

R-610

1A

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT IN
AND FOR DADE COUNTY, FLORIDA

CRIMINAL DIVISION

CASE NO. 81-17247

STATE OF FLORIDA,	:	
	:	
Plaintiff,	:	
	:	
vs.	:	PART I-A
	:	
ALFREDO ARIAS, et al,	:	
	:	
Defendants.	:	
-----	:	

State Attorney's Office
9th Floor
Metropolitan Justice Building
1351 Northwest 12th Street
Miami, Florida
Friday, April 2, 1982
10:20 o'clock a.m.

DEPOSITION OF RICARDO MORALES NAVARETTE

Taken before Joycee Wax, Notary Public in
and for the State of Florida at Large, pursuant to
Notice of Taking Deposition filed in the above cause.

- - -

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Indexed

Joycee Wax
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APPEARANCES:

JANET RENO
State Attorney
BY: RINA COHAN and
IRA LOEWY
Assistant State Attorneys
1351 Northwest 12th Street
Miami, Florida
on behalf of the Plaintiff.

DOUGLAS L. WILLIAMS, ESQ.
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444 Brickell Avenue
Miami, Florida
on behalf of Alfredo Arias, Defendant.

EDWARD R. CARHART, ESQ.
717 Ponce de Leon Boulevard
Coral Gables, Florida
on behalf of Rafael Villaverde.

BENEDICT KUEHNE, ESQ.
200 Southeast First Street
Miami, Florida
on behalf of Carlos Luis.

WILLIAM P. CAGNEY, ESQ.
200 Southeast 1st Street.
Miami, Florida on behalf of Raul
Villaverde.

I N D E X

<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>
RICARDO MORALES NAVARETTE	3	--

CERTIFIED QUESTIONS

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CERTIFIED ANSWERS

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1 Thereupon:

2

RICARDO MORALES NAVARETTE

3

called as a witness on behalf of the Defendants having

4

been first duly sworn was examined and testified on

5

his oath as follows:

6

DIRECT EXAMINATION

7

BY MR. WILLIAMS:

8

Q Tell me your full name and --

9

MS. COHAN: Prior to proceeding, we are

10

here for the deposition of Ricardo Morales Navarette.

11

Mr. Morales, I want to inform you that you

12

have been immunized by the State of Florida for both

13

use and transactional immunity; such immunity having

14

been given to you on December 16th of 1980 extending

15

specifically to the sworn testimony you gave on that

16

date to myself concerning the Quesada Organization

17

and any of the narcotics related transactions in which

18

it engages between 1979 and 1980.

19

Your subpoena for defense deposition today

20

confers no immunity on your for any other crimes which

21

you may be admitting, and pursuit to any admissions,

22

you do have the right to have your own counsel present

23

and confer with your own counsel as you so desire.

24

Do you understand?

25

THE WITNESS: Yes, I understand, but my

1 involvement with Quesada started in 1978 at the end
2 of -- yes, mid 1978.

3 MS. COHAN: You are covered for that.
4 Anything we discussed during your sworn testimony
5 on December 16th, you are immunized for.

6 THE WITNESS: Okay.

7 MS. COHAN: Okay, Mr. Williams. Sorry.

8 BY MR. WILLIAMS:

9 Q Tell me your full name and your date of
10 birth and where you were born, please?

11 A Ricardo Morales Navarette. My D.O.B.
12 is June the 14th, 1939, and I was born in Havana,
13 Republic of Cuba.

14 Q Where are you presently residing?

15 A Residing?

16 Q Yes.

17 A Right now?

18 MS. COHAN: Objection to a specific
19 address.

20 You may answer in terms of where in the
21 United States.

22 BY MR. WILLIAMS:

23 Q No, I want to know your resident address,
24 Mr. Morales?

25 MS. COHAN: Objection.

1 Mr. Morales, do you have any fear for your
2 own safety and well-being or that of your family
3 should you disclose your address?

4 MR. WILLIAMS: Wait, wait, wait. Hold it.

5 Is Ms. Cohan here your lawyer? Is the
6 prosecuting attorney your lawyer representing you?

7 THE WITNESS: She is the prosecutor, and
8 you know that.

9 BY MR. WILLIAMS:

10 Q Is she representing you?

11 A How is she going to represent me?

12 She is the prosecutor.

13 Q As long as you are aware of the fact that
14 she is not here representing you, you are not
15 privileged to rely upon any advice that she gives
16 you or turn to her for any assistance at all in the
17 conduct of the deposition.

18 A No, I am residing right now in Miami.

* 19 Q Where, please, sir?

20 A Nope.

21 Q I'm sorry?

22 A Nope.

23 Q Nope what?

24 A I'm not going to give you the address where
25 I am staying.

1 Q You are refusing to answer that question?

2 A I am not refusing to answer that question.

3 I am refusing to give you the address where I am
4 staying in Miami.

5 MR. CAGNEY: Is that your permanent
6 residence?

7 MR. WILLIAMS: Certify that, please, sir.

8 BY MR. WILLIAMS:

9 Q How long have you been staying at the
10 place in Miami where you are now staying?

11 A Since mid-November.

12 Q Is it a place that you current regard as
13 your residence?

14 A Nope.

15 Q Where is your residence? When you say
16 "mid-November," by the way, I assume you mean
17 November of 1981; is that correct?

18 A What?

19 Q Do you mean November of 1981?

20 A November, 1981.

21 Q If that is not the place that you regard
22 as your residence, where is the place that you
23 regard as your residence?

24 A I don't have a residence.

25 Q I am entitled to know the place of your

1 residence.

2 A I dont' have a residence.

3 MS. COHAN: Objection, Mr. Williams, to
4 your --

5 MR.WILLIAMS: Just wiat.

6 I'm entitled to know the place of your
7 residence in order to conduct what additional
8 pretrial investigation is pertinent in order for me to
9 be able to examine you appropriately.

10 MS. COHAN: Objection to testimony by
11 Mr. Williams.

12 BY MR. WILLIAMS:

13 Q If you are refusing to tell me where you
14 are living now, then, we will recess the deposition
15 long enough to appear before the Circuit Judge, and
16 let him rule upon it.

17 A That is your problem.

18 I am not going to give you the address
19 where I am staying.

20 Q Tell me the reason for your refusal to
21 give me the address?

22 A Security.

23 Q Security?

24 A Yes, security, Mr. Williams. Security.

25 Q Explain that to me.

1 A Security.

2 Q I don't understand what you mean when you
3 say "security."

4 A Security for my life, Mr. Williams.

5 Q Is it your testimony, Mr. Morales, that you
6 feel that if you tell me your address presently,
7 the place at which you are staying --

8 A It is going to be a matter of public
9 record. You know that.

10 Q You think, therefore, that your life will
11 be endangered by your telling me the address?

12 A Oh, yes.

13 Q Is there anybody in particular who causes
14 you to harbor a fear for your well-being in the event
15 that you tell me your address? Is there some
16 specific person whom you think to be a threat to you
17 presently?

18 A All the defendants in this case.

19 Q Have you had contact from any of the
20 defendants in this case in the past six months?

21 A No.

22 Q Has anybody expressly told you that he
23 or she intends to attempt to harm you or to take your
24 life if they can find out who is, in any way,
25 connected with this case?

1 A Repeat that question, again?

2 Q Is there anybody who is, in any way,
3 connected with this case, either as a defendant or
4 a relative or a defendant, expressly told you that if
5 he or she is able to determine your whereabouts,
6 that he or she intends to cause you any harm?

7 A No.

8 Q As I understand it, you have no specific
9 or particular reason --

10 A I have my experience, Mr. Williams.

11 Q Let me ask you the question, Mr. Morales.

12 A I have my experience.

13 Q YOU don't know the answer to the question
14 yes, because I haven't posed the question, so will you
15 let me finish the question before you intend to answer
16 it; okay?

17 A Uh huh.

18 Q The question to you is, whether it is the
19 case, then, that you have no specific or particular
20 reason to be able to articulate as the source of
21 any fear for your well-being, but rather, as to harbor
22 a general ongoing feeling that it would be harmful
23 to you if you give me an address; is that correct?

24 A I am not stupid, Mr. Williams. I am
25 not stupid.

1 Q Is that correct? Answer the question.

2 A You know, I am not stupid.

3 Q Answer the question.

4 A So, if I give the address to you, you know,
5 I really do believe that my life is going to be in
6 danger.

7 Q Here's my question to you once again,
8 Mr. Morales, and listen. If you don't understand
9 the question that I put to you at any time, feel free
10 to tell me that, and I will rephrase it for you as
11 often as it takes for it to be understandable by you.

12 A Of course.

13 Q If you understand my question, then,
14 answer it. If your answer needs an explanation,
15 then, you can explain it.

16 A Uh huh.

17 Q The question for you, sir, is whether
18 you have any specific reason that you can articulate
19 as being the source of any present fear that you have
20 for your well-being in connection with any of the
21 defendants in this case, or whether the fear that you
22 have expressed is a general ongoing concern for your
23 well-being -- which of the two?

24 A It is a general ongoing concern of my
25 well-being since this is a drug related case, and

1 there are so many people being killed because of
2 drug related matters.

3 You know, you don't have to be a wise up
4 guy just to understand that.

5 Q Has Ms. Cohan or Officer Diaz given you any
6 suggestions or any advices concerning questions that
7 you should or should not answer or questions that you
8 may refuse to answer in the course of this deposition?

9 A That's her problem. Not mine.

10 Q Answer my question, Mr. Morales.

11 A That is her problem. Not mine. If that
12 is what she is here for --

13 Q Here's my question to you: Has Ms. Cohan --

14 A Nope.

15 Q (Continuing) -- given you any specific
16 advise --

17 A Nope.

18 Q (Continuing) -- with regard to what
19 questions you may or may not answer?

20 A Nope.

21 Q Has Officer Diaz given you any such
22 advice?

23 A No.

24 Q Are you thoroughly fluent in the English
25 language?

1 A Yes.

2 Q Do you foresee any possibility for needing
3 or having the assistance of an interpreter at any
4 point in the course of this deposition?

5 A No.

6 MR. WILLIAMS: All right. I will recess
7 the deposition long enough to see if I can get the
8 Circuit Judge to make himself available to rule on
9 this preliminary question, because my feeling is that
10 if we don't do it now, then, you will just take, to
11 yourself, the prerogative of deciding what questions
12 you are or are not going to answer, and that is not
13 how it works.

14 MR. CAGNEY: Doug, before we recess, let
15 me just take a quick second with you.

16 (Whereupon, an off the record discussion
17 was had between Mr. Williams and Mr. Cagney.)

18 MR. WILLIAMS: Your presence is cordially
19 requested.

20 MS. COHAN: I will be right along.

21 MR. WILLIAMS: We don't need him down there.

22 MR. LOEWY: You may very well need him
23 there to testify.

24 MR. WILLIAMS: That's fine with me.

25 Always happy to have Mr. Morales.

1 (Whereupon, a short recess was taken after
2 which the following proceedings were had in
3 Courtroom 2-5 before the Honorable Gerald Kogan:)

4 MR. WILLIAMS: We have just begun the
5 deposition of Mr. Morales, the State informant, and
6 we had asked Mr. Morales to tell us where he is
7 presently residing, and Mr. Morales has taken it
8 upon himself to refuse to tell us that, claiming that
9 he harbors some general free floating fear for his
10 well-being.

11 I asked Mr. Morales, whether, at any point
12 in the recent past, just arbitrarily using six months,
13 whether he received any communication of any sort
14 from the defendants or any of their relatives which
15 he specifically regarded as any kind of a threat
16 upon his life, and he said it was just a general
17 feeling that he had that since this was a drug case,
18 that if he told me where he was living, that it would
19 cause him some harm.

20 Of course, we have the right always to
21 put a witness, any witness in context, by putting
22 ourselves, acquainting ourselves, with his present
23 living circumstances, and perhaps, in the course of
24 Discovery, interviewing neighbors or making such
25 inquiries as might bear upon his present status as a

1 witness, and aside from that, Judge, I've always had
2 the feeling that it just doesn't lie with a witness
3 to unilaterally decide which questions he is or is
4 not going to answer.

5 MS. COHAN: Your Honor, there was an
6 objection by the State.

7 THE COURT: Wait, wait, wait.

8 Everybody, I want to get one thing
9 perfectly clear. I realize that you are all attorneys,
10 and these are adversary proceedings, but there is
11 one thing that I insist upon. Let everybody say
12 their peace, and everybody else will get a chance
13 to say theirs.

14 All right, Mr. Williams, continue.

15 MR. WILLIAMS: Thank you, sir.

16 We, of course, asked Mr. Morales whether
17 he felt himself privileged to rely upon the advises
18 of Ms. Cohan, as the prosecutor, and he was
19 candid enough to agree with us that she was not his
20 attorney.

21 I can't see the legal sense of an objection
22 that the State would impose unless the State is
23 prepared to make an affirmative factual showing
24 of some particular reason why to give a fellow's
25 address would dispose some harm.

1 Of course, in Mr. Morales' case, it may
2 just be a case of paying the piper for the tunes and
3 some problem that he feels might exist as one of his
4 own making, I would think over the past fifteen or
5 twenty years.

6 We'd like to be able to conduct some
7 discrete inquiries concerning his present living
8 circumstances to determine whether it bears either
9 directly or indirectly upon his competence as a
10 witness.

11 THE COURT: Ms. Cohan?

12 MS. COHAN: Your Honor, there is an
13 objection by the State to Mr. Morales disclosing his
14 residence address.

15 In the past six months or since the inception
16 of this investigation, three of the subjects of the
17 investigation have been killed.

18 There has specifically been a report to --

19 THE COURT: The only one that I know of
20 was Wilfredo Gil.

21 Who are the others?

22 MS. COHAN: An individual by the name of
23 Alfonso who was killed in the Kings Crossing Six,
24 in Kendall Six. He was one of our subjects.

25 Additionally, another subject was killed

1 before he could even be arrested in this case.

2 There was a report to Detective Diaz of
3 a contract in the amount of \$250,000 for Ricardo
4 Morales, Detective Diaz, and Sergeant Martinez
5 concerning Tick-Talks.

6 Obviously, it is more than a general fear
7 for his well-being, which Mr. Morales is relying upon
8 not to disclose his address.

9 THE COURT: Brief rebuttal, Mr. Williams,
10 and then, I will rule.

11 MR. WILLIAMS: Your Honor, I haven't heard
12 anything from the prosecutor that addresses itself
13 to anything articulable or specific, and I have the
14 feeling that if Mr. Morales wanted to badly enough,
15 he could reach back into his colorful past and probably
16 summon some kind of justification for harboring a
17 fear of any and every creature that walks on the
18 face of the western hemisphere, and maybe some in the
19 eastern was well.

20 As a right of the defendants, and especially
21 the one I represent, under the 5th and 14th
22 Amendments of the Constitution of the United States,
23 Declaration of the State of Florida, and Florida
24 Rules of Criminal Procedure to have the same discovery
25 rights with respect to Mr. Morales that we have with

1 regard to police officers, civilian witnesses, ships'
2 captains and shepherds, I want to be able to have
3 my investigator obtain some information.

4 Now, if your Honor thinks that it's
5 necessary to instruct us not to disclose the information
6 to anybody not directly connected with the case or not
7 to disclose it to any of the individual defendants,
8 I have no problem with that, because my client doesn't
9 need to know where this man lives or any of the other
10 individuals.

11 I'd like an investigator to know --

12 THE COURT: Mr. Cagney?

13 MR. CAGNEY: I'd like to add, in the record,
14 may have been said in my absence by Mr. Williams, that
15 I think that Smith versus Illinois and U.S. versus
16 Alford have put up certain minimum standards that the
17 Court may consider before it makes a determination
18 to deny cross examination to a defendant, and I
19 suggest to the Court it's not enough for the State to
20 come in and make generalized allegations of threats.

21 I think there is a requirement on behalf
22 of the Court to make the State articulate the threats
23 and allow the defense to show that they are, in fact,
24 spurious, fallacious, or used solely for the very
25 issue to keep from the defendants a legitimate need

1 to know the address of where Mr. Morales currently
2 is and where he permanently resides.

3 I have absolutely every right, as Mr.
4 Williams says, to go into the community and bring
5 forth his neighbors and the people that he has
6 associated with and show that this man is unworth of
7 belief under oath, and I can only do that, Judge, if
8 I know where he has resided and is residing.

9 To cut that avenue off from me is to cut
10 off the legs of my defendant in attempting to impeach
11 the very accuser in this case, and as your Honor
12 knows from Discovery so far, that we have an awful
13 lot of interpretations about alleged meetings to
14 conversations that, on their face, are apparently
15 innocuous, and I want to be able to get to the bottom,
16 which is Mr. Morales, and to show that this man lives
17 a life of prevarications, of fabrications, and if
18 your Honor denies me a chance to go into his history
19 in the community, I will never be able to show that
20 satisfactorily to the Court at the time of trial.

21 THE COURT: All right.

22 The Court is going to sustain the objection.
23 Mr. Morales does not have to testify as to where his
24 present address is.

25 The Court feels that under the situation

1 where we have twenty-four defendants who are charged
2 in this particular case where Mr. Morales is alleged
3 to have been the key witness as to those particular
4 defendants based upon the State's proffer, the Court
5 has reason to believe that Mr. Morales, perhaps,
6 whether rightly or wrongly, he does have a reason,
7 perhaps, and in his mind, to fear that he may be in
8 some danger.

9 Now, let me say this: Mr. Cagney, you
10 raised a point, Mr. Williams, you raised a point,
11 about checking out the background of this defendant --
12 of this witness, rather. I don't know if that's a
13 Freudian slip or what, but in any event, this
14 particular witness, I have heard from the outset of
15 this particular trial, and I have also read in
16 national magazines about how this particular witness,
17 Mr. Morales, is well-known to law enforcement
18 officials, well-known to defense attorneys, well-
19 known to court officials in regards to his integrity
20 or lack of integrity, his veracity, or lack of
21 veracity, and the Court feels that there are probably,
22 based upon what you all have told me, and when I say,
23 'you all,' I am referring to defense attorneys;
24 Mr. Neal Sonnett, in particular, that there are reams
25 and reams of individuals who can come forward and

1 testify as to the background and the history and
2 the veracity or the lack of veracity of Mr. Morales
3 without having your knowledge increased as to where
4 he lives.

5 The Court is going to ball the situation
6 one against the other. I fell you have adequate
7 remedy to ascertain information about his background
8 and about the type of person that he is without
9 having his exact location or address as to where he
10 is living at this time remain known to you.

11 Are there any other questions that came up?

12 MR. WILLIAMS: Not presently.

13 Your Honor, that is as far as we have
14 gotten, but I am sure we will be back.

15 THE COURT: I am sure you will.

16 MR. LOEWY: Judge, before we come back on
17 this, I just want to say --

18 THE COURT: I'm not coming back to this
19 issue. This issue is over with.

20 MR. LOEWY: He said something about coming
21 back, coming back again for future issues.

22 Mr. Williams said something, which I
23 strongly differ, in terms of whether a witness can
24 refuse to answer a certain question. I think if
25 questions are asked, if the State has a legitimate

1 objection, we can raise the objection, and the question
2 can be certified.

3 There are certain areas that the State has
4 no right to impose an objection as we do not
5 represent Mr. Morales. However, Mr. Morales, whatever
6 Mr. Williams may think of him, and I certainly think
7 Mr. Williams has shown his feelings concerning
8 Mr. Morales very plainly, Mr. Morales is entitled to the
9 same Constitutional rights as his defendants are, and
10 everyone else is, so he, Mr. Morales, feeling that he
11 has a Constitutional right or right to interpose that
12 he has the right to refuse to answer the question
13 based on what he perceives to be his legal privilege,
14 and if he does so, that question should be certified.

15 THE COURT: The Court is aware of all
16 these things.

17 In the event the witness does not answer
18 a particular question, the matter will be brought
19 before the Court. The Court will hear as to both
20 sides, and then, the Court will make a ruling.

21 If the Court says the witness does not have
22 to answer, the witness does not have to answer. If
23 the Court says the witness will answer, the witness
24 will go upstairs and the witness will answer. If the
25 witness will not answer, then, the Court will take

1 appropriate action when the witness is brought down
2 again, so it is unnecessary to loiter back and forth.

3 Let's take him back upstairs, or wherever
4 the deposition is being held, and let's take the
5 deposition.

6 MR. LOEWY: If we are going to enter a
7 procedure where every time he refuses to answer a
8 question, that we come back down here immediately,
9 this deposition may last forever.

10 I would suggest that we set up a time each
11 day where they can come down and go through all their
12 certified questions, so it may be done instead of
13 wasting all the times with elevators and stairwells.

14 We can do it once a day or when the
15 deposition is over, but I can't see every time there
16 is a question, come down to your Honor.

17 THE COURT: We can do this: Every hour.

18 MR. CAGNEY: More than reasonable, your
19 Honor.

20 THE COURT: I don't think you are going to
21 run into that many problems quite frankly.

22 (Whereupon, a short recess was taken after
23 which the following proceedings were had:)

24 BY MR. WILLIAMS:

25 Q Mr. Morales, would you tell me, please, sir,

1 whether you are presently married?

2 A No, I am not.

3 Q Do you have any children over the age of
4 eighteen?

5 A Two.

6 Q Does either of them live in the South
7 Florida area?

8 A Both of them. The one under eighteen;
9 right?

10 Q No, I asked you about over eighteen,
11 mas que over eighteen?

12 A No, you said under eighteen.

13 MS. COHAN: Let's not argue. Over first.

14 THE WITNESS: No, no, no. I am fluent in
15 English. Oh, no, no, no. You said under eighteen.

16 BY MR. WILLIAMS:

17 Q Is that what you heard me to say?

18 A Yes, sir.

19 There are two under eighteen, and two over
20 eighteen.

21 Q Now, let's talk about the two over eighteen.

22 A Uh huh.

23 Q Do they live in the South Florida area?

24 A One of them.

25 Q What part of South Florida?

1 A Miami.

2 Q Is that a male or a female? I don't
3 want to know their names. I don't need to know that.

4 A It's a male.

5 Q Does he have some occupation or profession?

6 A Oh, yes, I believe that he works.

7 Q What does he do?

8 A He works in Miami Beach in hotels.

9 Q Doing what?

10 A Clerical jobs like, you know, desk clerks,
11 or things like that.

12 Q You said you've been in the Miami area
13 since --

14 A You don't want to know about the other one;
15 right?

16 Q No.

17 MS. COHAN: Don't volunteer.

18 THE WITNESS: I'm not volunteering.

19 But just -- you don't want to know about the other
20 one; right?

21 BY MR. WILLIAMS:

22 Q No.

23 You said you've been in the Miami area
24 since November of 1981; is that correct?

25 A Mid-November, taking or giving.

1 Q Where were you before then?

2 A Where was I when?

3 Q Where were you before November of 1981?

4 A In the Federal Witness Protection Program.

5 Q For how long?

6 A Six or seven months. Seven months, maybe.

7 Eight months -- whatever.

8 Q Which agency sought your inclusion in
9 the Marshall's Program?

10 A I.R.S.

11 Q Were you then a witness for the United
12 States Government in a pending case or in an
13 investigation or both?

14 A No, in a trial, for trial.

15 Q Which trial?

16 A Medaro Alvero-Cruz.

17 Q Who is the case agent for the Government
18 in this case? Was it Raul DeArmas?

19 A Yes.

20 Q Was it Mr. DeArmas who specifically
21 requested your inclusion in the Marshall's Program?

22 A I believe so.

23 Q Did you eventually testify on behalf of
24 the United States Government in that or any other
25 case while you were in the program?

1 A Mr. Cruz' defense attorneys -- they
2 stipulate my testimony.

3 Q Your answer is no, then?

4 A My answer is that I have never testified
5 because they stipulate my testimony.

6 Q Those attorneys wouldn't have been
7 Messrs. Bierman and Sonnett by any chance, would they?

8 A Who?

9 Q Those attorneys would not have been Messrs.
10 Bierman and Sonnett, would they?

11 A I believe that's the law firm who represents
12 Mr. Alvero Cruz.

13 Definitely, Mr. Bierman was the counselor
14 for Mr. Alvero Cruz who would stipulate to my testimony.

15 Q When was that, please, sir?

16 A What?

17 Q That the stipulation was made between the
18 government and Mr. Bierman that obviated the need for
19 you to testify?

20 A I don't know.

21 Q Do you know when it was that the case
22 eventually concluded?

23 A Nope.

24 Q Do you know whether you were maintained
25 in the Marshall's Program for any period of time after

1 the case was over?

2 A Oh, yes.

3 Q For how long?

4 A After the case was over?

5 Q Yes.

6 A I don't know when the case was over,
7 Mr. Williams.

8 You know, I was in the Witness Protection
9 Program, and they were bumping me from one place to
10 another, and coming back to Miami for testimony
11 until Mr. Bierman stipulate to my testimony. Said
12 that everything that I said was true.

13 Q When did you enter the Witness Protection
14 Program?

15 A February.

16 Q Of?

17 A 1981. Officially, I mean.

18 Q Why do you emphasize the word "officially"?

19 A For nothing.

20 Q Were you receiving Witness Protection from
21 the Federal Government before you actually entered
22 into the program?

23 A Nope.

24 Q Prior to your entering into the Witness
25 Protection Program, where were you living?

1 A The Ramada Inn.

2 Q That was the brief period of time when --

3 A That was a long time for me. It was a
4 long time.

5 Q That was the brief period of time when
6 Officer Diaz had you staying out there until Agent
7 DeArmas actually physicall took custody of you; is
8 that correct?

9 A Uh huh, that is correct.

10 Q We're not talking about more than five
11 or six or eight days or something like that; isn't
12 that correct?

13 A More or less, I believe so.

14 Q Where were you living before that,
15 Mr. Morales?

16 A Over a girl friend's house.

17 Q That would be Silvia Levine; would it not?

18 A That is correct.

19 Q What was her address?

20 A 3622 South Bayshore Drive.

21 Q What apartment number?

22 A It was on the 3rd Floor, Mr. Williams. You
23 know, and it could have been 35-B or 34-B, you know.

24 Q You're not sure?

25 A I'm not sure. Either one. It was on the

1 3rd Floor.

2 Q At any time since leaving Ms. Levine's
3 apartment and going into the Witness Protection
4 Program up until today, have you had any contact with
5 Ms. Levine?

6 A Yes.

7 Q How recently?

8 A Two days ago.

9 Q As I understand it, Mr. Morales, you were
10 living with Ms. Levine on and off during the latter
11 part of 1980 into 1981 when you --

12 A No, no, no 1981. 1980. On and off.

13 Q When did you move out?

14 A When she left Miami.

15 Q When you had contact with her a couple of
16 days ago, where was she?

17 A Huh?

18 Q When you had contact with her a couple of
19 days ago, where was she?

20 A In New York.

21 Q Where in New York, please?

22 A Where her parents live. She lives with
23 her parents.

24 Q What are her parents' names?

25 A Jesus. Berga, E-e-r-g-a.

1 Q Are you saying B as in Boy or V as in
2 Victor?

3 A B as in Boy.

4 Q What are their first names?

5 A Silvia and Jorge.

6 Q J-o-r-g-e?

7 A Uh huh.

8 Q What is her phone number?

9 A Whose phone number?

10 Q The number at which you reached Ms. Levine?

11 A I don't know.

12 Q Do you have it written down someplace?

13 A I believe so.

14 Q When you were in touch with her two days
15 ago, was she in New York?

16 A Yes.

17 Q Yes. Who called whom?

18 A She.

19 Q Where specifically in New York do her
20 parents live? In which of the Burrows?

21 A Queens.

22 Q Do you know on what street?

23 A I know how to get there.

24 Q Do you know what street? Do you know the
25 name of the street or the street number?

1 A No. not offhand.

2 Q Where would you have to look among the
3 resources available to you to find the telephone
4 number for the woman? Where is it?

5 A I don't know.

6 Q I mean, do you have it written down
7 someplace?

8 A I believe so.

9 Q In an address and telephone book that you
10 keep?

11 A No, I never keep telephone books or
12 anything like that. You should know that.

13 Q The record doesn't know it.

14 Where would it be written? In what kind
15 of place or --

16 A I don't know, Mr. Williams. How am I going
17 to give you a straight answer to something that --
18 you want me to do some research for you? That's what
19 you are asking?

20 Q No, sir.

21 A Okay.

22 Q I am asking you just to tell me.

23 A Because I don't have it.

24 Q (Continuing) -- where you have the woman's
25 phone number written. It is in your personal

1 possession someplace, obviously, and I need to know
2 where, so that I can have a proper subpoena issued?

3 THE WITNESS: Rina, I don't have an answer
4 for that.

5 MS. COHAN: Okay. If you don't know, you
6 don't know.

7 BY MR. WILLIAMS:

8 Q If you had to go back to wherever it is
9 that you are living now and look for it, where would
10 you look?

11 A It's not there. Jesus Christ.

12 Q What kind of work does she do?

13 A When?

14 Q Presently?

15 A I don't know. I believe that she helps
16 the family. They have their own business -- you know,
17 like I believe that they own a candy store and a
18 sales route or whatever.

19 Q Also, in Queens?

20 A Well, not specifically in Queens, you know.
21 In New York.

22 Q They have more than one store?

23 A No. They only have one.

24 Q When you talk about a sales route, what
25 are you talking about?

1 A The whole family and the whole people,
2 all the people, you know, from -- because they are all
3 from the same home town in Cuba, they sell potato
4 chips, you know.

5 MS. COHAN: Do they make them?

6 THE WITNESS: No. Somebody else makes
7 them -- Lays or Wise, or whatever is the name, you
8 know.

9 I mean, I don't know about that kind of
10 a business.

11 I'm a dull guy. Ask me about Intelligence --
12 things that I know. I don't know about selling
13 potatoes.

14 BY MR. WILLIAMS:

15 Q If it were peanuts, you wouldn't know that;
16 wouldn't you?

17 A No, I am the only monkey who never eats
18 peanuts.

19 Q Do you know anybody else in the South
20 Florida area who has had contact with Silvia Levine
21 in the past month?

22 A Nope.

23 Q Do you know any more about the woman's
24 whereabouts or the means that are available to locate
25 her other than what you have told me?

1 A No.

2 Q What is her approximate age?

3 A Whose age?

4 Q Ms. Levine?

5 A Early thirties.

6 Q Give me a physical description of her,
7 please?

8 A Physical description?

9 Q Yes.

10 A She is 5'4".

11 Q What color hair does she have, Monkey?

12 A All depends, you know.

13 Q Tell us the truth, the real basic truth?

14 A All depends, you know. You never know
15 the real -- I mean, what kind of a question is that;
16 you know? I don't know the real color.

17 Q Yes.

18 A Well, could be brown -- you know, something
19 like that. Brownish. Once she got it red.

20 Q How long ago did you actually see her?

21 A Huh?

22 Q When most recently have you seen her?

23 A What do you mean "see her"?

24 Q When most recently have you seen her face
25 to face?

1 A Oh, face to face?

2 Q Uh huh.

3 A The summer, the Indian Summer.

4 Q In the Fall?

5 A No, it's not Fall. It's the Indian Summer.

6 Q Where was that, please, Mr. Morales?

7 A That was in New York.

8 Q What color was her hair then, Mr. Morales?

9 A Brown, dark brown.

10 Q How did she wear it?

11 A Huh?

12 Q How did she wear it? Did she wear it long
13 or short or in the middle?

14 A What do you mean "long or short"?

15 Q How does she wear her hair?

16 A I can't understand. How she wears her
17 hair? I'm not a hairstylist. What you mean -- if she
18 part it or --

19 MS. COHAN: Is it short or long?

20 BY MR. WILLIAMS:

21 Q Did you not understand when I ask you how
22 a woman wears her hair, whether she wears it short
23 or long?

24 A Oh, short or long? (Indicating.)

25 MS. COHAN: Indicating chin length, for

1 the record.

2 THE WITNESS: Indicating chin length, for
3 the record.

4 BY MR. WILLIAMS:

5 Q How much does she weigh?

6 A I don't know. I don't know how much she
7 weighs.

8 Q Is she slim or stocky?

9 A No, medium build. No, she has a medium
10 build, complexion, and she is 5'4", medium build
11 complexion. Maybe 125 pounds, or something like that.

12 Q Does she have a car?

13 A Oh, yes. The whole family have cars.

14 Q When you were living with her, what kind of
15 car did she have?

16 A Oh, she had a Mercedes.

17 Q What model?

18 A It was a 1978, I believe, or 1979. It
19 was the proceedings of her divorce from her previous
20 marriage.

21 Q What model was, Monkey? Was it the two-
22 seater?

23 MS. COHAN: Objection to referring to the
24 witness as Monkey.

25

1 BY MR. WILLIAMS:

2 Q Do you mind if I call you Monkey?

3 A Yes, Monkey, Monkey, Monkey. Yes, I have
4 a name.

5 Q What would you prefer?

6 A Ricky.

7 Q What model was it?

8 A 450 SLC. The one that you can sit in the
9 back, too.

10 Q What color was it?

11 A Blue.

12 Q What was the tag number?

13 A I don't know.

14 Q You don't know the tag number of a woman
15 whom you were living with?

16 A (Nodding in the negative.) Why should I?

17 Q You are getting mellow.

18 A No, I am not getting mellow. I'm just
19 not in the habit of getting tag numbers anymore.

20 I did when I was in business, but after --
21 you know what for.

22 Q Were they Florida tags on the car or
23 New York tags?

24 A Of course.

25 She sold it down in Miami just to volunteer

1 a little piece of information. She sold it, you know,
2 before she left.

3 Q Why didn't you tell me that when I started
4 asking about the car?

5 A You know, just too --

6 MS. COHAN: You didn't ask.

7 THE WITNESS: Just whatever.

8 BY MR. WILLIAMS:

9 Q During the calendar year 1980 besides
10 the time that you spent living with Ms. Levine, where
11 else were you living and with whom, and see if you can
12 do it chronologically going backward before you lived
13 with Ms. Levine and going back in time?

14 A And going back in time?

15 Q Yes.

16 A You are referring addresses, women, or
17 by myself?

18 Q All of the above.

19 A All of the above? Ms. Levine, I live in
20 the Quesada household for maybe two years. That's
21 where my -- you know, my address in the driver's
22 license, you know, and car and registration, and
23 things, you know, and mail went up to.

24 Q Where specifically? What address did you
25 use when you were living in the Quesada household?

1 A 1724 Southwest 16th Street.

2 We lived over 72nd Avenue and close to
3 56th Street -- that's Miller Road -- in a townhouse
4 there. We lived there for some months.

5 Q In a townhouse?

6 A In a townhouse. Carlin and myself together.

7 Q Who actually was renting the place?

8 A Oh, Carlin was using somebody to show up.
9 I believe it was his wife. At the time, was not the
10 wife, but she was -- you know, she rented under her
11 name.

12 Q Are you talking about Maggie?

13 A Yes, Maggie, and I live over --

14 Q Excuse me, Ricky. What time period was
15 involved in your living in that Miller Avenue
16 address?

17 A We moved over there after the shooting,
18 after Carlin was almost killed -- you know, the
19 shooting was in October, and it was October, 1979,
20 until February, 1980, because Judge Friedman, who was
21 a neighbor, made a lot of complaints about us, and
22 we have to move out of that place.

23 Q Milton Friedman?

24 A Yes, he was living next to us.

25 Q Continue to tell me the other places where

1 you were residing?

2 A Shipping Avenue.

3 Q When were you living on Shipping Avenue,
4 and at what address?

5 A 1980 -- Shipping address.

6 Q What street number?

7 A The street number, I can't remember, but
8 it was in Shipping going west on Shipping.

9 Let's see -- 72nd Avenue -- must be around
10 37th and Shipping. I was living there in a Three's
11 Company situation with two girl friends

12 Q What were their names?

13 A Molly and Lori.

14 Q Molly --

15 A And Lori.

16 Q What were their last names?

17 A Molly and Lori.

18 Q Come on, Ricky.

19 A Molly and Lori. They used to work at
20 The Mutiny. Everybody knows Molly and Lori.

21 I believe if you talk to, Komorowski,

22 he represents one of them -- Molly, in, you know,
23 when her probation came up or whatever, to expunge
24 her record and so forth.

25 She's a nice kid, early twenties -- both

1 of them, you know. They're nice kids.

2 Q Lori was the blond; wasn't she?

3 A Huh?

4 Q Lori was blond; wasn't she?

5 A No, beautiful black hair.

6 Q She is kind of tall?

7 A Yes.

8 Q How tall?

9 A Close to six.

10 You don't want to ask no more questions
11 about Lori? By this time, you know who Lori is.

12 (Off the record.)

13 BY MR. WILLIAMS:

14 Q Prior to the time that you spent with
15 Lori and Molly, prior to that, with whom were you
16 living?

17 A Huh?

18 Q Before living with Lori and Molly,
19 with whom were you living?

20 A You mean, girl friends?

21 Q Yes.

22 A Before I moved into the Quesada household,
23 I was with Pilar Alfonso. She was my steady for
24 maybe six years, seven years. I broke with her.

25 Q When did you stop seeing her?

1 A No, I broke. We were living together
2 in the same household in 1979, on or about March or
3 April of 1979.

4 Q Is that when you stopped living together --
5 in March or April of 1979?

6 A That is right.

7 Q Where does she currently reside; do you
8 know?

9 A In Miami.

10 Q Do you know where?

11 A One of those buildings on South Bayshore
12 Drive at the entrance of Crandon Park.

13 Q You mean, on Key Biscayne?

14 A No.

15 MS. COHAN: Brickell?

16 THE WITNESS: No, at the entrance of
17 Crandon Park at Brickell. Brickell Avenue. You know,
18 the Brickell Bay Club? That's where we used to live
19 together, and then, there is another building next
20 to that one. That is where she's living now.

21 BY MR. WILLIAMS:

22 Q Is she living by herself or with somebody
23 else?

24 A One of the daughters.

25 Q What is her daughter's name?

1 A Adys.

2 Q How old is the daughter?

3 A Adys -- she must be close to eighteen
4 now.

5 Q Does Ms. Alfonso presently have some
6 position that you know of -- work?

7 A I don't dig into her life.

8 Q When is the last time you had contact
9 with her?

10 A Last week.

11 Q Over the phone or in person?

12 A Both.

13 Q Describe the building for me that she
14 lives in?

15 A There is a restaurant there. I believe
16 that you have been there. I believe that I have
17 seen you going into that place. It is the Brickell
18 Townhouse.

19 What's the name of that nice restaurant.
20 that they have?

21 MS. COHAN: Courtyard Inn.

22 BY MR. WILLIAMS:

23 Q When you were living with Ms. Alfonso,
24 where was that?

25 A We had several addresses.

1 Q Do the best you can for me.

2 A Brickell Bay Club.

3 Q Were you renting an apartment there?

4 A Yes.

5 Q Under what name?

6 A Her name.

7 Q Do you remember the period of time when
8 you were living there?

9 A At Brickell Bay Club?

10 Q Yes.

11 A Since maybe November, 1978 -- October --
12 Let's say October. On or about October 1978 until
13 when we parted.

14 Q In March or April of 1979?

15 A That is right.

16 Q Where were you all living prior to that?

17 A 2121 North Bayshore Drive. That's Biscayne
18 Boulevard and 21. You know the 21 Building.

19 Q During what date, dates?

20 A Well, exactly, I can't recall when she
21 moved there, because when she rented the apartment,
22 I was in Venezuela, so that could have been sometime
23 in the beginning of either the end of 1976 or
24 beginning of 1977. That was after her father died.

25 Q Was her child living with her then?

1 A Two daughters.

2 Q What became of the other one?

3 A She got married.

4 Q At some point in time, Ricky, the woman
5 called Pilar developed some kind of relationship or
6 involvement with Manolo Reboso. When was that?

7 A She was Manolo Reboso's steady girl
8 friend at the end of the 60's and beginning of the
9 70's.

10 They have a steady relationship for maybe
11 five years.

12 Q At any time in the past five years that
13 you know of, going back to 1976-1977, did Pilar
14 maintain any kind of a relationship with Reboso?

15 A Not to my knowledge. She was with me.
16 Not to my knowledge.

17 Q At no time between 1976 and the present?

18 A What?

19 Q That you know?

20 A What?

21 Q Did the woman called Pilar maintain any
22 kind of a relationship with Mr. Reboso?

23 A Not to my knowledge.

24 Q I understand, then, that you were living
25 with Ms. Alfonso from sometime around 1976 or early

1 1977 up until --

2 A No, no, no.

3 Q When did you come back from Venezuela?

4 A No, no, no. You are completely wrong on
5 that. We have a love relationship dating back to
6 1972.

7 Q In other words, you were involved with her
8 prior to the time that you went to Venezuela?

9 A Well, yes.

10 Q Then, when you came back from Venezuela,
11 your relationship either resumed or was still ongoing?

12 A And she was visiting me in Venezuela.

13 We resumed nothing. We have a steady
14 love relationship since the end of 1972, sometime
15 around the end of 1972, until March or April, 1979.

16 Q When did you go to Venezuela?

17 A She was my girl friend, my lady love.

18 Q When did you go to Venezuela?

19 A The first time, the last time?

20 Q Let's go back in time.

21 A Let's go back in time?

22 Q Working back?-----

23 A 1972 was the first time that I was down
24 there.

25 Q When most recently have you been in

1 Venezuela other than on a temporary visit?

2 MS. COHAN: Objection to the vague
3 terminology.

4 BY MR. WILLIAMS:

5 Q You understand what I mean, Ricky?

6 A No, repeat the question. Rephrase it

7 Q I want to know when most recently you
8 have been in Venezuela on a regular ongoing basis as
9 opposed to when you might have stopped there for a
10 day or two or a week? When most recently have you
11 been there on a regular basis?

12 A I left that country one day, and I have
13 never returned to that country.

14 Q I don't blame you.

15 When did you leave?

16 A January, 1978.

17 Q 1978?

18 A That is right.

19 Q Had you been in Venezuela continuously
20 from 1972 until 1978?

21 A Not on a daily basis.

22 Q No, sir, but had that been your regular
23 place of residence between 1972 and 1978?

24 A Both -- the United States and Venezuela.

25 Don't get confused on that issue about dates

1 and things like that; okay?

2 Q I'm not confused about anything.

3 A Because there is a lot of people that are
4 confused about that issue.

5 I am trying to straighten the record many
6 times from the first time that I was there until the
7 last day that I was there.

8 Q You know, those clocks that the chess
9 players use when they move and they hit the clock
10 to start time? I'm going to work out some kind of
11 an understanding here, after Mr. Morales has answered
12 my question, I'll make some signal, and anything else
13 that he says after that, the court reporter will bill
14 to him, so that we can keep my expenses in this to a
15 minimum.

16 MS. COHAN: Well, you continue to make
17 gratuitous comments like you just did, and you will
18 pad the record nicely.

19 THE WITNESS: It works both ways.

20 BY MR. WILLIAMS:

21 Q During the period of time that you were in
22 Venezuela, what were the dates during which that was
23 your primary place of residence?

24 A 1974. Yes, between 1974 and January, 1978.
25 Will you ask me that question again, please?

Q During what period of time was the

1 country Venezuela your primary place of residence?

2 A I already answered.

3 Q 1974 to 1978?

4 A I already answered.

5 Q Is that your answer -- 1974?

6 A Go back to the record. It's there. I

7 already answered.

8 Q Ricky --

9 A Yes?

10 Q I'm trying to keep a clear record.

11 A Trying to keep clear the record.

12 Q Are you telling me that --

13 A That I was correct the answer I gave you.

14 Q You held some position in either a law
15 enforcement or security with the Venezuela military;
16 didn't you?

17 MS. COHAN: Objection as to the solitary
18 nature of the question.

19 BY MR. WILLIAMS:

20 Q Did you hold such a position?

21 A What position?

22 Q Did you hold any position while you were
23 residing primarily in Venezuela in law enforcement?

24 A Yes.

25 Q Or in some way related to official security?

1 A Yes.

2 Q What was the position, please?

3 A I hold three positions there.
4 Volunteering information for you.

5 Q Tell me what positions you held?

6 A One, the Foreign Ministry, and two positions,
7 in the Interior Ministry.

8 Mr. Carhart?

9 MR. CARHART: Mr. Morales?

10 THE WITNESS: We have never been introduced
11 officially before, but I know who you are, and you
12 know who I am.

13 MR. CARHART: I think I have heard about
14 you.

15 THE WITNESS: And I have heard about you,
16 too.

17 (Off the record.)

18 BY MR. WILLIAMS:

19 Q What was the formal title that you held in
20 the Venezuelan Foreign Ministry?

21 A In the Venezuelan Foreign Ministry, I was
22 coordinator or Counterintelligence in the Caribbean
23 Bays.

24 Q Was that your formal title or --

25 A No, that was the formal title.

1 Q Or is that the way you describe it?

2 A No, that is the formal title.

3 Q What were the two positions that you held
4 in the Interior Ministry, formal titles?

5 A By formal title?

6 Q Yes.

7 A Commissar.

8 Q Commissar of what?

9 A Of a serious division. Division 54 --
10 Counterintelligence.

11 Q You were the commissar of Division 54?

12 A I was the commissar, head chief -- whatever
13 you want to call it. I was the boss in the Division.

14 Q Division 54, and that's Counterintelligence?

15 A D.I.S.I.P.

16 Q What does the acronym stand for?

17 A That's the raffling in English.

18 Q No, give it to me first in Spanish?

19 A In Spanish? Direccion de los Servicios
20 Inteligencia e Proteccion.

21 At the Foreign Ministry, the place that I
22 work was the Direccion Nacional de Fronteras.

23 Q That was within the Division 54?

24 A No, it was the Foreign Ministry. That
25 was the Foreign Ministry.

1 Q What was the other position that you held
2 in the Interior Ministry?

3 A Liaison with the General's Office.

4 Q Which general?

5 A Generals.

6 Q Oh, generals plural?

7 A Yes, there were about ten of them.

8 Q In Venezuela, everybody is a general or
9 corporal?

10 A No, not everybody is a general in Venezuela.
11 Venezuela is ^{NOT CORRECTED BY PHOT: BY ASA, 5/18/82. CHANGE NOTED IN ORIG. NA} a little banana republic.

12 Q Tell me, as briefly as you can, what was
13 the nature of your position or your duties as
14 coordinator for counterintelligence?

15 A Where?

16 Q We're talking about the position that you
17 held in the Foreign Ministry of Venezuela?

18 A In the Foreign Ministry in Venezuela?

19 Q That's what we're talking about.

20 A Just collecting what the opposition was
21 doing against you.

22 Q You were the person in charge?

23 A No, there were other people there.

24 Q I'm asking you whether --

25 A I have the chain of command.

1 Q Were you the boss of the person in charge
2 of that division?

3 A No, I was the chain of command.

4 Q Who was the person in charge?

5 A Orlando Garcia-Vasquez. He was my
6 immediate superior.

7 Q Is he still in government there?

8 A Not to my knowledge.

9 Q Is he still alive?

10 A I believe so.

11 Q Do you have any specific knowledge that
12 he isn't?

13 A I don't have any specific knowledge that
14 he is alive or he is dead.

15 Q What was his title?

16 A Where?

17 Q As your superior in the Foreign Ministry
18 position as coordinator for counterintelligence in
19 the Caribbean Bays?

20 A He was the director of the O.I.P.A. That
21 is the Oficina de Investigacion Procesion-e Analisis.

22 Q Who were your superiors in the Interior
23 Ministry while you were with Division 54?

24 A No Division 54. I was the head, the boss.

25 Q To whom did you answer?

1 A To the deputy director.

2 Q Of --

3 A D.I.S.I.P.

4 Q What was that person's name?

5 A Rafael Rivas-Vasquez.

6 Q I assume that these governmental folks
7 whom you have described when you last had knowledge
8 of them were living in Caracas?

9 A Uh huh, that is correct.

10 Q To your knowledge, is Mr. Rivas still with
11 us, or has he also gone to the great --

12 A I have no idea. He may be dying from a
13 heart attack right now. I don't know.

14 Q Oh, let's hope not. My goodness. Keep
15 him around for a while.

16 MS. COHAN: Why?

17 MR. WILLIAMS: Huh?

18 MS. COHAN: Why?

19 MR. WILLIAMS: We need all the help we can
20 get.

21 BY MR. WILLIAMS:

22 Q What was the nature of your duties as the
23 head of Division 54?

24 A To know what the opposition was doing
25 against us.

1 Q You said that you also were the liaison
2 with the General's Office as part of your position in
3 the Interior Ministry. What did that involve? What
4 were your duties in that regard?

5 A It was a liaison, it was the coordination
6 with the General's -- whatever they need from my
7 agents all over the world, I would provide them with
8 the information.

9 Q To simplify it in layman's terms, D.I.S.I.P.
10 is a spy agency; isn't it?

11 A No, it's not a spy agency. That's not the
12 function.

13 Q How would you describe it?

14 A Like the Central Intelligence Agency.
15 It's the counterpart.

16 MS. COHAN: That's a spy.

17 BY MR. WILLIAMS:

18 Q So, that agency's employees or agents are
19 spread around the world ostensibly for the purpose of
20 collecting intelligence information about what the
21 agents of other governments are doing to acquire
22 intelligence?

23 A Not other governments, Mr. Williams. The
24 opposition.

25 Q Whoever that might be?

1 A Whoever that might be.

2 Q Well, who are the opposition from the
3 point of view of the counterintelligence service
4 of the country of Venezuela?

5 A Communists.

6 Q Pardon me?

7 A The communists, the Russians, the Czechoslo-
8 vakians, the Cubans.

9 There is a democracy there. People go to
10 the polls, and they vote, and they elect a president.

11 Q And the function of the agent is to --

12 A Find out who is trying to disrupt
13 democracy there.

14 Q Somebody to find out who is trying to
15 disrupt democracy?

16 A Of course.

17 Q In Venezuela?

18 A In Venezuela.

19 Q Did you acquire all three of those positions
20 at the same time in Venezuela?

21 A No. The last one was after I went to
22 the Israeli Counterintelligence Course. That's when
23 I was promoted from inspector to counselor.

24 Q In Division 54?

25 A And then, I was given the command of that

1 division due to the recommendation of the Israelis,
2 the Mossad.

3 Q Where did you go to be trained by the
4 Mossad?

5 A They came over there from Israel.

6 Q How many people did they send?

7 A I don't have to answer that question to
8 you.

9 Q Did they send more than one person, Ricky?

10 A I don't have to answer that question to
11 you.

12 I respect that people so much that I will
13 never disclose any of their methods, ways and means
14 of transportation.

15 There are not that many of them. There
16 are not that many of them.

17 Q Let's not get too sidetracked. It really
18 doesn't matter.

19 A So? So it doesn't matter, so don't go
20 into them.

21 Q The point is, did you receive your training
22 within the territorial limits of Venezuela?

23 A That is right.

24 Q By folks that were sent over there to
25 train you?

1 A That is right.

2 Q How long did it last?

3 A I don't have to answer to you that.

4 Q Was it a day, Ricky, or was it for some
5 more extensive period of time?

6 A It was a very extensive period of time.

7 Q More than a month?

8 A Could be.

9 Q Is that a yes or no?

10 A Yes.

11 Q What was the basic nature of the training
12 that you received? I don't want to ruffle your little
13 feathers about anything sensitive.

14 A Counterintelligence.

15 Q Be more specific, please, and tell me --

16 A Counterintelligence.

17 Q See, I'm just an amateur, and I don't know
18 what that means. When you get training in counter
19 intelligence, what are the specific skills that you
20 are taught -- that's what I need to know?

21 A Counterintelligence.

22 Q Are you able to tell me the specific skills
23 involved in being taught counterintelligence?

24 MR. CARHART: For example, did you receive
25 firearms training?

1 THE WITNESS: Not in counterintelligence.

2 MR. CARHART: Did you receive training
3 in electronic surveillance techniques?

4 THE WITNESS: Not in counterintelligence.

5 BY MR. WILLIAMS:

6 Q What were you taught by the Israeli
7 counterintelligence instructors?

8 A I'm not going to tell you.

9 MR. WILLIAMS: Certify that, please.

10 BY MR. WILLIAMS:

11 Q Here's what I need to know, and I'm going
12 to tell you why I need to know it, so that when we
13 next appear before the Circuit Judge, you will have
14 a fuller understanding of the sense of the question:
15 One of the things that I want to be able to test by
16 taking your deposition, and by the way, has anybody
17 ever taken your deposition like this before?

18 A I have testified in several trials.

19 Q Yes. Has anybody ever taken your
20 deposition in a criminal proceeding in the State of
21 Florida or any other State?

22 A This is the first time that I am going to
23 be a witness for the State. In Federal Court, we
24 don't have --

25 Q Yes. I am aware of that.

1 My question is whether anybody has ever
2 taken your deposition before in a criminal proceeding
3 in the courts of this state?

4 A No.

5 Q How about in a civil proceeding -- has
6 anybody ever taken your deposition?

7 A No, no, no.

8 Q I want to be able to, and I have the right
9 to test your ability to observe, perceive, remember,
10 recognize people, and the ability that you have to
11 store or retain information; okay? Those are all the
12 things that are very important, so I should like you
13 to tell me specifically the nature of the training that
14 you have?

15 A I'm going to try to make it easy for you,
16 I believe, as a layman.

17 Counterintelligence is the graft -- you
18 know, where you find out what the intelligence
19 services of the opposition are doing; right -- either
20 to penetrate your own service, to penetrate
21 destructors of your government, your nation; right, and
22 the graft of counterintelligence is to detect them
23 in their efforts, their agents, and things like that:
24 okay? It's a whole spectrum on that.

25 There is nothing involved in to -- you know,

1 waiting for somebody, you know, around the corner,
2 and stabbing him to death or cyanide bullets, and
3 things like that.

4 Q That's what I need to know.

5 What are the skills that you are taught to
6 become effective at counterintelligence? That is
7 what I want you to tell me, and specifically, what
8 skills were you taught in the mid 70's by whoever
9 it was that came to Venezuela to teach you?

10 MS. COHAN: To obviate any further problems,
11 can I see you?

12 (Whereupon, an off the record discussion
13 was had between Ms. Cohan and the witness.)

14 THE WITNESS: Williams --

15 MS. COHAN: There is no question pending.

16 BY MR. WILLIAMS:

17 Q Call me Douglas, Ricky.

18 A Douglas.

19 MS. COHAN: Is there a question pending?

20 MR. WILLIAMS: Yes.

21 THE WITNESS: Can you read my --

22 BY MR. WILLIAMS:

23 Q Let me give it to you again.

24 A Let me give it to you.

25 Q Do you want to hear the question, or do you

1 know the question?

2 A Yes, go ahead.

3 Q Here's the question: If it's too tough,
4 tell me. Watch my lips.

5 What skills were you taught --

6 MS. CORAN: Objection. Argumentative.

7 BY MR. WILLIAMS:

8 Q (Continuing) -- by the Israeli Mossad
9 trainers who came to Venezuela to school you in the
10 methods of counterintelligence?

11 A How to detect a clandestine operation being
12 run by the intelligence service of an opposition --
13 you know, different government, the opposition,
14 whatever it was. It's so simple.

15 Q Yes, sir, you have told me now the
16 object or the purpose.

17 Now, I should like you to tell me, if you
18 can, and if you are unable to, then, we will just
19 pass on to something else, and we will just let it
20 stand as that you either don't remember --

21 A No, I remember.

22 Q (Continuing) -- or that you don't know
23 how to describe it.

24 A No, I remember.

25 Q What I want you to tell me is what

1 specific skills were you taught in the course of
2 this training program?

3 A How to control a situation. I was
4 appointed head of a division. I have hundreds of
5 people under my command there.

6 Q Do you understand the use of the word
7 "skills"?

8 A Of course.

9 Q Can you answer the question as I put it to
10 you, sir, or are you unable to?

11 A I am able to answer the question to you.

12 Q Please do so.

* 13 A It is just how to detect the opposition.

14 MR. WILLIAMS: Certify the answer.

15 MS. COHAN: You can't certify the answer.

16 MR. WILLIAMS: Of course. Certification
17 is something --

18 CONTINUED DIRECT EXAMINATION

19 BY MR. CARHART:

20 Q What techniques were you trained in in order
21 to enable you to perform the duty of detecting? For
22 example, do they teach you to climb telephone poles
23 and tap lines?

24 A No, you don't have to do that.

25 Q Did they teach you accounting procedures?

1 A Counterprocedures like you detect something,
2 and then, you double the guy -- you know, and you
3 make the guy start working for you inside his own
4 intelligence service.

5 Q What techniques were you asked or advised
6 to employ to do that -- bribery?

7 A No, bribery is not a dependable way to --
8 specifically, you have to have -- there are five kinds
9 of motivations.

10 Ideological motivation is the best one to
11 work out. Bribery is not advisable. I mean, in fact,
12 once you bribe somebody, you know, they can be bribed
13 by the other guys, and then, people become double
14 agents, and things like that.

15 Q So, you were taught how to persuade people?

16 A How to detect the ideological approachable
17 individual.

18 CONTINUED DIRECT EXAMINATION

19 BY MR. WILLIAMS:

20 Q All right. Now --

21 A You have to understand something.

22 We have a weapon. It's democracy; right,
23 and there are so many confused people in this world.

24 Q I understand all that, but let's see if we
25 can stay with the more objective things because --

1 A You are deluding yourself.

2 Q It is going to take long enough as it is,
3 and we both have all of the civics that we need.

4 Now, Ricky, what I am asking is this: Are
5 you able to describe to us in specific terms the
6 techniques or the skills or the methods that you were
7 taught while you were receiving this training in
8 Venezuela? Can you tell us specifically? Mr. Carhart
9 began to give you some examples. He asked you if you
10 were taught how to perform electronic eavesdropping
11 techniques?

12 A Nope, I never --

13 Q Were you taught specific kinds of
14 psychology to be applied in the course of your
15 dealing with persons whom you taught conceivably
16 could be persuaded to do your bidding? Is that one
17 of the things you were taught?

18 A What do you mean by "bidding"? We never
19 bid into nothing.

20 MR. CARHART: Bidding. Desires. Your
21 bidding is what you desire somebody to do.

22 BY MR. WILLIAMS:

23 Q Were you taught psychological techniques
24 to persuade people to do what you wanted them to do?

25 A For interrogation.

1 Q So, techniques for interrogation would be
2 another one; huh?

3 A Uh huh.

4 Q Can you list for me another skill or
5 technique that you were taught in the course of this
6 training period?

7 A Well, surveillances.

8 Q Now, we're getting someplace. That is
9 what we are looking for.

10 What else?

11 A Administration.

12 Q Administration of a bureaucracy or a
13 governmental agency?

14 A Yes, bureaucracy took so many hours at
15 bureaucracy.

16 Q You are talking about the techniques or
17 administration of a governmental bureaucracy or agency
18 that exists for the purpose of counterintelligence?

19 A That is right.

20 Q What else?

21 A How to instruct people into what I have
22 been learning.

23 Q Were you taught any other skills by the
24 Israelis or techniques?

25 A Negative intelligence and positive

1 intelligence.

2 Q What do those things mean?

3 A Negative intelligence and positive
4 intelligence -- that's what they mean.

5 Q Are you able to explain or define them
6 for Mr. Carhart and me?

7 A I am not teaching you anything.

8 Q My question to you, sir, is whether you
9 are able to do so?

10 A Oh, yes, I am.

11 Q Go ahead, please, and tell me what those
12 terms are?

13 A Well, negative intelligence is the basic
14 of intelligence, and positive intelligence is when I
15 try to get more than the basic of intelligence.

16 Let's say that I want to know what you do,
17 what you eat, who is with you if you got a wife, you
18 know, if your wife has -- you know, somebody else,
19 or whatever, you know. That is positive intelligence.

20 Negative intelligence is who are you,
21 where you live, you know -- open -- the phone book,
22 and things like that.

23 More or less, you know I am trying to make
24 it easy for you to understand it.

25 Q Were you taught any other skills or

1 techniques by the Israelis?

2 A How to detect the techniques that the
3 opposition were employing, and how to detect your
4 counterpart, because, you know, intelligence and
5 counterintelligence is a game, and usually, it's
6 being played by the same players, and even though you
7 never see who your counterpart is, you can detect,
8 find out this operation being run in such and such a
9 place -- you know, has the same procedures and
10 techniques and things, you know, that apply to so and
11 so individual, so do you understand what I am saying?

12 Q Yes, I do.

13 Can you describe for us any other skills
14 or techniques or specific areas in which you were
15 taught aside from the ones that you have already
16 listed?

17 A How to protect the government's secrets.

18 Q Go ahead, sir, if there are others?

19 A How to protect our embassies, how to
20 protect our liaisons with the so-called friendly
21 services.

22 Q Meaning, other intelligence services?

23 ~~A~~ -- That is right, friendly services.

24 Q Anything else?

25 A That's it.

1 Q Are those skills or techniques that you
2 were taught things which can only be used by you for
3 so long and you are in the service of a government,
4 or are they skills or techniques that kind of carry
5 over into your day to day life?

6 A No. What do you mean "your daily life"?

7 Q Yes, I mean, are the things that you were
8 taught effective only for so long as you occupy some
9 governmental position? Do they then require the
10 use of some official governmental agency behind you
11 to implement them?

12 A Of course.

13 Q In other words, you could not apply the
14 knowledge that you received during the course of
15 this extensive training on a regular day to day
16 basis separately and apart from your connection with
17 the Venezuelan government; isn't that correct?

18 A If you don't have the resources, you cannot
19 do it, and to implement the counterintelligence
20 information, you need the resources, and the one who
21 can provide resources is the government.

22 CONTINUED DIRECT EXAMINATION

23 BY MR. CARHART:

24 Q For example, suppose you left the
25 Venezuelan government and want to work for General

1 which you were originally taught --

2 A By everyone.

3 Q That to the extent that you have that
4 ability, the skills and techniques that you were
5 taught in Venezuela by the Israelis during the
6 middle 1970's are skills and techniques that you can
7 use at your leisure or at your choice in the ordinary
8 course of your day to day life? Can you do that?

9 A No.

10 Q In other words, you couldn't go out,
11 say, into the Latin community now and find out if
12 somebody were making inquiries about you trying to
13 gather information? You wouldn't be able to do that
14 now?

15 A I don't have the sources.

16 Q Is that a no -- you wouldn't be able to
17 do it?

18 A I don't have the sources.

19 Q I'll take that as a no.

20 MR. WILLIAMS: I think we will all take
21 a lunch break now.

22 2:00 o'clock?

23 MS. COHAN: 2:00 o'clock.

24 (Whereupon, the deposition was recessed.)

25

PENGAD CO., DAYTON, N.J. 07002 - FORM FL 10

CERTIFICATE

1
2 STATE OF FLORIDA :
3 SS.
4 COUNTY OF DADE :

5 I, JOYCEE WAX, Shorthand Reporter and
6 Notary Public in and for the State of Florida at
7 Large, do hereby certify that the foregoing deposition
8 of RICARDO MORALES NAVARETTE, by me duly sworn, was
9 taken at the time and place herein set forth; that
10 the deposition was recorded stenographically by me and
11 reduced to typewritten form under my personal
12 supervision; that the foregoing is a true and correct
13 record of the deposition, and that I am in no way
14 interested in the event of the cause.

15 IN WITNESS WHEREOF, I have hereunto set my
16 hand and affixed my official seal in the City of
17 Miami, County of Dade, State of Florida, this ___
18 day of April, 1982.

19
20 _____
21 JOYCEE WAX
22 Notary Public in and for the
23 State of Florida at Large.

24 My Commission expires:
25 March 2, 1985.