didn't want
14 to come into the house, and it was for that reason that I
15 asked them to identify themselves and give me their card,
16 but they refused to do so, and they left.

17 Q Sir, as a result of this visit, did you call or
18 contact anyone from the FBI office in New York?

19 A No. Two days later, when I was in my office,
20 since I am always going in and coming out of the office
21 and there were quite a few people in the office, and they
22 were telling me that there had been a call from New York
23 and a so-called Larry had been calling, and I was supposed
24 to call him back. That was on three, four or five differ-
25 ent occasions. The last time was on a Friday. And I

1 went home.

2 The following Monday, I received a call from
3 Agent Wack, and I was talking to some clients in the
4 office, and I told Agent Wack that I wouldn't take care of
5 him at that time, that I might call him later or that he
6 could call me back later whenever he could.

7 I don't remember whether it was he who called
8 me later or whether it was he who returned the call.

9 Q Mr. Arocena, let me backtrack a moment. Is it
10 your testimony that after September 2nd and before September
11 20th you received five or six calls from Agent Wack and
12 a visit from Agents Cannon and Lee at your house?

13 MR. TABAK: Objection.

14 THE COURT: Sustained. It was testified to
15 by this witness and testified to by Cannon.

16 Let's just concentrate on the telephone calls
17 now.

18 Q Did you call Agent Wack on the 17th of September,
19 1982, on a Friday?

20 A I don't remember that.

21 Q Did you call Agent Wack on Monday, September 20,
22 1982?

23 A No; I did not. I'm not quite sure as to
24 whether he called me and I returned the call. I'm not sure.

25 Q Were you surprised that you were receiving that

1 many calls?

2 A It bothered me.

3 Q As a result of these phone calls did you come
4 to New York on or about September 20, 1982?

5 A I came to New York because I had to settle a
6 matter with the union, and while I was at it I wanted to
7 find out what problem it was that Mr. Wack had with me,
8 because he was really making life rather miserable for me
9 in that manner.

10 THE COURT: Did you call him at that point?

11 THE WITNESS: From where?

12 THE COURT: When you got to New York.

13 THE WITNESS: Yes. The day after I got to
14 New York, when I was in the hotel, I did call him. I left
15 word that I was in my hotel room, and -- and then I went
16 out to solve my own problem.

17 Q Did you resolve those other matters that you
18 had with the union, and what were they?

19 MR. TABAK: Objection.

20 THE COURT: Just answer yes or no.

21 Did you resolve the matter with the union?

22 THE WITNESS: In part I tried to solve those
23 matters, but the officers were not there at the time, and
24 I was supposed to go back later. If I had not been
25 kidnaped by the FBI, I would have solved them.

1 MR. TABAK: Motion to strike.

2 THE COURT: No.

3 (To the witness:) When were you kidnaped by

4 the FBI?

5 THE WITNESS: On Sunday, on Sunday.

6 THE COURT: What date was that?

7 THE WITNESS: I think it was the 26th.

8 THE COURT: Who kidnaped you?

9 THE WITNESS: Mr. Wack and Mr. Brandt.

10 THE COURT: Wack and Brandt kidnaped you?

11 Where did they take you?

12 THE WITNESS: To the New York headquarters.

13 THE COURT: What happened there?

14 THE WITNESS: They interrogated me there.

15 I told them I wanted to speak to my lawyer. They told me
16 that I didn't have any right to a lawyer and that I had to
17 answer a series of questions that they were going to ask me.

18 When I protested about that situation, we
19 actually came to a physical confrontation.

20 After that, Agent Wack tried to calm the
21 situation down, and he said to me, "Calm down. This is
22 going to be settled," and he ordered some coffee.

23 I remember that I drank some coffee, the same
24 as two or three others who were there, and I fainted.

25 I remember that after I lost consciousness I didn't really

1 know what happened for about forty-five minutes or an
2 hour, after discovering the marks of a needle on my arm.
3 In a few words, I was drugged.

4 I don't like to say that, but that's the kind
5 of practice they used, and that's the practice they have
6 been using with me ever since they have had me prisoner and
7 right up until today, and I owe it to him and to Mr. Tabak.

8 THE COURT: How many times have you been drugged
9 by the FBI?

10 THE WITNESS: That time I remember was at the
11 headquarters. I don't know whether it was sodium pentathal
12 or whether they used some more modern drug. What I am sure
13 is that it was not hypnotism.

14 THE COURT: No. My question is, how many times
15 were you drugged by the FBI?

16 THE WITNESS: As far as I know, in headquarters
17 was only that time. And the following day, Monday --

18 THE COURT: Wer you drugged again the following
19 day?

20 THE WITNESS: I suspected that I was, but I did
21 not lose my control. They gave me another cup of coffee.
22 I don't know what they put in it, but it was to calm my
23 nerves down, and that was for me to take a lie detector
24 test. It didn't seem to work, because they had to do three
25 tests.

1 THE COURT: Strike the last part of the answer.
2 It is not responsive to the question, which was how many
3 times he was drugged.

4 The jury will disregard any testimony that the
5 witness has just given which was not responsive to the
6 question, and now we will hear the question again.

7 Listen to the question and answer the question.

8 (Question read.)

9 THE COURT: Yes or no or you don't know.

10 THE WITNESS: Yes, sir.

2 11 THE COURT: Who drugged you?

12 THE WITNESS: Both times it was Agent Wack.

13 THE COURT: By what means?

14 THE WITNESS: He is the person who brought the
15 coffee to me.

16 THE COURT: In other words, it is your testimony
17 there was something in the coffee?

18 THE WITNESS: Definitely, yes.

19 THE COURT: In addition to the coffee, did you
20 see any other needle markj on that day?

21 THE WITNESS: No, your Honor.

22 THE COURT: You may proceed, Counsel.

23 BY MR. FERNANDEZ (Continuing):

24 Q Mr. Arocena, on the 24th of September, did you
25 meet with Agent Wack and Detective Brandt?

1 A No, sir.

2 Q Did you meet on the 25th?

3 A Yes, sir.

4 Q Where did you meet them?

5 A In the hotel room where I was staying.

6 Q So it was not at FBI headquarters?

7 A No. It was at the hotel, where I was registered
8 under my name.

9 Q How did you get from the hotel to the FBI had-
10 quarters?

11 A They suggested that in New York they wanted to
12 talk to me and that if I didn't go one way I would have to
13 go another way. And I asked them where the arrest warrant
14 was for that type of situation. They said that they
15 didn't need one, but that if I put up any resistance they
16 would bring one, and if not they would take me by force,
17 and they said at any rate it was just a matter of going
18 for a short time, because the boss wanted to see me.

19 And I told them, at any rate, I had to return
20 to Miami, that I had to sign out of the hotel and turn the
21 car over.

22 They told me to check out and turn the car in,
23 and it didn't matter: They said I would have to speak to
24 the boss for half an hour and that later they would take
25 me home for me to catch the plane so I could return. But

1 it was absolutely necessary for me to go with them, in
2 one way or another.

3 Q Let me understand this, Mr. Arocena:

4 On the 26th, the room at the hotel, did you rent
5 that room yourself?

6 A Yes. I rented it from Thursday night, Friday,
7 Saturday until Sunday.

8 Q Prior to being told that you had to go to
9 headquarters, did you engage in conversation with the
10 agents about Omega 7 or the Omega 7 activities?

11 A They told me that the reason for my having to
12 go there for this conversation was for me to help them
13 against terrorism, Communist terrorism, and to help them
14 to combat the infiltration into the Castro regime and to
15 help them with the drugs that Castro was bringing in from
16 Cuba.

17 They said the Government was interested in
18 the struggle for Cuba, that the Government was interested
19 as we were.

20 And during all this time I remained silent,
21 because I was afraid that they were recording the con-
22 versation.

23 They asked me questions about my family in
24 Cuba, about my going to Cuba. They were quite up to date
25 on everything, on all my activities.

1 Q Did you tell them you were representin Omar?

2 A No, sir.

3 Q Did you discuss any of the acts committed by
4 Omega 7 in New York and New Jersey?

5 A No, sir.

6 THE COURT: So you didn't tell them anything
7 during this period of time; is that correct?

8 THE WITNESS: No.

9 THE COURT: What did you tell them?

10 THE WITNESS: According to the questions they
11 asked me I would answer them and say I didn't have any
12 knowledge of those situations, and they asked me about
13 all kinds of organizations in exile and about all the
14 terrorist groups in the United States and outside the
15 United States and the efforts that they were making,
16 according to them, to contain all of these situations, and
17 they had orders from the President to make any kind of
18 an agreement with me, and I said, "I don't know wny you
19 are so interested in me. I am not anybody. I am just
20 a regular, ordinary person."

21 THE COURT: Did they ask you about Omega 7?

22 THE WITNESS: They came back and said to me,
23 "Now, look, don't act dumb. I know you are the head of
24 Omega 7. We know who you are. We know who everybody
25 is associated with you. We have people that have told

1 us everything regarding you and your group."

2 THE COURT: What did you say when they told
3 you that?

4 THE WITNESS: I don't know what they were
5 referring to. I didn't have any knowledge of that, and
6 I denied everything.

7 BY MR. FERNANDEZ:

8 Q Were you kidnaped on that day?

9 A No, sir.

10 Q On the 26th, did you also meet with Detective
11 Brandt and Agent Wack?

12 A Is that a Sunday?

13 Q The following --

14 THE COURT: That is Sunday, yes.

15 THE WITNESS: Yes, sir.

16 THE COURT: Where did you meet with them?

17 THE WITNESS: At the hotel. I was still in
18 the hotel.

19 Q What did you discuss?

20 A They came in the morning and they told me that
21 they wanted to go on talking with me, and I said, "I thought
22 I was already finished with you," and I told them, "Don't
23 come back. I have nothing more to tell," and if they had
24 any proof against me for them to present it, to arrest me,
25 and they said, "We've got something against you, but we want

1 to make sure you are conscious or aware of it," and they
2 showed me a series of photographs and things but I denied
3 everything. I didn't have any reason to give information
4 to them or anybody, and it was time to have breakfast,
5 and I said, "Look, I've got to go out and get breakfast,"
6 and they said, "Can we go with you?" and I said, "Okay.
7 I'm going to go down to the hotel," and they said, "Well,
8 why don't we go some other place, and people know us at
9 the hotel," and I said, "Why do you want to go some place
10 else? Are you afraid people will see you?" and they
11 went to a restaurant, which was several blocks away from
12 there and came back about half an hour later.

13 THE COURT: What happened at the restaurant?

14 THE WITNESS: No, nothing. I just ate what
15 I was going to eat, and I came back.

16 THE COURT: What did you eat for breakfast
17 that day?

18 THE WITNESS: I think it was a cheeseburger
19 or something like that.

20 Q What happened after you had the cheeseburger?

21 A And when we got back to the hotel I said,
22 "Well, I hope this is all over now, because you really
23 haven't said anything to me that can involve me with any-
24 thing," and that's when they said, "Loo, Eddie, we have a
25 problem here. We have to take you to New York."

1 Q Who said that?

2 A Mr. Wack.

3 Q What happened after he said that?

4 A And I said to him, "What reason are you going
5 to take me there?" and he said that the boss wanted to
6 see me, at any rate.

7 Q Did he give you the boss' name?

ET1 8 A No. Everything I explained to you before.

9

10 (Continued on the next page.)

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Arocena-direct

1 Q That evening did you meet with two other agents
2 from the FBI?

3 A Well, when I was at headquarters, after the
4 situation of the interrogation took place and I said, "What
5 are you people going to do with me? Are you going to keep
6 me like this?" It occurred to me, "Well, I have to get
7 out of here somehow." And I said, "Well, I had agreed
8 with my mother that I was going to go eat with her at
9 home and I had to go. I was looking for the opportunity
10 to see whether they would let me go. They kept meeting
11 and talking with each other and taking the matter into
12 consideration.

13 Then after about an hour, they told me they
14 were going to take me first to a hotel, they were going
15 to rent a car for me so that I could go to my mother's
16 house, but I had to come back to the hotel, and they wanted
17 for me to go but to be under surveillance, and I protested
18 against that.

19 Then they agreed not to surveil me, which they
20 never fulfilled, because I know what surveillance is and it's
21 means and the tactics that they use, because I have been
22 suffering from that for a long time because of them.

23 We went to the car agency, Mr. Wack went --
24 I must say when we left headquarters, I was with Agent Wack
25 and Agent Brown, and that there were two cars following us.

1 When Agent Wack brought the rented car, I drove
2 it but there was one car in front of me and another car
3 behind me until we got to the hotel.

4 When we got to the hotel -- I never knew where
5 that hotel was -- we got out and before we went in, he
6 said, "Don't use your name. Use the name 'Medina.'" And
7 I asked him why.

8 He said, "Any name except yours." I said,
9 "Okay."

10 Then he went and he rented two adjoining rooms.
11 His was in the name of someone named Martin, and he was
12 there with Agent Brown.

13 THE COURT: Brandt it is, Detective Brandt.

14 THE WITNESS: Brandt.

15 A And the other room was in the name of "Medina."
16 He paid with a card which his boss had given to him, and
17 I remember that when he was leaving, he said to his boss,
18 "Boss, I need plastic money." So whenever they have to
19 pay, they use that system, with a card.

20 After they gave us the room, I went up and put
21 my suitcase in there. They checked the rooms out, and we
22 were in my room about five or ten minutes -- I would
23 say approximately fifteen minutes -- and Agent Wack -- and
24 someone else came in and spoke to him and he said,
25 "Everything is ready." He said to me, "You have to come

1 back at eleven o'clock sharp."

2 I went down and I got my car, the car which
3 they had given to me, and I drove to my mother's house in
4 Newark and I noticed they were following me and I knew
5 that the car had a finder on it.

6 THE COURT: This is the rental car you were
7 driving?

8 THE WITNESS: Yes, sir.

9 THE COURT: Did you see this finder that was
10 on the car?

11 THE WITNESS: Your Honor, the finders are
12 hidden in the back part of the car. They are very difficult
13 to find.

14 THE COURT: Did you see the finder?

15 THE WITNESS: No, I did not have the apparatus
16 to detect it.

17 THE COURT: This was a Hertz car, was it not?

18 THE WITNESS: I don't remember.

19 THE COURT: A rental car, however?

20 THE WITNESS: They told me that it was a rental
21 car, yes. I don't know.

22 THE COURT: Did you go to a rental agency
23 to get the car?

24 THE WITNESS: Yes, that is what they told me.

25 A We parked about a half a block away from it.

1 THE COURT: With reference to this finder, is
2 it your testimony that you never saw it? You think it was
3 in the car?

4 THE WITNESS: No, I never saw it.

5 THE COURT: Very well.

6 THE WITNESS: If I had seen it, I would have
7 grabbed it.

8 THE COURT: You drove to your mother's house,
9 is that correct?

10 THE WITNESS: Yes, sir.

11 THE COURT: Did you have dinner with your mother
12 that night?

13 THE WITNESS: Yes, your Honor.

14 THE COURT: What did you do after dinner?

15 THE WITNESS: After I had dinner, I saw two
16 friends of mine and then I went immediately back.

17 THE COURT: To that hotel in Manhattan?

18 THE WITNESS: Yes, sir.

19 BY MR. FERNANDEZ:

20 Q While you were at headquarters that same day,
21 were you interviewed by several agents?

22 A Yes, five or six agents.

23 Q What did they ask you about?

24 A A million questions.

25 Q At any time during this question-and-answer

1 session, did you request to have an attorney present?

2 A Yes, on several occasions I asked for one.

3 Q To whom did you request an attorney, sir?

4 A I asked Wack, I asked Brandt. I said it to
5 everybody.

6 Q Your testimony today is that they would not
7 get you an attorney?

8 THE COURT: Don't lead him.

9 What did these people say to you when you
10 asked them for an attorney?

11 THE WITNESS: That I had no right to a lawyer.

12 Q While you were at headquarters, were you free
13 to go?

14 A No, I was not. I was in some cubicles and
15 I was always surrounded by four or five agents.

16 THE COURT: Were you handcuffed at any time
17 while you were at headquarters?

18 THE WITNESS: No, sir.

19 THE COURT: You have answered the question.
20 Let's get on to the next question.

21 You said you were in a cubicle with some of these
22 agents. Did you say at any time "I'm leaving"?

23 THE WITNESS: Yes, sir.

24 THE COURT: Did anybody say anything to you
25 when you said, "I'm leaving"?

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Arocena-direct

1 THE WITNESS: Yes, sir. That is when I had the
2 fight with one of them.

3 THE COURT: Who did you have a fight with?

4 THE WITNESS: With Mr. Wack's boss, and with
5 another agent, and that is when they brought me the
6 coffee, in order to calm me down.

7 THE COURT: When you said "Mr. Wack's boss,"
8 do you remember we had a witness named Barry Mawn. Is
9 that the man?

10 THE WITNESS: Yes.

11 THE COURT: You had a fight with Barry Mawn --

12 THE WITNESS: An argument. I had an argument.
13 with him but there was another agent that we pushed each
14 other.

15 THE COURT: Who was that?

16 THE WITNESS: Another agent, but I don't
17 remember.

18 THE COURT: Did you ever see that agent here?

19 THE WITNESS: No, I never saw him here, and I
20 am not sure that they would bring him here, either.

21 THE COURT: What did he look like? - - - - -

22 THE WITNESS: He was a tall blond guy.

23 THE COURT: Did he have a name?

24 THE WITNESS: I don't remember their names.

25 The only names that I remember are those of Wack and Brandt.

1 I don't even remember the name of his boss.

2 THE COURT: Is it your testimony that
3 Agent Mawn and the blond man stopped you from leaving
4 headquarters?

5 THE WITNESS: Yes. They were part of the group.

6 THE COURT: Did they stop you from leaving
7 headquarters?

8 THE WITNESS: Yes, sir.

9 THE COURT: Did they hold you?

10 THE WITNESS: Yes, in part, they did.

11 THE COURT: But they did not handcuff you?

12 THE WITNESS: No. They pushed me and they sat
13 me down. One doesn't have to be handcuffed in order to
14 know that one is under control.

15 THE COURT: In any event, you didn't tell them
16 anything at headquarters that day, did you?

17 THE WITNESS: No, sir, absolutely not, not
18 from my own free will. So that if they got anything out
19 of me --

20 THE COURT: Did they take you up to see the man
21 in charge?

22 THE WITNESS: The following day.

23 THE COURT: But not on Sunday?

24 THE WITNESS: No, on Sunday I don't remember.

25 THE COURT: Do you remember the name of the man

1 in charge who you saw the following day?

2 THE WITNESS: Afterwards I found out his name
3 was like Walton or Palton, something like that.

4 THE COURT: Walton. When you saw Walton,
5 did you tell him anything?

6 THE WITNESS: I told him about the situation
7 that existed, and he told me that I had to cooperate with
8 them, that my situation was quite difficult, and he advised
9 me to cooperate with them, that was the best way out for
10 me. I told him that I would never cooperate with them,
11 much less in the form that they wanted me to.

12 THE COURT: Did you ever tell Walton that
13 you were Omar?

14 THE WITNESS: No, your Honor.

15 THE COURT: All right.

16 MR. FERNANDEZ: Thank you, your Honor.

17 BY MR. FERNANDEZ:

18 Q You indicated that prior to your returning from
19 your mother's house, you were surveilled. How were you
20 surveilled, sir?

21 A When I left the hotel, I noticed two cars that
22 left after me. I am familiar with the way that they
23 followed me, and it is logical to think I gave them a
24 hard time and I made them really run for their money. I
25 knew, anyhow, that they were waiting for me at my mother's

1 house. Indeed, when I got there, they were right in front
2 of my mother' house.

3 So for that reason when I parked the car, I got
4 out and I went into the building and I said like this with
5 my hand (indicating), so that they would realize I knew
6 they were there and the agents sitting there went like
7 this (indicating). And when I came out again, they were
8 not there.

9 Q Do you know who those agents were, sir?

10 A I presume that they are from the Newark area.
11 I am not familiar with them. I had never seen them before.

12 Q After you finished your dinner with your
13 mother on the 26th, did you come back to the hotel?

14 A Yes, sir.

15 Q Why didn't you escape?

16 A Because when I came out of there, they were
17 right behind me again.

18 Q When you went to the hotel, were you interviewed
19 by Agents Lyons and Menapace?

20 A Yes, sir; they were waiting for me.

21 Q What time was this?

22 A I got there around eleven o'clock.

23 Q How long was your interview?

24 A I would calculate about an hour, hour and a
25 half.

1 Q Did you discuss with them the Omega 7 bombings?

2 A They are the ones that talked to me about all
3 the Omega 7 things. They described the bombs and other
4 things in a technical manner, and asked me whether I had
5 any knowledge about that.

6 THE COURT: What did you say?

7 THE WITNESS: I told them I absolutely had
8 no knowledge of that.

9 A They asked me whether I had any knowledge
10 about groups, and a lot of other things which I don't
11 remember at this point. Then they told me to go to bed
12 because, "Tomorrow we are going to keep on interrogating
13 you."

14 Q Did they leave your room, sir?

15 A I am the one that left the room. I left
16 but I was accompanied by them. I closed the door and
17 they remained outside.

18 THE COURT: And then you went to bed?

19 THE WITNESS: I took a bath, and then I went to
20 sleep.

21 Q While you were at the room, did it occur to
22 you that you could escape or you could call an attorney?

23 A Lyons and Agent Menapace warned me and they
24 said to me, "We presume that you will not try to run away
25 because you know what the consequences will be. We are

1 going to be here all night watching you, and we imagine
2 you are going to be sleeping and we don't want to hear any
3 other noises except the normal noises which you might be
4 making." That's all.

5 Q What happened the next day, on Monday, sir?

6 A About seven in the morning, early in the
7 morning, Agent Wack came in order to turn the room over,
8 together with them. We went downstairs, and I got in
9 the car that I had, he was in a car in front of me,
10 and another agent was in another car behind and we
11 went to turn in the car which we had rented.

12 After that, after Wack turned the car in,
13 he came back from the place and I was seated in the car
14 with Agent Brandt -- I am not sure -- and from there we
15 went to headquarters.

16 Q What happened at headquarters? By "headquarters,"
17 do you mean the FBI headquarters?

18 A Yes. That is what we call it, "headquarters."

19 Q What happened there?

20 A There they asked me more questions, they told
21 me that I had to take a test and it seems that I was
22 nervous -- I don't really know what happened -- and that was
23 when Agent Wack again brought me a cup of coffee.

24 THE COURT: All right. I think you have
25 answered the question. Your attorney wants to ask you another

1 question.

2 Q After that day, did you go to Miami?

3 A In the afternoon, when they finally allowed me
4 to leave, Agent Menapace accompanied me to Newark.
5 There I took a plane to Miami and in Miami there were
6 some agents waiting for me and they accompanied me to
7 my house -- not in the car that I had, but they
8 followed me. I was under surveillance the whole time.

9 Q Did you book a room at the Ramada Inn at
10 the Miami International Airport?

11 A No, sir.

12 THE COURT: You went home, did you not?

13 THE WITNESS: Yes, I went back home.

14 Q After you went home, did you go to the Ramada Inn?

15 THE COURT: That would be the next day, on
16 Tuesday, the 28th, the day after.

17 THE WITNESS: Yes, but that night when I got
18 home, I received a call from Agent Wack telling me that he
19 already knew that I had arrived and that he would get in
20 touch with me in the morning, which they did.

21 The next day, I went to my office and while
22 I was there, I received a call from them and they told me
23 the place where they were going to be, and other things.

24 Q So you went to the Ramada Inn on that Tuesday
25 voluntarily, is that correct?

1 A I had to go.

2 Q What would happen to you.--

3 THE COURT: Your attorney asked you if you
4 went voluntarily. Nobody took you, did they?

5 THE WITNESS: But they told me that I had to go,
6 your Honor.

7 THE COURT: But you went there by yourself?

8 THE WITNESS: Yes, with the agents following
9 me the whole time.

10 Q While in Miami, did you have conversations with
11 FBI Agents Cannon, Kiszinski, Lee and Walzer?

12 A Yes, sir.

13 Q What did you discuss with them?

14 A They are the ones that discussed a series of
15 things with me, a million things.

16 Q Did they discuss with you Omega 7 activities
17 in Miami?

18 A Among other things, the activities of Omega 7.

19 Q Did you admit to any of the activities that
20 were attributed to Omega 7?

21 A I have never admitted that I participate in
22 any activities of Omega 7.

23 Q On the 29th, did you tell any of those four
24 agents that you were going to retrieve an explosive device
25 that had been used in the Roa attempted assassination?

1 THE COURT: A Futava transmitter, I think?

2 MR. FERNANDEZ: Yes.

3 THE INTERPRETER: Could I have that question
4 again?

5 Q On the 29th of September, did you tell
6 any of the four agents I previously mentioned that you were
7 going to retrieve a Futava transmitter that had been
8 allegedly used in the Roa attempted bombing?

9 A No, but I do remember that they were quite
10 interested in that artifact.

11 Q Did you promise any of those agents that
12 you were going to receive information about Omega 7?

13 A No, sir.

14 Q Did you make any type of deal with those agents
15 about evidence that you were going to collect?

16 A No, sir.

17 Q On the 30th of September, I believe you called
18 Agent Wack and you said you were going to be on the
19 run, is that correct?

20 A That's not true.

21 Q Did you call Agent Wack on that day?

22 A No, sir.

23 Q Did you call Agent Wack on the 1st of October?

24 A No, sir.

25 THE COURT: Did you ever call Agent Wack after

1 that?

2 MR. FERNANDEZ: Your Honor, prior to December --

3 THE COURT: Prior to December, before
4 December, did you ever call Agent Wack -- between
5 October 1 and December?

6 THE WITNESS: I think on three occasions.

7 Q Did you ever call him to tell him that you were
8 going to be on the run?

9 A No. On the contrary, I called him so that
10 they would not keep bothering my family and bothering my
11 friends, and for him to no longer go on terrorizing my
12 children.

13 Q Prior to October of 1982, had you ever been
14 arrested before that?

15 A I have never had any problem with the United
16 States.

17 MR. TABAK: Objection. It is non-responsive.

18 THE COURT: Well, he had previously testified
19 to an incident in Cuba and he had some problems, of one
20 type or another, during his passage from Cuba to the
21 States. I think that counsel's intention at that point
22 was to limit the question to the United States?

23 MR. FERNANDEZ: Yes, your Honor.

24 THE COURT: It is unfortunate that it was
25 broader than that. If you feel disposed to ask a particular

1 question on that subject, I will consider that you may
2 do so.

3 Mr. Arocena, up to 1982, were you ever
4 arrested in the United States, from the time you arrived
5 until that time?

6 THE WITNESS: Never, your Honor.

7 THE COURT: All right.

8 Q After your meeting on September 29, when did
9 you find out that there was an arrest warrant for you?

10 A I called my wife and she notified me about it.
11 I also had spoken to some friends of mine and they told
12 me that the word was out on the street.

13 Q What word was out?

14 A That they were looking for me.

15 Q Why were they looking for you, sir?

16 A Because I was an anti-Communist, and they wanted
17 to arrest me.

18 Q Are you paranoid, do you think everybody is
19 after you?

20 A No, but I think this is a very large conspiracy,
21 and I think they were very interested in arresting me,
22 because I am a piece which fits perfectly well into their
23 plans.

24 Q When did you find out there was an arrest
25 warrant for you, sir?

1 A I said when I spoke to my wife.

2 Q What date, approximately?

3 A I don't remember exactly when it was, the 1st
4 or the 2nd. It was one or two or three days afterwards.
5 I don't remember.

6 THE COURT: In other words, it was the
7 1st, 2nd, or 3rd of October, 1982?

8 THE WITNESS: Yes, approximately, your Honor.
9 I am not quite sure at this moment. I would be lying if
10 I said I remember. I have seen the tapes, but I don't
11 remember the dates.

12 Q When you found out there was an arrest warrant
13 out for you, why didn't you turn yourself over to the
14 authorities?

15 A Because I considered that there was a
16 conspiracy against me. I saw what the government had
17 done to me, and what they were trying to do with the other
18 compatriots and they had complete knowledge of this
19 conspiracy which was being used against the Cuban fighters,
20 and this is part of the treaty, the Kennedy-Khrushchev
21 Treaty signed in the United States with the Soviet Union,
22 where the American Government and the Soviet Union agreed,
23 together with Cuba, not to allow from American soil any
24 kind of struggle or invasion against the Cuban soil. Even
25 more than that, they would not allow any other territory

1 to offer its land in order to struggle against Cuba,
2 fight against Cuba.

3 Q Mr. Arocena, have you ever seen that treaty?

4 A Yes, I did see it. I read a copy of it and it
5 is a public domain.

6 Q Why did you call Agent Wack after October,
7 1982?

8 A Because I found out that the agents had been out
9 the house the day they went to look for me. They were
10 searching the house. They heard a noise in one of the rooms
11 and they went into my daughter's room and they terrorized
12 her with their weapons in their hands and they were
13 interrogating her and ask her where I was and looking all
14 over the place like crazy, looking through the closets,
15 and ask her whether she knew anything about her father, and
16 my daughter was terrorized at that moment, and she still
17 is terrorized up to this very day.

18
19
20 (Continued on next page)

1 THE COURT: This incident that happened at your
2 house, where your daughter was terrorized: Did you see it
3 happen? Yes or no?

4 THE WITNESS: No. Actually, I did not. It
5 was told to me by a relative. There is my wife, there
6 are my daughters, if you want to ask them. They have been
7 victims of all this.

8 THE COURT: In other words, it is your
9 testimony that what you just told the jury was something
10 you did not see but something that was told to you by
11 other people; is that correct? Yes or no?

12 THE WITNESS: Yes, sir.

13 MR. FERNANDEZ: Perhaps it would be a good
14 moment to take a morning break. I have two or three more
15 areas to go into.

16 THE COURT: You go right ahead. We got off
17 to a late start, and the jury has been very patient, but
18 I think they are anxious to go ahead.

19 BY MR. FERNANDEZ (Continuing):

20 Q How many times did you call Agent Wack?

21 A I recall, as I said before, that I called him
22 three or four times.

23 Q What did you talk about when you called him?

24 A After that time, they started a campaign of
25 seeing several people on the grand jury, and they began

1 terrorizing my compatriots in one way or another. They
2 knew that those countrymen of mine were passing information
3 to me. Later on, I learned that two or three of those
4 compatriots are testifying against me today. They were
5 the same people that at the time were passing information
6 to me.

7 The messages that Agent Wack needed me to
8 call him, also on the rare occasions when I called my
9 mother's house, I also found out that Agent Wack had been
10 at my family's house with fabricated tapes, made-up tapes,
11 for which they have the greatest technology in the world.

12 They tried to spread the rumor among my family
13 and among other people as well that I was an agent of the
14 Government, and that is how they began to undermine
15 groups and friendships of mine.

16 Those people then began testifying little by
17 little before the grand jury. That is how little by
18 little they began creating the conditions or creating the
19 proofs for all of this because that is the only way they
20 have of proving their ineptness and to prove that all
21 these years have been in vain and all the efforts and all
22 the work and all the money of the taxpayer or the worker
23 has gone in the wrong direction, instead of going to fight
24 against the enemies of this country, has gone against its
25 friends. But -- because they needed a scapegoat.

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1 THE COURT: Ask your next question, Counsel.
2 The last question has been answered by the last response.
3 The witness has said they needed a scapegoat.

4 Q Did you attempt to leave the United States after
5 October 1982?

6 A Yes. I did leave the country.

7 Q Why did you return?

8 A Because I needed to go out and then return to
9 prepare the conditions for me to return to Central America
10 and then go on to Cuba.

11 Q Did you travel with a passport?

12 A I had papers to go out.

13 THE COURT: The question that your attorney
14 asked you is, did you travel with a passport? Yes or no?

15 THE WITNESS: Yes, your Honor.

16 Q What countries did you go to, sir?

17 A Central America.

18 Q Mr. Arocena, do you have a home, a house?

19 A House? Yes. My wife has a house.

20 Q How did you pay for your house?

21 A With my work.

22 Q Do you have any bank accounts, sir?

23 A At this moment I do not. Through the Govern-
24 ment's fault, I lost everything.

25 Q Do you own a car at this time?

1 A At this moment, no.

2 Q Do you have any assets sir?

3 MR. FERNANDEZ: I am going to object to the
4 translation, your Honor. I asked about assets, and it
5 was translated "money". I think the word "assets" has
6 a wider connotation.

7 THE COURT: Would you translate the word
8 "assets" as more than just money, anything of value?

9 THE INTERPRETER: Yes, your Honor.

10 A No.

11 Q Mr. Arocena, I am going to hand you a series
12 of exhibits that have already been introduced into
13 evidence. For the purposes of identification, they are
14 Defense Exhibits C through G, which have been shown to
15 opposing counsel before.

16 THE COURT: You are being shown Defendant's
17 Exhibits C, D, E, F and G for identification.

18 Q (Continuing) Have you had a chance to look at
19 them, Mr. Arocena?

20 A Yes, sir.

21 Q What are those documents, sir?

22 A Those are registration documents of the fire-
23 arms, legal, that I have.

24 Q Those are all the firearms that you have?

25 A Yes, sir.

1 Q To whom are the receipts made, sir?

2 A They are made to my name, Eduardo Arocena.

3 Q What is the number that appears above your name
4 on each one of the items? I believe it is a number that
5 starts with an A.

6 MR. TABAK: Your Honor, the Government objects.
7 These exhibits were already admitted in evidence as
8 Government's Exhibits 1023 to 1027. Counsel can read
9 them to the jury or do whatever he wants.

10 THE COURT: Ladies and gentlemen, apparently
11 there is a duplication. The exhibits that have been
12 proffered as Defendant's Exhibits C through G for identi-
13 fication were received previously when they were offered
14 by the Government, and they will be known as what they were
15 known as originally: Government's Exhibits 1023 to 1027.

16 MR. FERNANDEZ: Anyway, I thank the Government,
17 because these are better copies.

18 THE COURT: Your attorney is taking back
19 Exhibits C through G and is putting in front of you 1023
20 to 1027. Your attorney was asking you to look at the
21 letter A on each of those exhibits and the number which
22 follows. Do you see that?

23 THE WITNESS: Yes; I do, your Honor.

24 Q What does that number represent?

25 A That is the number of my driver's license in

1 Florida.

2 Q And why is that number on the receipt?

3 A Because in order to get a license legally in
4 Florida you have to present a piece of identification as
5 proof that you reside in the place and that you are in
6 fact the person who is making the purchase.

7 That is a legal requirement that they have in
8 the state.

9 Q Sir, the address that appears on the exhibits,
10 1001 Southwest 14th Terrace: Whose house is that?

11 A That is the address of my house.

12 Q Mr. Arocena, did you ever rent a mini ware-
13 house in Miami, Mini-Stor-I?

14 A No, sir.

15 Q Do you know anyone who rented storage space
16 at the Mini-Stor-It warehouse?

17 MR. TABAK: I object unless this is based on
18 personal knowledge.

19 MR. FERNANDEZ: That is what I asked.

20 A Yes.

21 THE COURT: He says yes.

22 Q Who?

23 A Necuze.

24 Q Do you know if Necuze ever used the name
25 Medina?

1 A Yes, sir.

2 Q Under what circumstances did Mr. Necuze use
3 that name, sir?

4 A One time he had problem with this family.
5 He needed to leave his house, and he went and used that
6 name.

7 Q Did he ever rent an apartment at La Hacienda
8 Apartments in Miami under that name?

9 A Yes. He told me that he had rented under
10 that name at that place.

11 Q You didn't have anything to do with that, sir?

12 A Not at all.

13 Q Sir, where were you arrested?

14 A I was arrested in Miami at an apartment, 34 --
15 I don't recall the number of the house.

16 THE COURT: On Southwest 7th Street?

17 THE WITNESS: Yes, your Honor.

18 Q That is in the Little Havana section of Miami?

19 A Yes.

20 Q Who was living there?

21 A In the apartment? I was there.

22 Q How long had you been there?

23 A Four months, approximately.

24 Q Who arrested you?

25 A I was arrested by the FBI, by Agent Cannon,

1 Agent Kiszynski, Agent Walzer. There were many of them.
2 I don't recall their names exactly.

3 Q Before you were arrested, on the 22nd of July
4 1983, was anybody giving you money?

5 A Yes. Practically some of my companions,
6 associates of mine.

7 Q Well, was your identity or were your physical
8 characteristics changed in any way?

9 A Perhaps a little, normal, not much.

10 Q Did you have a different hair style?

11 A Yes. A little contour towards the back.

12 Q Did you have a mustache also?

13 A Yes; I did let my mustache grow.

14 Q During the time that you had not been arrested,
15 did you attempt to make any contacts with a Mr. Lassier?

16 THE COURT: -- who lives in France?

17 A No, sir.

18 Q Did you ever send any pictures to Mr. Lassier
19 in France?

20 A No, sir.

21 Q I am sorry. Was it your testimony that you
22 had never seen or spoken to the man?

23 THE COURT: Anywhere, either in the United
24 States or in France

25 A No, sir.

1 Q No, nyou had not seen him or no, that was not
2 your testimony?

3 A The first time I had seen him is sitting here.

4 Q Will you tell us what happened on the day you
5 were arrested?

6 A Yes, sir. I remember that I was going to
7 take a bath. I heard knocking on the door. I looked
8 out the window, and I saw it was Mrs. Vinas.

9 Q Is she your landlady?

10 A Yes, the owner of the house.

11 Since I was just about to go into the bath, I
12 said, "One moment," and I put on a pair of shorts. When
13 I opened the door, the door opened towards the house, I
14 saw her moving backwards, and she started screaming,
15 "My God, don't kill him."

16 I was very surprised, and I stood there with
17 my hand holding the door, and I stuck my head out, and I
18 felt a gun placed on my temple on this one side.

19 THE COURT: Indicating his left side.

20 A (Continuing) And I saw there was another agent
21 also pointing a gun at me. It was a shotgun. I remember
22 that the man who pulled me by my hand, he pulled me by my
23 left, was Agent Walzer, and he was the man who placed a
24 gun on my left temple and pulled me out.

25 Then the one who came out from behind the door

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1 was Agent Cannon, and he also put the shotgun against my
2 head.

3 There was another agent, with another shotgun.
4 I saw that a policewoman came along and took away Mrs.
5 Vinas, and then I saw immediately that seven or eight
6 other agents who came at me running.

7 When they threw me on the floor, they asked
8 me -- they put their shotgun on my head, and they asked me
9 if there is anybody else with me. I said that I was
10 there alone.

11 When they came inside, all of a sudden, five
12 or six of them, they started searching the rooms, and
13 when they were convinced that there was no one there,
14 they asked me, they took me inside, and they asked me,
15 "Where do you have the weapons?"

16 I said, "My weapons, they are there," and I
17 showed him my gun, the other gun, a .38 that was in a
18 bag, and I told him that the other one of my guns, the
19 .25 was in the bathroom.

20 By that time I was in handcuffs, and I had an
21 agent with a shotgun against my head all the time.

22 They took me to the kitchen and sat me in a
23 chair, and they started searching everything. After
24 about ten or fifteen minutes, when they got tired of
25 searching through everything, one of them said to me, did

1 I want to sign a paper for them, and I said that I would
2 not sign anything at all, that I wanted to speak to my
3 lawyer, and they started laughing and said, "You're crazy.
4 There is no lawyer here worth his salt."

5 Then I remember that one of them said to me,
6 "Do you want to take a bath before we leave?" -- because
7 Agent Cannon wanted to take me away just the way I was,
8 wearing my shorts, to the FBI, and one of the other agents,
9 I don't recall who, said that I should be allowed to take
10 a bath and get dressed, and then I would be taken away.

11 So they took me to the bathroom; they opened
12 the curtains; they took my handcuffs off, and two of
13 them stood by the door, and they allowed me to bathe.

14 I came out, and they gave me my clothes.
15 I had my clothes set aside. I dressed. They put the
16 handcuffs on, and one of them wanted me to sign the paper.
17 I said, "Nothing doing," I was not going to sign anything.

18 At that moment, I saw that a series of people
19 were going in with bags and things like that, and they
20 had bags which looked like those green garbage bags, and
21 then five or ten minutes later they took me.

22 I asked them, what was going to happen to my
23 belongings, my personal things. They said to me, I think
24 it was Agent Kiszynski, who spoke perfect Spanish, that
25 everything would be returned to me some time in the future.

1 Then they took me to FBI headquarters.

2 When I got to the FBI headquarters --

3 Should I go on?

4 Q Let's backtrack for a second.

5 Did you have the guns that you have the receipts
6 for at your house?

7 A All of these receipts were in a briefcase, an
8 attache case that they confiscated from me, that they took
9 from me. All of my personal papers were in there.

10 THE COURT: I don't think he responded to the
11 question.

12 MR. FERNANDEZ: I will ask it again.

13 Q Mr. Arocena, at the place where you were
14 arrested, did you have the guns that you have the Receipts
15 for with you?

16 A Yes. The firearms that I had registered,
17 I already specified for you the three weapons that I had
18 there, three guns.

ET3

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20 (Continued on the next page.)

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1 Q Why didn't you keep these weapons at home, sir?

2 A Because I wasn't going to leave them at home
3 with my kids there.

4 Q Why did you have so many guns?

5 A It is a hobby of mine. I like the sport,
6 I like to go hunting, and I like to go practice also, and
7 when I bought them, it was also for the protection of
8 my family as well.

9 Q Were you a member of any gun club in Miami?

10 A Yes, sir, the Tamiami Gun Shop.

11 Q Is this a legal gun club?

12 A Yes, it is a big club. It is registered in
13 Miami.

14 Q Is it also a place where they have a firing
15 range and they sell guns?

16 A Yes, they have all types of weapons. They
17 have ammunition and, besides that, they have a range
18 where people go and practice.

19 Q Now we are going back to when you were
20 arrested. Did you give any of the FBI agents your name?

21 A None of them ever asked me for my name.

22 THE COURT: Well, you had met these agents
23 before, had you not?

24 THE WITNESS: Yes, your Honor, some of them.

25 THE COURT: Did any of them, Walzer, Kiszinski,

1 any of them, call you by name, like "Eddie"?

2 THE WITNESS: No, sir.

3 Q Mr. Arocena, what happened after you got to the
4 FBI headquarters after you were arrested?

5 A They tried to convince me to cooperate with
6 them. They tried to interrogate me. Since I did not open
7 my mouth, I said that I wanted my lawyer, I said that
8 I wanted to see Vila Lobos, who was my lawyer.

9 THE COURT: What happened after you said that?

10 THE WITNESS: They kept me there for a while.
11 They were coming in and out. They had me sitting there
12 for quite a while. Every once in a while, a different
13 person would come in, would look at me and would leave. All
14 the time since I had been arrested, I had my hands
15 handcuffed, how do you say it, with the handcuffs on,
16 until one of them came and ordered that my fingerprints
17 be taken, and I remember that one of them said to the other
18 one, "Take quite a few of those fingerprints."

19 Then after that, I went to wash my hands.
20 I used the bathroom, I washed my hands. They handcuffed
21 me again and they took me back to the same room. They
22 asked me if I was going to sign something, was I going
23 to cooperate, and I said to them that I was not. I told
24 them that I was a man, that I would never be their witness,
25 that I was not a squealer, that they had made a mistake

1 with me and that I was not going to sign absolutely
2 anything at all, and that I demanded to see my lawyer.

3 Then, after that, about five or ten minutes
4 later, they told me, "We are going to take you to the
5 courthouse."

6 When we were going out, they have television
7 cameras by the door, and one of the agents said to me,
8 "Look how they are waiting for you outside." There was
9 a huge number of reporters and newspaper people waiting
10 outside for me to come out. Then they took me out,
11 they put me in a car and drove me to the police station,
12 to, what do you call it --

13 THE COURT: To the bullpen. But you went
14 to the courthouse?

15 THE WITNESS: Yes, your Honor.

16 A Then they did one of those numbers I have
17 become accustomed to seeing them do on me. When I went
18 in there together with them, they started patting my back,
19 and that is when they did start calling me "Eddie," and
20 they said to me, "See you later, Eddie, we will see you
21 tomorrow." Don't worry, no problem at all."

22 Then at that moment, there were about 15 or
23 20 other inmates right there, and that is the kind of
24 practice that they have engaged in even until today,
25 and that is the practice that they are accustomed to, in

1 order to intimidate people that they want turned around.
2 Unfortunately for them, I did not do it and here I am. It
3 has cost me a lot of work, but here I am sitting, still
4 fighting them, as I promised them, brothers and sisters
5 of the jury --

6 MR. TABAK: Objection, objection.

7 MR. FERNANDEZ: Perhaps we could correct the
8 translation, your Honor?

9 THE COURT: In any event, I think he has
10 finished answering the question. Next question.

11 MR. FERNANDEZ: The correct translation was
12 "in the hands of the jury."

13 THE COURT: He is saying his case will be in the
14 hands of the jury?

15 MR. FERNANDEZ: Yes, your Honor.

16 THE COURT: Yes, it will be.

17 Q While you were working at Beta Import and
18 Export, did you come to know a person by the name of Louis
19 Alberto or Freddy Saratini Romanelli?

20 MR. TABAK: Objection.

21 THE COURT: You can answer yes or no, but that
22 is as far as it goes.

23 THE INTERPRETER: What is the name?

24 MR. FERNANDEZ: Louis Alberto, Saratini
25 Romanelli.

1 A Yes, sir.

2 THE COURT: That answers that question.

3 Yes or no?

4 THE WITNESS: Yes, sir.

5 Q Did you do business with a Victor Gard?

6 THE COURT: Yes or no.

7 A Yes.

8 Q What business did you do with him?

9 A With both of them, intelligence.

10 THE COURT: Next question.

11 MR. FERNANDEZ: I believe he is saying --

12 THE COURT: He answered the question. You
13 asked what business, and he said, "Intelligence." I
14 know he goes on, as he has been doing.

15 MR. FERNANDEZ: He said --

16 THE COURT: Don't tell us what he said.

17 Q Besides intelligence, did you do any other
18 type of business with these people?

19 A Through Beta Company, we were trying to sell
20 to them sophisticated intelligence equipment, electronic
21 equipment, for terrorism and anti-terrorism.

22 Q Did you do any business with a Milton Badia?

23 THE COURT: Yes or no.

24 A No.

25 Q Did you do any business with Arturo or

1 Enrique Castro?

2 THE COURT: Yes or no.

3 A No, sir.

4 Q Did you do any business with a Mr. Arojo
5 or a Mr. Dans in Miami?

6 THE COURT: Yes or no.

7 A No, sir.

8 Q Did you do any business with a Mr. Elio
9 Grio or a Mr. Roberto Grio?

10 THE COURT: Yes or no.

11 A No, sir.

12 Q Did you do any business with a Mr. Ed Gardalara
13 or a Julio Lara?

14 A No, sir.

15 Q Did you do any business with a Mr. Raciel
16 Rodriguez, or a Mr. Reinol Rodriguez?

17 A No, sir.

18 MR. FERNANDEZ: May I have one second, your
19 Honor?

20 THE COURT: Certainly.

21 (Pause)

22 THE COURT: We will take a breif recess while
23 counsel confer. Please do not discuss the case among
24 yourselves, ladies and gentlemen, and keep an open mind.

25 (The jury left the courtroom)

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1 THE COURT: You may step down, Mr. Arocena.

2 THE WITNESS: Thank you.

3 (. Recess)

4 (. Jury present)

5 THE COURT: Mr. Arocena.

6 You may proceed, Mr. Fernandez.

7 MR. FERNANDEZ: Thank you, your Honor.

8 BY MR. FERNANDEZ:

9 Q Just before we had the break, I asked you about
10 several people, whether you had had business dealings with
11 them, and I have a few more.

12 Did you have any business dealings with
13 Eduardo Lima, called El Mulatto?

14 A No, sir.

15 Q Did you have any dealings with a Mr. Jose
16 Lopez?

17 A No, sir.

18 Q Jose Martinez?

19 A No, sir.

20 Q Virgilio Paz, P-a-z?

21 A No, sir.

22 Q Alberto Perez?

23 A No, sir.

24 Q Armando Santana?

25 A No, sir.

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Arocena-direct

1 Q Alvin Ross Diaz?

2 A No, sir.

3 Q Felipe Gomez?

4 A No, sir.

5 Q Nestor Gomez?

6 A He worked with me.

7 Q What did he do with you? Did he work at Beta?

8 A Yes, he worked for Beta and he worked for
9 Financial Consultants.

10 Q Was this Mr. Gomez involved in any illegal
11 activities, as far as you know?

12 A Not that I have any knowledge of.

13 Q Lastly, Eulalio Mario Fernandez, did you have
14 any business dealings with him?

15 A He was with the insurance company that I had,
16 with Newark Insurance, but I don't think he was in charge
17 of my insurance. I am not sure, however.

18 Q This man had nothing to do with Manny
19 Fernandez, did he?

20 A No, sir.

21 Q What happened to you on the 14th of August
22 of this year? This is after we began trial.

23 A I think I had to go because of a court order to
24 give my fingerprints.

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1 Q Did you have to give handwriting samples?

2 A Excuse me. It was handwriting. It was not
3 fingerprinting.

4 Q Did you submit to the task that the FBI agents
5 gave you?

6 A They took me to an office around here, a
7 little room, and they took those writing exemplars.

8 Q You gave everything they asked for; correct?

9 A I was there for quite a while, doing those
10 writing samples. In fact, a time came when they said,
11 when they asked me, did they have enough of them, and they
12 said it was enough, that if I was tired we could leave it,
13 and I said, no, go ahead and finish, because we had had
14 a problem with that previously, and I wanted to finish
15 with that.

16 Q And did you finish giving the exemplars?

17 A I gave all samples that they asked me for.

18 MR. FERNANDEZ: Thank you, Mr. Arocena.

19 I have no further questions.

20 THE COURT: You may cross-examine, Mr. Tabak?

21 MR. TABAK: Thank you, your Honor.

22 CROSS EXAMINATION

23 BY MR. TABAK:

24 Q Mr. Arocena, yesterday you testified, and I am
25 going to quote from Page 2160 of the transcript--