

# Accused bomber's friend subpenaed by grand jury

*Mia News (FH) 30 Apr 76 5A Col 2*

By MILT SOSIN  
Miami News Reporter

A Cuban who befriended accused terrorist bomber Rolando Otero in the Dominican Republic when Otero fled there only days before his indictment here, was summoned to appear this afternoon before a federal grand jury in Miami.

The witness, Frank Castro, will honor the subpoena, his attorney, Melvyn Greenspahn, said. Greenspahn said he would accompany Castro to the grand jury session in order to consult with him outside

the grand jury room.

Otero, indicted Jan. 20 on six counts of bombing government buildings, a bank and a locker area at Miami International Airport, is believed to be in Chile.

There have been recurrent reports that he was negotiating to return to Miami voluntarily but all federal agencies which would be concerned with such negotiations said today they knew nothing of any negotiations of that nature.

"All I can tell you," said Assistant U.S. Attorney Pat Sullivan, who will interrogate Castro before

the federal grand jury today, "is that the government is sparing no means in its efforts to get Otero back to Miami to face the charges in the grand jury indictment."

Castro now lives in the Dominican Republic where his father-in-law, retired Rear Admiral Cesar DeWindt, is reputed to be wealthy and politically powerful.

Castro arrived in Miami only last Friday, he told Greenspahn, on a visit to his family here.

"Bright and early Monday," Castro told Greenspahn, the lawyer recounted today, "I was served with

a subpoena. I had expected to be followed when I arrived in Miami and I had looked around carefully but I didn't see anyone."

Castro himself said, "I have nothing to tell the grand jury because I know nothing of Otero's activities since he left the Dominican Republic. I don't believe he will give himself up unless he is assured of a fair trial — and that is impossible in Miami."

When Otero fled to the Dominican Republic, he was arrested there at the instigation of U.S. authorities but was freed when DeWindt interceded.

# Suspect in bombings extradited to Miami

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By MILT SOSIN  
Miami News Reporter

Rolando Otero, accused terrorist bomber who sought sanctuary in three foreign countries and eluded U.S. authorities for five months, was returned to Miami today to face charges that he bombed six public buildings here last December.

The 32-year-old Otero was arrested in Santiago, Chile, last month as an undesirable alien, and U.S. officials have been negotiating with the Chilean authorities ever since for his deportation.

Last night, accompanied by FBI agent Robert Scherrer, he was put aboard Braniff flight 978 for the non-stop trip at 9:50 p.m. The plane arrived at Miami International Airport at 7 a.m.

During the flight, Otero, who was wearing chains and handcuffs, bit Scherrer on the hand after the agent refused to permit him to walk around the cabin, according to the FBI, which said Otero might now face an additional charge of assault on a federal officer.

Otero's arrival was kept a close secret because federal agents feared possible repercussions, and several FBI agents from the Miami office were waiting at the airport to immediately take him downtown to FBI headquarters to be fingerprinted and photographed.

At 8:45 am, still handcuffed but without chains, and accompanied by agents Morris Haddock, Joe Ball and Leonard Peterson, he was taken to a hearing before a U.S. magistrate. He wore brown dungarees and a green sweater and chatted amiably with the agents.

U.S. Magistrate Peter Palermo set bond for Otero at \$200,000, the same sum originally set by U.S. District Court Judge Peter Fay at the time the indictment was handed down. When Otero told him he had no money in the bank and owned only a 1973 Toyota on which he owed \$1,000, Palermo appointed a former assistant U.S.



Miami News Photos by JOE RIMKUS

## Rolando Otero at Miami FBI office

attorney, Donald Bierman, to defend him.

During Otero's search for sanctuary, U.S. Attorney Robert Rust said here: "There is no refuge, no sanctuary for him."

The federal grand jury charges against Otero were handed down last January. The Bay of Pigs veteran was charged with bombing

four federal buildings including the FBI office, the Social Security building and two post offices, and a bank during a two-day period last Dec. 3 and 4. He was also charged with bombing a locker at the Miami International Airport during the pre-dawn hours of last

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# Bomb suspect extradited from Chile

Continued from 1A

Oct. 17. Federal officials said Otero had placed the bomb in the airport locker three days before it exploded.

By the time the grand jury released its indictment charging him with the bombings, however, Otero had fled to the Dominican Republic, where he was the house guest of retired Rear Admiral Cesar de Windt.

At the request of the FBI, Dominican authorities had arrested Otero, then released him to De Windt's custody because, they said, he had broken no Dominican laws. In a telephone interview with The Miami News at that time, Otero complained, "They are trying to crucify me."

De Windt is the father-in-law of Frank Castro, a long-time friend and fellow Bay of Pigs veteran now living in Santo Domingo.

Contacted there today, Castro said, "That's the first I've heard about it (the arrest) except that it has been rumored for some time that a deal was in the works to get him back to Miami."

Castro said he had not maintained much contact with Otero since he left the Dominican Republic since he left the country late in January for Venezuela, "except for one time recently when he called because he was running out of money."

It was strongly rumored at the time that Otero stayed in Caracas for only a short time before heading south to Santiago.

The grand jury in January alleged Otero, who had lived here at 8810 W. Flagler St., bought the explosives and made the bombs and followed up the blasts with calls to newspaper offices and radio stations here taking credit for the bombings in the name of El Condor. No one was injured in any of the bombings.

If convicted, Otero faces a maximum \$10,000 fine and 10 years in jail, says the FBI.

Earlier this month, FBI and local law enforcement officials arrested three men in connection with the attempted bombing of an adult bookstore on SW 8th Street.

Today, the Dade State Attorney's office bypassed a preliminary hearing and filed direct charges against the three, Antonio de la Cova, Gary Latham and Blas Jesus Corbo.

A preliminary hearing was scheduled for this afternoon on the state charges.

All three men were charged with attempted arson, attempted discharge of a destructive device, unlawful possession of explosives, unlawful transportation of explosives and conspiracy to commit a felony.

De la Cova was also charged with possession of a firearm while engaged in a criminal offense.

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Otero.

DUPLICATE

# 5 men held on bomb charges tied by documents, friendship

By LOUIS SALOME  
Miami News Reporter

In one way or another, the five men arrested in the last two weeks on different bomb charges appear to be linked both to one other and to the wave of Cuban terrorist bombings that has swept Miami for two years, official documents show.

The relationships among the men are built on several diverse elements, including pipe bombs, protest marches, personal friendships

and a petition for citizenship.

With yesterday's arrest of Rolando Otero, a fugitive for almost five months, the FBI captured the man it painstakingly is attempting to tie to the three men arrested for allegedly attempting to bomb an adult bookstore on SW 8th Street May 6.

Otero was brought back from Chile yesterday where he had sought refuge after first fleeing to the Dominican Republic and then to Venezuela. He was indicted in

January by a federal grand jury for allegedly planting seven bombs late last year, six of them pipe bombs placed in different sites last Dec. 3.

The fifth person arrested in the past two weeks, Cuban magazine editor Miguel Angel Peraza, had close personal ties with Otero.

Fifteen days ago, when Otero was being held in Chile, Blas Jesus Corbo, Antonio Rafael de la Cova and Gary E. Latham were charged with allegedly attempting to place a pipe bomb at an adult bookstore

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in Little Havana. The pipe bombs allegedly placed by Otero on Dec. 3 were mentioned in the FBI affidavit filed to search the apartments of de la Cova and Latham. But nowhere was Otero mentioned by name.

In that affidavit, the FBI referred at some length to the six pipe bombs placed Dec. 3, one of which exploded in front of the FBI building.

On Nov. 27, the affidavit said, "a pipe bomb of a general type used

in the Dec. 3, 1975, bombings" was found unexploded outside a student dormitory apartment at the University of Miami. The FBI has attempted to tie de la Cova to that bombing attempt.

The affidavit later said "griping-type tool marks typical of those produced by a tool such as a pipe-threading vice..." were found on the pipe nipple of the bomb placed outside the U-M dormitory apartment.

"The FBI laboratory reported

that the same identifying, distinguishing marks were found on three of the pipe bombs used in the Dec. 3, 1975 bombings, in which attacks were made on United States' government property," the affidavit said.

The Dec. 3 bombings, along with several others, frequently are accompanied by "oral threats, statements, and/or communiques..." designed to intimidate the govern-

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# Documents link men held in bombings

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ment and the public, the affidavit said.

After an attempted bombing April 17, which the FBI is attempting to link to de la Cova, the affidavit said a communique was issued in which the writer claimed credit for the attempted bombing. "It is noted," the affidavit said, "that this same technique was used in conveying communiqes in the bombings of Dec. 3, 1975."

When police searched Latham's home in Boca Raton, they found what they called a "bomb factory" — a hand grenade, gelatin-type explosives, and more completed pipe bombs.

The fifth man — Peraza — arrested for allegedly placing a stick of dynamite on his own car last Nov. 7, took part with Otero in the ill-fated Bay of Pigs invasion in 1961.

Peraza admits that he and Otero were close associates who collaborated in several demonstrations, including one in Washington, D.C., on May 10, 1975, to protest the Organization of American States' plans to lift sanctions against Cuba.

Hours before those demonstrations, two bombs exploded — one at the Mexican Chancery and the other at the offices of the Russian airline, Aeroflot — both in Washington.

The FBI has questioned Blas Jesus Corbo about those bombings.

Corbo, a fugitive from Pennsylvania who also has violated probation in Dade County, has close ties with de la Cova, being seen often by neighbors at de la Cova's LeJeune Road apartment, and admitting, police say, that he saw material needed to detonate explosives at de la Cova's apartment.

In addition to these ties, Latham was a witness for de la Cova when the latter petitioned for U.S. citizenship on March 5, 1974. That petition is still pending.

De la Cova was also a friend of Rolando Masferrer, the publisher of "Libertad," a weekly exile tabloid, who was killed by a bomb when he tried to start his car last Oct. 31. In a Jan. 2 story in the tabloid, de la Cova, a freelance writer, suggested that the Peraza car incident could have been motivated by "blackmail or publicity."

Within two hours of his landing at Miami International Airport yesterday, Otero went before U.S. Magistrate Peter Palermo who set

bond at \$200,000, the same as originally set by U.S. District Court Judge Peter Fay when the indictment was handed down.

Palermo attempted twice to appoint a lawyer for Otero, but conflicts arose and none was appointed. Palermo said he would try to find a "top attorney" by Monday to make sure Otero's "legal rights are protected."

The Dade State Attorney's office filed direct charges yesterday against Corbo, de la Cova and Latham in connection with the alleged attempted bookstore bombing. The action bypasses the grand jury and also a preliminary hearing in the county magistrate court.

Assistant State Attorney Hank Adorno said he filed direct charges

because "I felt I had probable cause to hold them for trial. I saw no need for a preliminary hearing."

The three are charged by the state with attempted arson, attempting to discharge a destructive device, unlawful possession of explosives, unlawful transportation of explosives and conspiracy to commit a felony.

De la Cova also is charged with possession of a firearm while engaged in a criminal offense.

Arraignment on the state charges was scheduled for today before Circuit Court Judge Ellen Morphonios.

Corbo, who had been represented by a public defender on the state charges, has retained a private attorney, Nathan Kurtz.

DUPLICATE



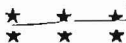
## TIPOFF

# FBI Tidies Up After Bomber At State Office

**AGENT BOMBS:** Much to its chagrin, the FBI has lost the evidence in the dynamite bombing of the Dade State Attorney's Office last December. The agent in charge of the physical evidence, shrapnel, debris and remnants of the powerful bomb, did not secure it in a locker. He left it overnight in a panel truck parked at FBI headquarters. Next morning, a conscientious FBI employe saw the assembled junk — not sealed or marked as evidence — and dutifully toted it off to a garbage dump where it was scattered. Both Miami FBI Director **Julius Mattson** and State Attorney **Richard Gerstein** declined comment on the incident.



MATTSON



**VICTIM'S VALUABLES:** The estranged wife of Hector Soto Arana, co-owner of the Miamian Restaurant, has been appointed representative of his estate. Arana was shot down by an unknown assailant outside a girlfriend's apartment 10 days ago. After the Probate Court granted the widow's petition, Arana's safe deposit box at the Sun Bank of Riverside was opened. Inside was \$106,634 in cash, much of it in small bills, and a plastic bag of jewelry including gold watches, gem-studded earrings and a bracelet. When Arana was killed, police found \$15,000 in cash nearby.



# Magistrate finally finds an attorney for Otero

5A  
Col 5

By MILT SOSIN  
Miami News Reporter

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24 MAY 78

Thomas Almon, a former member of the Federal Public Defender's staff in Miami, has been appointed attorney for bombing suspect Rolando Otero, ending a search by U.S. Magistrate Peter Palermo for counsel without a conflict of interest.

Ever since Otero was taken into custody by the FBI at Miami International Airport Thursday after being deported in chains from Chile, Palermo has sought to find an attorney qualified to represent the accused bomber.

The Federal Public Defender's office was ruled out because Ted Sakowitz, chief of that office, is already representing Blas Jesus Corbo, one of three suspects arrested the previous week at the scene of a Little Havana bombing attempt.

Palermo then considered a series of other top attorneys, including Daniel Pearson, but Pearson was excused from the court appointment because he is a law partner

of Robert Josephsberg, who had previously been appointed by the magistrate court to represent Antonio de la Cova, another of the three suspects in the SW 8th Street bomb attempt.

Almon, following his appointment by the court, saw Otero over the weekend at Broward County Jail, where the suspect is being held. He said that he talked at length with his client and planned to confer with him again — possibly today — before his arraignment, which is scheduled for Thursday in the magistrate's court.

Almon said he had no immediate plans to ask for a hearing on the reduction of Otero's bond, which presently is set at \$200,000.

Meanwhile, Assistant U. S. Attorneys Pat Sullivan and Jerome Sanford, who have been named by chief assistant U.S. Attorney Vincent Antle to handle all terror bomb-related matters, plan to go before a federal grand jury here Thursday to seek the indictment of de la Cova, Corbo and a third suspect, Gary Latham.

# Tracking the bombers

The capture of suspected bomber Rolando Otero is further indication that the FBI and other law enforcement agencies are closer to cracking the terrorist activities that have plagued this community for more than two years.

Otero left the country after having been indicted in connection with a series of explosions in public buildings last December. Affidavits filed by the FBI indicate that he may be associated in some way with four other bombing suspects arrested within the past two weeks.

The terrorism has proven to be a complex business. Theories as to the cause of the shootings and bombings include misguided patriotism, extortion, narcotics rivalries and combinations of the three.

A couple of years ago there was widespread suspicion, especially among Latins,

that law enforcement agencies regarded these crimes as private matters in the Latin community. Also, there was a reluctance among Latins to come forward with information about the crimes. This reluctance stemmed partly from fear of reprisal and partly from a well founded belief that the law enforcement agencies had no real sympathy for Latin problems.

Such mutual estrangement is ending, fortunately. Latins, appalled by the mindless killings and destruction, are quietly cooperating. And the determination of the FBI and other agencies to end the violence no longer is in question.

No one has suggested that the arrests of the past few days will solve all of the incidents of the past few years. But there is little doubt that the investigators are making progress, and that is something to be thankful for.

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## Defenders Picked in Bomb Cases

A former Dade circuit judge and a former federal public defender were named Monday to defend two men accused of participating in a wave of terrorist bombings in Miami during the past year.

U.S. Magistrate Peter Palermo named Tom Almon, a former assistant federal public defender, to defend Rolando Otero against charges that he participated in the bombing of seven Miami-area buildings in December.

Dade Circuit Judge Ellen Morphonious named former circuit judge Alfonso Sepe to defend Gary E. Latham, one of three men charged with the attempted bombing of a Little Havana adult bookstore May 6.

Latham appeared before Judge Morphonious Monday and pleaded innocent to the state charges, which allege that he conspired with Antonio Rafael de la Cova and Blas Jesus Corbo in the bombing attempt.

Judge Morphonious set August 2 as the trial date for the three, who

have all entered innocent pleas to the state charges.

Otero is charged with bombing incidents at the FBI's Biscayne office and in a locker at Miami International Airport, and also charged with conspiracy to place bombs at two post offices, the Social Security office, the Florida State Employment Service office and a bank.

# Otero enters innocent plea

*Mia News (FH) 27 MAY 76*

Accused terrorist bomber Rolando Otero pleaded not guilty today to indictments charging him with blowing up a series of federal offices, the bombing of a locker at Miami International Airport, and other bombings and attempted bombings.

U.S. Magistrate Peter Palermo set trial for Aug. 2 before U.S. District Court Judge Peter Fay.

Otero, 35, was accompanied by his court-appointed attorney, Thomas Almon, a former assistant federal

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public defender. He was brought to Miami for the pleadings from the Broward County jail.

The arraignment came exactly a week after Otero was taken into custody at Miami International Airport by the FBI following his deportation from Chile, where he had taken refuge after fleeing Miami even before his indictment.

Otero had first gone to the Dominican Republic and when his presence there was publicized, he flew to Venezuela and after he had been traced there, he went to Santiago, Chile.

# Otero charged by U.S. in two other bombings

Mia News (FH) 3 June 76 1A col 3

By LOUIS SALOME  
Miami News Reporter

Rolando Otero, already charged in the terrorist bombings of seven buildings here, today was charged with the bombings of the Dade State Attorney's Office and the Miami police headquarters.

The U.S. Attorney's Office presented a 17-count indictment to a federal grand jury today charging Otero with taking part in the nine bombings or attempted bombings last year.

Otero, a Cuban exile and Bay of Pigs veteran, was indicted earlier in January and charged with conspiracy in connection with the bombing of a locker at Miami International Airport last October, and also with conspiring in six bombing attempts at federal buildings last Dec. 3.

The charges presented today actually cite Otero with participating in all nine bombings in addition to the conspiracy charges.

Last Dec. 4, bombs exploded at both the State Attorney's Office and the Miami Police Department headquarters. A bomb hidden in a tape recorder on a cabinet in a second-floor hallway at the police station injured two secretaries when it exploded at 1:30 p.m. that day.

Just three blocks away, a bomb exploded at 12:30 p.m. in the men's room in the state attorney's complex on the sixth floor of the Metro

Justice Building. No one was injured.

An estimated \$6,000 worth of damage was done at the police station at 1145 NW 11th St. That bomb, consisting of about a pound of dynamite, shattered a dozen windows and blew out a 15-foot section of the ceiling.

Otero had not previously been connected with those bombings.

After Otero was indicted for the other six bombings last January, he fled the country. He took refuge in the Dominican Republic, and then went to Venezuela and Chile.

In late May he was deported from Santiago as an undesirable alien by Chilean authorities and was bought back to Miami by an FBI agent. He has been in jail since his return here two weeks ago.

DUPLICATE





ROLANDO OTERO

## Bomb trial may be in Broward *Mia News (FH) 10 June 76 SA* **Otero pleads he's innocent** *Calz*

By MILT SOSIN  
Miami News Reporter

Rolando Otero, charged in nine bombings here, today pleaded not guilty to bombing the Metro Justice Building and the Miami Police Headquarters last December.

During the hearing before U.S. Magistrate Peter Palermo, it was disclosed the federal court trial will probably be in Fort Lauderdale instead of Miami.

When Palermo said there was a tentative Aug. 2 trial date before Judge Peter Fay, Court Clerk Robert Beasley told the judge "there is a good chance" the case would be transferred to Broward County Judge Norman Roettger Jr.

There had been some talk that the defense would seek to have the trial shifted to a city distant from Miami on grounds that the climate here would not be conducive to a fair trial. Otero's court-appointed attorney, Thomas Almon, would not comment on the possibility of such a motion today.

Otero, who was deported on May 20 from Chile, where he had taken refuge, was required today to plead only to the additional charges in a federal grand jury indictment issued last Thursday.

The Cuban exile and Bay of Pigs veteran is charged with conspiracy in connection with the bombing of a locker at Miami International Airport last October, with six bombing attempts at federal buildings last Dec. 3, and the explosions at the State Attorney's Office and Miami Police Department headquarters Dec. 4.

Police are still investigating whether Otero has any links with three men charged in the attempted bombing of a Little Havana adult bookstore May 6. The three, Antonio de la Cova, Gary Latham and Blas Jesus Corbo are currently under \$250,000 state and \$250,000 federal bonds on the charges.

Corbo today was denied his request for a reduction of the state bond before Circuit Court Judge Ellen Morphonios.

# Otero requests

## trial be shifted

## far from Miami

By ADLET SOSIN  
Miami News Reporter

Accused terror bomber Rolando Otero, saying publicity has made his chances for a fair trial here impossible, has asked that his federal court trial be moved to a city distant from Miami.

The U.S. Attorney's Office here has filed no objection to the motion for change of venue, a point the judge is expected to consider in deciding whether to grant the motion.

U.S. District Court Judge Norman Roettger Jr., who sits in Fort Lauderdale and to whom the case was assigned, has not indicated whether he will grant the motion, however.

The motion was filed by Otero's court-appointed attorney, Thomas Almon, even before the case was transferred to Roettger in Fort Lauderdale from the calendar of U.S. Judge Peter Fay in Miami.

Almon said today, "Obviously, Fort Lauderdale is not far enough from Miami for the trial of this case."

In his motion, Almon asked that the trial be held outside the southern district of Florida, citing "pre-trial publicity which would be prejudicial" to Otero.

With the motion, he filed voluminous exhibits of stories relating to Otero's indictment on nine charges of bombing federal and other public buildings and the locker area at Miami International Airport; his sojourns in the Dominican Republic and Chile, and his return to Miami after being deported from Santiago.

Assistant U.S. Attorney Jerome Sanford, who with Assistant U.S. Attorney Pat Sullivan is handling the prosecution, said today, "All I can tell you is that the government has filed no answer opposing this defendant's motion for change of venue."

If the motion is granted by Roettger, the trial could be held in

Jacksonville, Orlando or Tampa, where there are federal courts outside the jurisdiction to which Otero objects, or could even be taken out of the state — although this is not considered likely.

Otero, a Bay of Pigs veteran, was deported from Chile May 20 where he had taken refuge, after originally fleeing to Santo Domingo and then Venezuela. He is charged with conspiracy in connection with the bombing of a locker at the airport last October, with six bombing attempts at federal buildings last Dec. 3 and with the explosions at the State Attorney's Office and the Miami Police Department Dec. 4.

DUPLICATE

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# Otero trial is transferred to Jacksonville by judge

The trial of accused terrorist bomber Rolando Otero has been transferred to Jacksonville after the defense claimed that "pre-trial publicity" here would be prejudicial.

U.S. District Court Judge Norman Roettger Jr., who normally sits in Fort Lauderdale, said yesterday he would preside at the trial scheduled to start Aug. 12.

Court-appointed defense attorney Thomas Almon had filed his motion for a change in the trial location even before the case was transferred to Roettger from the calendar of U.S. District Court Judge Peter Fay in Miami.

With the motion, Almon filed voluminous exhibits of stories relating to Otero's indictment on nine charges of bombing federal and other public buildings and the locker area at Miami International Air-

port; his travels in the Dominican Republic and Chile, and his return to Miami after being deported from Santiago.

The government has not filed an answer opposing the change of venue, according to Assistant U.S. Attorney Jerome Sanford, who with Assistant U.S. Attorney Pat Sullivan is handling the prosecution.

Otero, a Bay of Pigs veteran, was deported from Chile May 20 where he had taken refuge, after originally fleeing to Santo Domingo and then Venezuela.

He is charged with conspiracy in connection with the bombing of a locker at the airport last October, with six bombing attempts at federal buildings last Dec. 3 and with the explosions at the State Attorney's Office and the Miami Police Department Dec. 4.



ROLANDO OTERO

# Otero Trial

Mia Her (F) 1B

## Location

## Is Shifted <sup>9 July 76</sup> col 6

*Bomb Suspect Indicted ... 2B*

**By JOE CRANKSHAW**

Herald Staff Writer

The trial of accused terrorist bomber Rolando Otero has been shifted from Fort Lauderdale to Jacksonville by U.S. District Judge Norman C. Roettger. He will hear the case Aug. 12.

Roettger ordered the transfer after Otero's court appointed attorney, Tom Almon, requested the change, citing extensive pre-trial publicity in the South Florida area.

Otero is charged with bombing a bank, two post offices, the Miami FBI office, the Social Security office, the Florida State Employment Service office, the State Attorney's office and the old Miami Police Department building on Dec. 3 and 4, 1975.

Otero is also charged with placing a bomb in a locker at Miami International Airport last October.

**BEFORE HE** could be arrested on the indictment, which was issued by a Miami federal grand jury Jan. 22, Otero left the U.S. He was located in the Dominican Republic where he was arrested.

But before he could be returned to the U.S., Otero was released by Dominican authorities who said they feared a wave of bombings such as followed the arrest of Humberto Lopez last year.

Otero then fled to Venezuela. U.S. officials tried to have him extradited but found that the federal grand jury indictment did not contain any charges included in the U.S.-Venezuelan extradition treaty.

While the Dade State Attorney's office investigated the possibility of securing a state indictment which would meet the needs of the treaty, Otero fled to Chile.

**ON MAY 20**, Chilean authorities held a formal hearing and ordered Otero deported.

When Otero was placed aboard Braniff flight 978, he found two FBI agents awaiting him.

U.S. Magistrate Peter Palermo ordered Otero held under a \$200,000 bond and placed in the Broward County Jail under custody of the U.S. Marshal.

In his request for a change of venue, Almon included a thick sheaf of news stories and reports of television and radio coverage of Otero and his arrest.

# Three Acquaintances of Otero Granted Immunity for Testimony

*Mia Her (F) 11 Aug 76 2 Bcol1*

By **JOE CRANKSHAW**  
Herald Staff Writer

Three former acquaintances of Rolando Otero were granted immunity from prosecution Wednesday in return for their testimony against Otero on bombing charges in U.S. District Court in Jacksonville next week.

Jury selection for Otero's trial on charges of bombing the Miami FBI office, two post offices, the So-

cial Security office, the Florida State Employment Service office, a bank, a locker at Miami International Airport, the Dade state attorney's office, and the old Miami police station, is expected to begin Thursday morning.

Otero's two former roommates, Cirro Orizondo and Manolo Reveulta, and a former business acquaintance, Hector Serrano, were granted immunity by U.S. District Judge

Norman C. Roettger in Fort Lauderdale Wednesday.

A **FOUR** man, Antonio Gonzalez, also said to be an Otero associate, will testify against Otero but has not been granted immunity, according to Assistant U.S. Attorney Michael P. Sullivan.

Judge Roettger ordered the trial transferred from South Florida to Jacksonville after he ruled that

pre-trial publicity made it impossible for Otero to receive a fair trial here.

Otero was indicted by a federal grand jury in January and accused of bombing the airport locker in October and placing all of the other bombs on Dec. 3 and 4 last year.

Otero left the country in January before the grand jury issued its indictment and hid out in various Latin American countries until he was arrested in Santiago, Chile, and returned to the U.S. in May. He has been held under a \$200,000 surety bond.

**FBI AGENTS** have indirectly linked Otero to three other persons convicted of placing bombs, Antonio Rafael de la Cova, Blas Jesus Corbo and Gary E. Latham.

The FBI agents testified that the bomb placed at an adult bookstore in Little Havana bore vise-grip tool marks like those on three of the bombs Otero is charged with planting. But no evidence has been presented to show that the trio knew Otero.

Meanwhile, one of three men convicted in the bookstore bombing has filed a \$10 million defamation of character suit against an FBI informant, The Miami News and News staff writer Hilida Inclan.

Nathan Kurtz, attorney for Blas Jesus Corbo, who was convicted for conspiracy in the bombing attempt and sentenced to five years in prison, filed the suit after the News published a story which was headlined "LaGuardia Blast Tied to Corbo."

"My client was in Miami at the time of the LaGuardia bombing," said Kurtz, "and had no knowledge of it or the people who may have perpetrated the bombing which killed 14 people and injured 75 others including an FBI agent. My client has never hurt anyone."

Kurtz said his suit against FBI informant Miguel Peraza was based on a News story which quoted a police report. That report quoted a conversation between Peraza, Corbo, de la Cova and Latham regarding the LaGuardia bombing incorrectly, Kurtz said.

DUPLICATION

### 3 witnesses given immunity

# Informers crucial to bomb trial

Mia News (FH) 11 Aug. '76 4 Acol 3

By MILT SOSIN  
Special to The Miami News

FORT LAUDERDALE — An informer who told the FBI he had heard self-incriminating boasts by Rolando Otero, accused terror bomber, may surface on the eve of Otero's federal court trial in Jacksonville.

The informant is a potential witness at the trial but government attorneys said there was no certainty he would appear to take the stand.

But two men who shared Otero's South Dade apartment and another friend of the defendant were granted immunity yesterday here by U.S. District Court Judge Norman Roettger Jr., and will testify as government witnesses in the trial.

After Assistant U.S. Attorneys Pat Sullivan and Jerome Sanford had asked that immunity against self-incrimination be granted Manuel



OTERO

Revuelto and Ciro Orizondo, Otero's roommates, and Hector Serrano, a third friend, Thomas Almon, Otero's court-appointed attorney, said that while the government prosecutors had provided him with certain information and affidavits to which the defense was entitled, he had been unable to learn the identity of a man who reportedly had told FBI agents of Otero's self-incriminating statements.

"It is the position of the defense, your honor," Almon said, "that we are entitled to the identity of this witness, a copy of his 'rap sheet' (record of arrests and convictions) and the statements he gave to the agents."

Sullivan argued that he could not release the name and the record because he was not certain the witness would appear.

Almon argued it would be too late for proper defense efforts if denied the material until just before the informer took the stand.

An FBI agent then gave Roettger a satchel with the informant's statements and records for inspection by the judge alone to aid in a decision.

The government attorney said the informant

was not Miguel Angel Peraza, who, while working for the FBI, had tipped off authorities to the attempted bombing of an adult bookstore in Little Havana on May 6, which led to the arrests and convictions of Antonio de la Cova, Gary Latham and Blas Jesus Corbo last week.

Although Otero is charged with conspiracy in the 17-count indictment in connection with eight bombings and attempted bombings between October and December of last year, none of the alleged conspirators is named. Yesterday, government attorneys said that there was a possibility that the conspiracy count might be dropped.

The trial is expected to last at least 10 days, with FBI agents and other witnesses slated to describe in detail the investigation which led to Otero's arrest.

Otero's trial, which begins in Jacksonville tomorrow, was transferred from federal court in Miami by Roettger on a plea by Almon that Otero could not obtain a fair trial there because of prejudicial publicity.



# Otero trial security's tight in Jax

Mia News (FA) 12 Aug 76 SA col 2

By MILT SOSIN  
Special to the Miami News

JACKSONVILLE — Extraordinary security precautions were taken as Rolando Otero went on trial today in this North Florida city some 350 miles from Miami International Airport and the other public buildings he is accused of bombing in a wave of terrorism.



OTERO

The 75 prospective jurors filing into Courtroom No. 2 on the fifth floor of the downtown federal building had to pass between metal detectors similar to those that screen airport passengers. U.S. marshals on duty also held electronic scanners that could pick out any weapon secreted in a handbag or pocket. Even attorneys had to disclose the contents of their briefcases.

No spectators were permitted inside the courtroom until after the judge had given his initial talk to the prospective jurors.

In moving the Otero trial to Jacksonville on a motion filed by court-appointed defense attorney Thomas Almon, U.S. District Court Judge Norman Roettger Jr., apparently found a place in Florida where the Miami terror bombings last October and December did not make an impression calculated to prejudice a jury against the defendant.

An informal survey of a cross-section of residents of Jacksonville and the Duval County areas — from which the jury will be chosen — revealed that many had not even heard the name of Otero.

A hotel clerk not only had never heard of "Rolando Otero," but wasn't even aware of the terrorist bombings of the Miami FBI building, the office of State Attorney Richard Gerstein and the blast at the Miami International Airport.

A dentist knew about the trial starting today because he had read a short article in a Jacksonville paper which reported that the trial had been transferred here, but he didn't recall the name of the defendant.

A waiter not only didn't know about the bombing trial in Jacksonville but had never heard of the Miami bombings.

Defense attorney Almon — submitting a voluminous array of newspaper stories concerning Otero's indictment, his flight to the Dominican Republic and subsequently to Chile, and his arrival in

Miami last May — had argued that Otero could not receive a fair trial in Miami because of a prejudicial aura.

Assistant U.S. Attorneys Pat Sullivan and Jerome Sanford, who had been named by U.S. Attorney Robert Rust to prosecute the bombing cases, did not contest the defense move and the trial was moved to Jacksonville.

Otero had been charged in a 17-count indictment with conspiracy and the actual bombing or attempted bombing of eight separate targets in Dade County in the fall and winter of 1975. Today, the government announced it would not seek to prove a conspiracy, leaving 16 counts involving the bombings or attempted bombings. If convicted on all counts and given the maximum sentence, he would face a total of 165 years in prison and \$165,000 in fines.

First test in the prosecution-defense battle is expected today, possibly even before the jury is sworn. It is a move by Almon to challenge the legality of an FBI search of Apt. 210 at 8810 Fontainebleau Blvd., in South Dade.

Apartment 210 was occupied by Rolando Otero, Ciro Orizondo, and Manuel Revuelta.

On Tuesday, Orizondo and Revuelta, who are scheduled to testify as government witnesses against their former roommate were granted immunity against self-incrimination by Roettger.

The trial is expected to last well into next week and possibly beyond. Already the government is worried about finding hotel space for their witnesses in view of the influx of Shriners with confirmed reservations for the rooms now occupied by these witnesses.

Another problem has loomed. Although Roettger has already said that he does not like to "lock up" juries unless it is absolutely necessary, if the prosecution or defense requests that the jury be sequestered, there may not be a hotel to accommodate the jury.

DUPLICATE



# FBI: Otero

Mia News (FH)

## planned an

13 AUG-76 SA

## FPL blast

colb

By MILT SOSIN  
Special to the Miami News

JACKSONVILLE — Accused terrorist bomber Rolando Otero had once plotted to blow up the nuclear generator at Turkey Point in South Dade and had sought explosives, an FBI agent has testified.

But a request to a major anti-Castro group for the explosive failed and Otero never tried to carry out his plan, FBI Agent Joseph Dawson said at a pre-trial hearing on defense requests for the names of two government informers in the case.

The disclosure came as the trial of Otero, 35, charged with the bombings of several public buildings in Miami last year, opened yesterday in a heavily guarded courtroom. Otero sat quietly as a jury of six men and six women was chosen.

Dawson said the FBI was told of the plot to blow up the Florida Power and Light plant by an informer who they did not identify. Conspiracy charges which were believed to include the plot were dropped by the government before the trial began and the informant will not testify.

Today, a hand-drawn, large-scale map of Dade County extending from Biscayne Boulevard to the Fontainebleau Park apartment complex in West Dade where Otero stayed faced the jury box as Assistant U.S. Attorney Jerome Sanford prepared to make the government's opening statement in the trial.

Indicated on the map were the FBI building at Biscayne Boulevard and 38th Street, Miami International Airport, the Barnett Bank at Midway Mall, the Metro Justice Building, Miami Police headquarters and three other buildings which the government charges were bombed by Otero in October and December of last year.

Sanford was expected to trace for the jury what the FBI says was a "bomber's trail" from the scene of one blast to another target, and to attempt to pin the terrorist activities on Otero by physical evidence found in his apartment, testimony of associates, fingerprints and a voice identification.

But the voice identification came under heavy fire by the defense yesterday before the jury heard a single word of testimony.

One of the witnesses summoned here by the government is Catherine Simpson, an Eastern Airlines phone reservation agent in Charlotte, N.C.

Shortly before 6 a.m. last October 17, Mrs. Simpson plugged in on a call relayed from Miami under a system which puts EAL calls into the Charlotte reservation center during periods when the Miami office is overloaded or unstaffed.

DUPLICA

# N-Plant Bomb

**Plan Fell Through**

# Plot Alleged

*Mia Her (F) 13 Aug 76 1B CofS*

By **JOE CRANKSHAW**  
Herald Staff Writer

JACKSONVILLE — Rolando Otero planned to blow up Florida Power & Light Company's Turkey Point nuclear generator, an FBI agent told a pretrial hearing in the U.S. District Court here Thursday.

Informants told the FBI that Otero tried in October 1975 to get explosives from a major anti-Castro terrorist group to use at Turkey Point, FBI Agent Joseph Dawson told Federal Judge Norman C. Roettger.

Otero was unsuccessful and never tried to make the attack, Dawson said. He said the incident was marked down in FBI files as an abortive attempt. It was not explained why the FPL generator was an alleged bombing target.

Otero, whose trial was moved to Jacksonville because of pre-trial publicity, is charged with attempting to bomb the Miami FBI office, two post offices, the State Employment Service office, a bank and a locker at Miami International Airport and charges that he was in illegal possession of explosives at the old Miami Police Department and Metro Justice Building.

A 12-member jury was picked quickly Thursday. Opening arguments are scheduled to begin this morning.

**THE FPL REVELATION** came as defense attorney Tom Almon tried to get the government to reveal the names of two confidential informants who have provided information against Otero. Roettger ruled that the government does not have to reveal the names of the informants.

Otero, shorn of his beard and mustache and wearing a bushy hairstyle, sat quietly Thursday at the defense table as pretrial motions were argued and a 12-member jury swiftly empaneled.

Although the jury was empaneled before noon, it did not hear any arguments or evidence in the case because it was escorted from the courtroom while attorneys argued over admission of evidence.

**DEBATE ON** a motion by Almon to throw out the evidence seized by the FBI from Otero's apartment, his mother's home and his automobile took about an hour and a half. It was denied.

Another argument over whether the government could use an airline reservation clerk's identification of Otero's voice on a tape took about two and a half hours.

Katherine Simpson, an Eastern Airlines reservation clerk in Charlotte, N.C., received a telephone call automatically transferred from Miami shortly before 6 a.m. on Oct. 17, 1975, in which a Latin voice told her: "Listen to me. This is not a joke. We have planted some bombs on the complex. The first will go off in a few minutes."

Thursday morning Mrs. Simpson identified Otero's voice from five Latin voices on a tape. Roettger reserved until today a ruling on whether the tapes and Mrs. Simpson's testimony can be used.

**ALMON SAID** that his client has been calm as the trial opened and that Otero's main concern is that he has been unable to get a haircut in the last two weeks.

DUPLICATE

Otero arrived in Jacksonville shortly before 5 p.m. Wednesday in the company of two U.S. marshals aboard a National Airlines flight from Miami.

The jury selected before lunch is composed of six men and six women. Only one Spanish-surnamed person was called for the 100-member jury venire, and she turned out to be the wife of a Jacksonville insurance salesman who was born in Tampa's Cuban community. She was accepted.

Other members of the jury include a widow with 12 children, a grocery store clerk, a retired papermaker, two housewives, a retired auto salesman, a retired retail merchant, a secretary, a gas company service man, a department store employe and a truck driver.



ROLANDO OTERO

*Mia News (FA)*

# Otero once 14 AUG 76 4A CR4 wanted to be Beach officer

By MILT SOSIN

Special to The Miami News

JACKSONVILLE — Rolando Otero, accused Miami terror bomber, wanted to be a policeman.

This was revealed in testimony yesterday — the second day of his federal court trial which was moved to this North Florida city on a motion by his court-appointed defense attorney, Thomas Almon. He claimed that Otero could not receive a fair trial in Miami.

Ironically, fingerprints taken by the Miami Beach Police Department when Otero applied for job there March 8, 1974, were used by the Metro Public Safety Department and the FBI to establish Otero as a suspect in the series of bombings which terrorized Miami in October and December 1975.

Otero is on trial before U.S. District Court Judge Norman Roettger Jr. and a jury of six men and six women on an indictment charging him with seven bombings and an attempted bombing in Dade.

A Miami News vending machine was carried into the federal courtroom by two FBI agents yesterday. It was part of the physical evidence in the bombing of the FBI Building at 3801 Biscayne Blvd. — one of the crimes of which Otero is accused.

In that case, according to testimony by FBI agent Robert Ross, a pipe bomb similar to those which exploded that same day in various other Dade localities had been placed in The News vending machine in front of the FBI Building. It was triggered with a clockwork mechanism and a battery.

The resulting blast broke three plate glass windows and caused other damage but caused no injuries.

Police found the fingerprints which led them to Otero at the scene of an explosion in a group of lockers on a concourse on the second level of Miami International Airport.

James Carr, a Metro police crime scene technician, testified that he had responded to Miami International Airport at 6:20 a.m., Oct. 17, to take part in an investigation of an explosion on the Concourse 5 locker area.

He said he checked debris and lockers for fingerprints, in the course of his work lifting 84 separate "latent fingerprints" by first dusting them with black powder and then picking up the impressions on clear Scotch tape.

One of the 84 prints was lifted from the handle on the door of a locker blown apart by the explosion.

Assistant U.S. Attorneys Pat Sullivan and Jerome Sanford next put James Hinds, a Metro fingerprint expert, on the stand. He first described the methods he used to match up prints, saying he required at least eight "points" of identical characteristics before he would be satisfied that the prints matched. He said he found one print on file that matched up with the print from the locker door handle on 15 "points."

This, he said, was a print on a card of an applicant for a Miami Beach police job made March 8.

The name of the police aspirant was Rolando Otero.

A government source said Otero had failed in the subsequent examinations.

DUPLICAT

# Otero Applied for

Mia Her (F) 14 Aug 76 1B gl 1

By JOE CRANKSHAW  
Herald Staff Writer

JACKSONVILLE — Police were able to trace bomb fragments from an explosion in a locker at Miami International Airport to Rolando Otero, because he once had applied to be a Miami Beach police officer.

Otero is on trial in U. S. District Court on multiple bombing charges.

James Hines, a Dade County Public Safety Department fingerprint technician, told the jury that he had been given fingerprints taken from the door of a locker that had been blown up at the air-

port last Oct. 17 and a police officer application card from the city of Miami Beach.

Hines said that the application card was in the name of Rolando Otero, Apt. 210, 8018 Fontainebleau Blvd., Miami. The application, dated March 8, 1974, showed that Otero had failed the exam.

**HINES SAID** he made 20 points of similarity between a left thumbprint on the applicant card and the thumbprint given to him by police technicians after it was taken from the door of the airport locker.

He also was able to compare

these prints with fingerprints of Otero made by FBI Agent Gene Flynn in May 1976 when Otero was brought back to this country from the Dominican Republic.

Otero also applied, on March 27, 1974, for a Miami police job, the prosecution said, but the disposition of that application was not immediately known.

Otero's pronunciation of the word "joke" became a key issue as his trial got under way Friday.

Otero is charged with nine bombings in the Miami area between Oct. 17 and Dec. 4. The government has alleged that before the

## Police Jobs

Oct. 17 bombing of some lockers at Miami International Airport he made a call to an Eastern Airlines reservation clerk and said the bomb was about to explode.

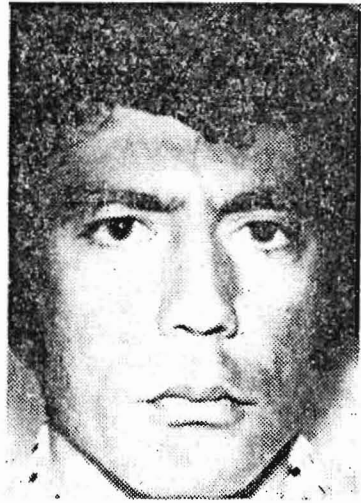
A tape of the voices of Otero and four police officers was played for the twelve-member jury and four alternates early Friday.

**FBI AGENT** Morris (Bud) Had-dock then told the panel that he had supervised the making of the tape in an effort to have the reservation clerk identify a voice similar to the one heard by her about 5:58 a.m. last Oct. 17.

The reservations clerk, Mrs. Katherine Simpson, of Charlotte, N.C., told the jury that she had received a 15- to 20-second call in which she had been told of the bomb's being placed in the airport.

"Listen to me," the voices on the tape said. "This is no joke. We have placed some bombs in the complex. One of them will go off very soon."

Mrs. Simpson said that the Charlotte office is the only Eastern reservations office open at that time of night and that all calls from the U. S. and Canada come to it. She



**Rolando Otero**

... prints matched

Turn to Page 2B Col. 1

# Prints Matched to Police Application

Miami Her (F) 14 AUG 76

CPI P. 2B

FROM PAGE 1B

said that before each customer begins talking, a tape-recorded voice identifies the city and airport to which the call was made.

Mrs. Simpson said that Thursday morning she had heard the five voices on the tape and that the first voice sounded similar to the Oct. 17 caller.

Haddock identified the first voice as that of Otero.

But defense attorney Tom Almon told the jury that it should pay close attention to the pronunciation of the words. He questioned Mrs. Simpson on the pronunciation of the word "joke" and whether it was a factor in the identification of the voice.

"IT WAS the only word mispronounced," said Mrs. Simpson. "The 'J' sounded like a 'Y'."

Almon earlier had quizzed Haddock on whether he had instructed the FBI agents on the tapes to speak in any particular fashion or if any of them had seen a report quoting Mrs. Simpson on the mispronounced word.

Haddock said he had instructed the agents to speak in a Spanish fashion, since all were Spanish, and not to anglicize the words. He said he did not know if any of them had seen the report.

The four police voices on the tape pronounced the word "joke" correctly.

IN OPENING statements, Assistant U.S. Attorney Jerome Sanford showed the jury a diagram of Miami pinpointing the bombing sites and described the damage done by the bombs.

Sanford told the jury that the prosecution had collected various bomb parts and fingerprints that would show that the bombs used in all the incidents were time bombs.

"We will present circumstantial evidence relating the defendant to these bombings and certain telephone calls to Miami news media on Dec. 4 telling them where to find military communiques explaining the bombings."

Without listing the reasons, Sanford said the communiques gave five such reasons for the bombings, one of which was to protest the U.S. arrest of Humberto Lopez, who was returned to the United States from the Dominican Republic on Oct. 26.

SANFORD SAID that Otero's palmprints and fingerprints had been found on four or five of the photocopied communiques that had been made in a machine at the Midway Mall shopping complex.

Sanford also said that Otero's two roommates, Ciro Oriñondo and Manolo Reveulta, had reported to

the FBI that they had seen eight or 10 boxes for clocks in the trash at their apartment.

"The evidence will show that this series of terrorist acts resulted from the pent-up emotion of a frustrated Cuban activist," Sanford said.

Although Otero left the country before he was indicted in January, Sanford said the defendant knew he was under investigation and called home from the Dominican Republic asking that certain items be removed from his apartment.

THE PROSECUTOR said they would also represent witnesses who saw Otero in the Metro Justice Building and the Miami Police Department shortly before two bombs exploded on Dec. 4.

Almon, in his opening statement, urged the jury to keep an open mind until the very end of the trial.

"When you see the evidence, you are going to realize that something else is going on here with very definite political overtones," said Almon.

Almon said that his client had been trained as a demolition expert by the CIA for the Bay of Pigs invasion and never had made any secret of his anti-Castro feelings.

And he said that a known government informant in the Cuban community had been watching Otero for many months and that

Otero was aware the FBI was watching him.

"KEEP AN open mind to the end of the trial," urged Almon.

James Carr, a technician for the Dade County Public Safety Department, who processed the scene of the explosion at Miami International Airport, was the next witness.

Carr said the explosion had taken place in locker No. 5030 on the left side of the entranceway to concourse five.

He said the force of the explosion blew the locker door 24½ feet across the concourse.

Carr said he had taken 84 fingerprints off the lockers and identified one he said came from the chrome handle. Carr said he did not know who made the print, but Sanford had earlier said it was from Otero's thumb.

OTERO IS charged in a federal grand jury indictment with the bombing of Miami International Airport Oct. 17 and the Dec. 3 and 4 bombings of the Miami FBI office, the Social Security office, the state Employment Service, two post offices, a Barnett bank, the old Miami Police Department and the state attorney's office in the Metro Justice Building.

If convicted on all the charges, he faces a maximum of 165 years in jail.

# Escape tried from Otero cell

Miami News (FH) 16 Aug 76 5A calz

By MILT SOSIN  
Special to The Miami News

**JACKSONVILLE** — Accused terror bomber Rolando Otero was in a cell where there was an attempted jail break during his stay in Broward County, The Miami News

learned today. There was no proof Otero had instigated the attempt or had tried to profit from it.

Otero, whose federal court trial was moved from Miami to Jacksonville on a plea by his court-appointed attorney that prejudicial

The Broward County jail break attempt took place several weeks ago, it was learned.

Deputy sheriffs became aware that a blade of some sort — presumably a hacksaw blade — was being used in an escape attempt from a cell in which Otero and

three other men were being held. Two of Otero's fellow prisoners were Canadiens who had been convicted of bank robbery and were awaiting transfer to prison.

The jail officials immediately moved in to investigate, but apparently the men in the cell were tipped off beforehand, and denied knowledge of the blade.

"When they entered the cell," a source said, "the blade was in the middle of the floor of the cell, and none of the four 'knew anything about it.'"

As the trial resumed today after a weekend recess, Thomas Almon, Otero's court-appointed attorney, charged the government with misleading the defense by failing to provide material which it knew would help Otero's case.

This material, he said, involved statements and communications made by Ricardo Morales, a confidential informant for the FBI. One of the statements given by Morales to the FBI, it was reported, named Otero as part of a plot to assassinate Fidel Castro.

Almon said that for many weeks prior to the trial he had been trying to learn the identity of the government's informer. He said it was only on studying papers which the FBI had provided U.S. District Court Judge Norman Roettger Jr. and then given Almon on Friday that he learned the identity.

The defense attorney told the court that the study of the papers revealed a "relationship" between local police departments and Morales. Also in the documents was a letter from a law enforcement agency to Julius Mattson, agent-in-charge of the Miami FBI Bureau, relating to Morales, and his role as an informer.

DUPLICATE

At the direction of the judge, Almon read into the record the names of the two police officers who reportedly had the confidential relationship with Morales. They were named as Ed Mederos, of Metro's Organized Crime Bureau, and Arturo Castro, of the Miami police.

Almon, displaying anger, charged that the government had at first planned to use Morales to support a conspiracy count against Otero but had dropped that charge when Morales became unavailable as a witness.

It was reported Friday that Morales is out of the country. Almon said he had based his whole theory of defense on cross-examination of Morales and that now it was too late at this stage in the trial to interview Mederos and Castro.

He asked for the dismissal of the remaining 16 counts of the federal indictment on grounds that the government had withheld "Brady material," the legal term for information to which the defense is entitled from the prosecution.

For the government, Assistant U.S. Attorney Jerome Sanford responded that the government had no intention of misleading the defense and had provided the material as soon as it became available.



Mia News (FH) 17 Aug 76 5A Col 1

# Gerstein secretary says

By MILT SOSIN  
Special to The Miami News

JACKSONVILLE — A federal judge will rule today whether a secretary in the office of State Attorney Richard Gerstein will be permitted to identify accused terrorist bomber Rolando Otero as the man who threatened to bomb her boss' office.

Bobbie Harris, 27, identified Otero out of the presence of the jury late yesterday as the man who made the threat.

But U.S. District Court Judge Norman Roettger Jr., presiding at the trial, said at the end of an eight-hour session in which the jurors were out of the jury box as much as they were in it:

"I find this matter very troublesome — there are some very troubling aspects."

Ms. Harris testified that last Dec. 4, as she was going up the elevator in the

Metro Justice Building where she works, she remarked, "It's too nice a day to work." From the back of the elevator, she said, a man's voice responded, "Maybe you won't have to; we're going to bomb the State Attorney's office and the Miami police station."

A bomb subsequently exploded in the men's room on the sixth floor of the building, where the State Attorney's office is located. Later that day there was a blast at the Miami police station.

Otero is charged in a federal indictment with those two bombings and five others, and with one attempted bombing. The trial was moved from Miami to Jacksonville by Roettger on a plea by court-appointed defense attorney Thomas Almon that Otero could not get a fair trial in Miami because of prejudicial publicity.

Ms. Harris, in her testimony, said she turned to look at the speaker as she left the elevator and the door then closed.

"Could you identify the man who spoke to you in the elevator?" asked Assistant U.S. Attorney Pat Sullivan.

"Yes," replied the witness and pointed to Otero, who was seated at the defense table with his attorney.

Earlier, Robert Laws, an investigator in Gerstein's office had testified, also out of the jury's presence, that he had handed Ms. Harris nine photos last Jan. 21 and asked her if she could pick out the man in the elevator.

He testified that Ms. Harris laid them out on a desk one by one and then picked up a picture which he identified as that of Otero and said, "He's the one."

Then, he said, Ms. Harris picked up an-

## Otero made threat

other of the pictures and said, "But this one looks something like him, too."

The second picture she selected was also that of Otero. There were two pictures of Otero in the group of nine and two of Ciro Orizondo, one of two men who shared an apartment with Otero at 8810 Fontainebleau Blvd.

Almon, arguing a motion to bar Ms. Harris's identification of Otero, said somewhat bitingly:

"I find it strange that the investigator would include two pictures of the defendant in the group of nine and I find it somewhat suggestive."

Almon cross-examined Ms. Harris about a statement which she gave the day of the blast at the State Attorney's office to FBI Agent Terry Nelson. According to the statement, she described the man who

spoke in the back of the elevator as "non-Latin."

Ms. Harris said she didn't use that term, but called the man "an Anglo-Saxon" in her verbal statement to the agent.

Later, Almon put Nelson on the stand and handed him his report, asking if it was an accurate account of what Ms. Harris had told him.

"Yes, it is," answered Nelson. Almon then asked Nelson how many witnesses he had interviewed in his career as an FBI agent. "Would it be more than a thousand?" he asked.

Nelson answered, "Yes." But, when asked if it would run as high as 5,000, he said, "No." Added Almon: "And as an experienced agent you write the statements accurately as you receive them?"

Nelson said, "Yes."



# Castro Slaying *Mia Her (F) 17 Aug 76 1B Col 4* Plot Reported

By **JOE CRANKSHAW**  
Herald Staff Writer

JACKSONVILLE — Rolando Otero once was involved in a plot to assassinate Cuban Premier Fidel Castro, when the Communist dictator visited Venezuela, an FBI agent testified Monday.

The information came to light when defense attorney Tom Almon asked U.S. District Judge Norman C. Roettger to dismiss the 17-count grand jury indictment against Otero on the grounds that he had not been provided all the information available to the government.

Otero is charged with the Oct. 27 bombing of Miami International Airport and the Dec. 3 and 4 bombings of the Miami FBI office, Social Security office, State Employment office, two post offices and a bank.

Almon said that in material supplied to him by the FBI and the government Friday was a report about an interview by agent Robert G. Ross. Ross said he had interviewed Otero in July 1975 about a report that Otero, an FBI informant and other persons had gone to Venezuela to assassinate Fidel Castro.

**CALLED TO THE STAND**, Ross testified that he had received word of Otero's involvement through Ricardo Morales, a former confidential informant now out of the country and unavailable for the trial.

Ross said he asked Otero if he had been involved in anti-Castro plotting in Venezuela.

"He denied any part in anti-Castro activities and said that he had gone to Venezuela on a business trip," Ross said.

"Later the report of the plot was substantiated by a second informant." The second informant was not identified, and Ross said the plot fizzled when the plotters learned that the plan was compromised and known to the FBI and to Castro.

Judge Roettger refused to dismiss the indictment, saying that the government had not been in possession of the report prior to

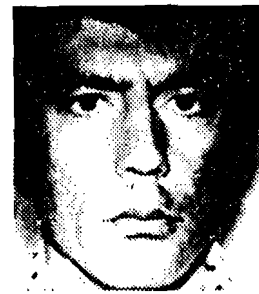
DUPLICATE

# Plot to Kill Castro

## Described in Trial

Mia Her (F) 17 Aug 76 2B col 1

DUPLICATE



OTERO

### FROM PAGE 1B

last Friday when it was delivered to Almon.

OTERO, WHO has sat through the trial with apparent outward calm, was taken by U. S. marshals during the noon break Monday to see a physician, who prescribed sleeping pills and a tranquilizer.

In the late afternoon, a marshal brought Otero two small medicine vials containing a few pills from each prescription, but these were taken by another marshal, who told the defendant he would give them to the prison nurse.

A series of affidavits and witnesses were presented to the jury to demonstrate that bomb explosions had taken place at most of the target sites mentioned in the indictment.

Metro bomb specialist Tom Brodie then was sworn in and testified as to his activities in recovering and investigating bomb parts at the various bomb explosion sites on Dec. 3 and 4.

Brodie then constructed for the jury a pipe bomb using a small, white-faced clock, a six-volt battery, a six-inch length of pipe, some wires and a flash bulb.

Brodie said the flash bulb was the device used to ignite the black powder that would have been inside a loaded bomb.

THE BOMB SPECIALIST said that the pipe bomb is a low-power explosive designed primarily for fragmentation purposes and that it was the type used in most of the December bombings.

But Brodie said that the bomb used in the state attorney's office washroom of the Metro Justice Building was an entirely different type of explosive. He said it was made of a wristwatch, yellow tape, a battery, electric wiring and a high-powered explosive that probably was not in a pipe. He said it had the equivalent power of a pound of dynamite and did considerable damage to the restroom.

A similar bomb exploded in the old Miami Police Department shortly after the bomb exploded in the Metro Justice Building.

But Assistant U.S. Attorney Jerome Sanford, one of two attorneys prosecuting the case, and Almon both produced testimony which showed that no parts or de-

bris of the bomb at the Miami police station or Metro Justice Building, were available for study by the jury because a janitor had apparently mistaken them for trash and thrown them out of a van in which they had been stored overnight.

FBI AGENT Carl Lawery testified that he made a futile search of the Miami city garbage dump and downtown trash facilities in an effort to find the bomb parts.

The government tried Monday to present the testimony of Mrs. Bobbie Harris, a secretary in State Attorney Richard Gerstein's office.

Mrs. Harris was brought into the courtroom and testified that on the morning of Dec. 4, she had left an elevator on the sixth floor and as she was leaving it, made the remark, "It's too pretty a day to go to work."

At that point a voice in the rear of the elevator said, "You don't have to worry about it. We're going to blow up the state attorney's office and the police department."

Mrs. Harris said she turned to

see who had made the remark, because she thought it might have been a friend. She said she saw a man who was saying the words, and the elevators closed between them.

ASKED BY Assistant U.S. Attorney Michael Sullivan to point out the person if she saw him in the courtroom, Mrs. Harris pointed a finger at Otero and said, "That's the man, the man in the beige suit."

But Almon argued that the identification could be faulty because Mrs. Harris had described the man to FBI agents as being Anglo-Saxon, and the FBI had written down "non-Latin."

In addition, Almon argued that Mrs. Harris had been shown nine photographs among which were two of Otero.

Judge Roettger listened to the arguments, said he was bothered by the photo lineup, was disturbed that Mrs. Harris' identification might have been reinforced by news and television pictures, and said he would issue a ruling before trial begins this morning.

Mia News (FA) 18 Aug 76  
**FBI testifies Otero**  
12A col 3  
**used Xerox at Mall**

By MILT SOSIN  
Special to The Miami News

JACKSONVILLE — A Xerox machine has been compared before a jury with an untidy human being — it leaves tell-tale streaks of dirt on paper that the government hopes to link with accused terrorist bomber Rolando Otero.

Otero's fingerprints also were allegedly found on four copies of "Condor war communiques," which the government says were run off on a Xerox machine at Midway Mall, a half-mile from Otero's Fontainebleau Park apartment in western Dade County.

FBI Agent John Hexter testified that last Dec. 8 he went to a public Xerox machine in the mall and put coins in it to get samples of the copy paper.

And James Lile, an FBI examiner of questioned documents, testified the test sheets from the Midway Mall machine and the Condor communiques bore the same marks resulting from imperfections of dirt on the Xerox drum, scratches on the glass plate or depressions in the rubber "blanket" which presses the original document onto the machine.

The Condor notices — picked up from phone booths around Dade County on anonymous tips — were introduced into evidence yesterday at Otero's trial, shifted to Jacksonville from Miami because of the wide publicity about the case in South Florida.

Court-appointed defense attorney Thomas Almon lost a motion to bar introduction of the fingerprint evidence on the communiques. He claimed that the government informed him of this evidence too late for him to check it out and prepare rebuttal.

Otero, 33, is charged in a 16-count indictment with seven bom-



**ROLANDO OTERO**

bings in Dade County and one unsuccessful bombing attempt.

An earlier witness yesterday, secretary Bobbie Harris of the Dade County State Attorney's Office, identified Otero as the man who made a bomb threat in a Metro justice building elevator a few hours before an explosion in the building last Dec. 4.

The government lost one witness yesterday. Santa Parla, an attractive young Miami woman broke down in tears after identifying Otero — outside the presence of a jury — as the man she saw carrying a package in the Little Havana insurance office where she works only 15 minutes before a bomb exploded at the Riverside post office across the street.

The woman then said her courtroom identification might have been influenced by photographs of Otero she had previously identified as the man in her office.

Sullivan withdrew her as a witness and the jury never got to hear her.

# Castro murder plot told at bomb trial

By MILT SOSIN  
Special to The News

JACKSONVILLE — The Fontainebleau Park apartment of accused bomber Roland Otero was the focus of a plot to assassinate Cuban Premier Fidel Castro, according to testimony at Otero's federal trial.

Though the assassination plot never got off the ground, one witness yesterday said he still fears for his safety and that of his family.

"There are a lot of Castro agents in Miami," said Antonio Gonzalez, a confessed member of the group of plotters, yesterday — his 35th birthday.

Gonzalez and three other associates of Otero — his roommates Manuel Revuelta and Ciro Orizondo, and Hector Serano — had been granted immunity from prosecution by U.S. District Court Judge Norman Roettger Jr.

When Otero's court-appointed defense attorney, Thomas Almon, cross-examined Gonzalez about the plot to kill Castro, Gonzalez indicated that it involved four people.

"I was one and Rolando Otero was another," he testified.

"What was his role?" asked Almon. The witness replied, "I never knew; besides, the plot never got off the ground. The assassination was supposed to take place in Caracas but Castro never went to

Venezuela. Besides, Ricardo Morales found out all about it."

Morales — a mystery man identified by the government as a confidential informer for the FBI — formerly lived in Miami and frequented Otero's apartment. He was variously described by some of the witnesses yesterday as an agent of Castro's G-2 intelligence forces and an operative of the Venezuelan government assigned to check on Cubans entering that country.

At one point in the testimony of Gonzalez, Almon asked, "Isn't it a fact there was a bolita (numbers) operation running out of the apartment?" Gonzalez said there was.

Earlier, when Revuelta was asked about events at the apartment on the night of Dec. 3 — when five bombs went off at various public buildings in Dade County — he testified that Otero left the apartment about 6:30 p.m., but that he didn't know when or if he returned because there was a "big party" going on in the apartment.

"There were a lot of people and a lot of wine and I drank a lot and I didn't get up until very late the next day," he said.

Originally, Morales was a potential witness in the trial but he disappeared and is now believed to be in Caracas, Venezuela.

Without him, the government had to drop a conspiracy count from Otero's indictment.

# 500 Castro Agents Operate In Miami, Witness Testifies

*Mia Her (F) 19 Aug 76 2B Col 2*

By JOE CRANKSHAW  
Herald Staff Writer

JACKSONVILLE — As many as 500 pro-Castro undercover agents are operating in the Miami area against anti-Castro Cuban exiles, a government witness told a U.S. District Court jury trying Rolando Otero Wednesday.

Antonio Gonzales, a government witness granted immunity for his appearance, told the jury he fears for the safety of his family because of his testimony.

Answering questions from defense attorney Tom Almon, Gonzalez said he was fearful that Castro agents would kill his family because of the part he and Otero played in a plot to assassinate Castro in Venezuela.

THE GOVERNMENT expects to conclude its case against Otero, accused of nine Miami area bombings, late today. Almon said he would be prepared to begin the defense case today.

Gonzalez testified that he was employed by the CIA to attempt to manipulate Venezuelan elections in 1965 and 1967. He also said that a man he identified as possibly a pro-Castro agent, Ricardo Morales, had worked for the CIA in the

## Congo.

He said Morales was responsible for breaking up the abortive Castro assassination plot. His testimony later was supported when the government called Ciro Orizondo, a roommate of Otero, who gave essentially the same information.

GONZALEZ SAID Morales is apparently an agent of the Venezuelan government charged with checking on Cubans entering that country, and a former Castro intelligence agent.

Morales is also the government informant who told the FBI that Otero was involved in the Miami area bombings for which he is being tried. However, his testimony will not be presented in court, because Morales will not return to this country from Venezuela, FBI agents said.

Gonzalez said that Morales approached him and Manuel Revuelta, another roommate of Otero, and told them that Otero was a bomber and that they could get in serious trouble because of him.

GONZALES said he and Otero were trained for the Bay of Pigs invasion and spent 18 months in prison after the invasion failed. Orizondo and Rivuelta also are veter-

ans of the 1961 invasion and served time in Cuban jails.

He testified that at least four people were involved in the assassination plot, which may have been directed from anti-Castro elements in the Miami area.

Under questioning by Almon, Gonzalez admitted that he, Revuelta and Orizondo were operating a bolita ring out of Otero's apartment, and that Otero often picked up the betting slips.

Another witness testified that Otero was a competent sound technician and handyman who kept parachutes and an M-16 rifle in his apartment, and once rebuilt a room for his mother.

Revuelta told the jury that he had known Otero for about a year and a half. He said he first met Otero in Key West when the defendant repaired a sound system in his bar. He said he later moved into Otero's apartment in Miami with Otero and Orizondo.

Revuelta, who along with Orizondo has been granted immunity for testimony in the trial, testified that Otero kept several Army-type parachutes and an M-16 rifle in the bedroom he used in the apartment.

"He's a jumper," said Revuelta. "I heard that he went to jump in the Dominican Republic with the Army during exhibitions."

"DO YOU KNOW what happened the night of Dec. 3?" asked Assistant U.S. Attorney Michael Sullivan.

Revuelta said that he came into the apartment about 6:30 p.m., spoke briefly with Otero and believes the defendant left shortly afterwards.

"Did he come back?" asked Sullivan.

"That's something I don't know for sure," said Revuelta. "We were having a party, drinking wine, and having a good time. I don't know if he came back.

"Uh, I didn't remember him coming back at first, but some of my friends said, 'Don't you remember him sitting there watching the Channel 4 eyewitness news about 11:30 p.m.?'"

"So I guess he came back. But I don't know."

Sullivan asked Revuelta what happened on the morning of Dec. 4.

"I don't know. I got up about 2 p.m. after that party. I don't know anything."

"Did you take anything out of the apartment?" asked Sullivan.

"Ciro did. Before we talked to the FBI. He came in and said, 'We've got to take everything out of the apartment.'"

"I SAID, 'There's someone watching the apartment,' and I don't want to get involved."

"But I held the bags while Ciro put things in."

Revuelta said that Orizondo put papers, files, a couple of tape recorders, a typewriter, and the M-16 rifle in some garbage bags. He said he did not know what happened to the bags.

Revuelta said Otero told him he was going to South America for a few days in January and expected to be back on Jan. 15 but did not return then.

Otero, who was under investigation in the bombings, left the country in early January but was apparently aware that he was under suspicion. Testimony in the trial has shown that he called back and asked for the items to be removed from his apartment before the FBI arrived.

Early Wednesday, an FBI fingerprint specialist, Al Lowe, testified that he found fingerprints and palm prints belonging to Otero on four of five "military communique" which police, FBI agents and news people found in various phone booths on Dec. 4 and 5.

DUPLICATE

# U.S. rests case in

By MILT SOSIN  
Special to The Miami News

JACKSONVILLE — The government rested its case in the bombing trial of Rolando Otero after presenting a mass of evidence — mostly circumstantial — to bolster its case.

Otero's court-appointed attorney, Thomas Almon, begins Monday to present the defense, which should take less than two days. The prosecution took four days.

Otero is accused in a 16-count indictment of seven bombings of public buildings in Dade last October and December, one attempted bombing, and eight counts of illegal possession of explosive devices. He faces a maximum sentence of 160 years in prison and \$160,000 in fines.

The trial was moved to Jacksonville on a defense plea that Otero could not obtain a fair trial in Miami because of prejudicial publicity.

Testimony of two prosecution witnesses in the final hours of the government's case yesterday brought sharp attacks by Almon on cross-examination.

Assistant U.S. Attorneys Pat Sullivan and Jerome Sanford introduced as evidence a hollowed-out, hard-cover copy of former President Richard M. Nixon's book "Six Crises," which an FBI agent testified had been found in a bookcase in Otero's bedroom in the Fontainebleau Park apartment complex in West Dade.

A recess about two inches deep had been cut in the pages.

Newton Porter, of the Metro Bomb Squad, testified

DUPLICATE

# Otero bomb trial

that the exhibit was what is known as a "book bomb." He explained that an explosive device usually is inserted in the space formed by the cut-out pages and is set off by a trigger, such as a mouse trap, when the cover is open.

Cross-examining, Almon asked, "Was there any explosive device in this book when it was found?"

"No," replied the witness. Almon then asked, "Isn't it possible that a hole that size could be used to hide a tape recorder?" Porter answered, "Yes."

Sullivan then put FBI Agent Robert Scherrer on the stand to recount what had happened aboard a Braniff Airlines jet on which Otero was returned from Chile last May 20.

Scherrer testified that shortly after the flight left Santiago, Otero, who was handcuffed, managed to unfasten his safety belt and stood up.

"He kicked me and attempted to butt me with his head," Scherrer testified. "We went down on the floor of the plane in a mix-up and he bit me on the hand."

Scherrer said he was scheduled to go on sick leave today for surgery to his knuckle suffered in the biting incident.

While Scherrer was testifying, the 33-year-old Otero whispered agitatedly to Almon at the counsel table.

The defense lawyer later asked Scherrer, "Isn't it a fact that Mr. Otero lost two front teeth in this encounter?"

"Yes, that's so," conceded Scherrer.

"How did that happen?" asked Almon.

"Well," said the FBI agent, "when I withdrew my knuckles the teeth must have come out with them."

# FBI, Merchant Con

By **JOE CRANKSHAW**  
Herald Staff Writer

**JACKSONVILLE** — The FBI and a hardware store owner Thursday gave conflicting testimony on whether pipe used to make bombs for a series of Miami explosions last December might have come from the store.

Three FBI laboratory technicians from Washington and Detective Dan Benitez of the Dade County Public Safety Department told the jury at the trial of Rolando Otero that pipe used in three of the nine bombings came from the Ramar Hardware Store, 3255 NW Seventh Ave.

But the owner of the hardware store, Armando Sanchez, told the jury that he has known Otero for five or six years and that he has never sold him any pipe of the type described to him by FBI and Public Safety Department investigators.

The prosecution ended its case Thursday and the trial was recessed until Monday. The judge delayed a ruling on a defense motion for a directed verdict of acquittal.

**OTERO** IS charged with placing pipe bombs at Miami International Airport on Oct. 17, the Miami FBI office, Social Security office, State Employment office, two post offices and a bank branch on Dec. 3, and the state attorney's office in the Metro Justice Building

and the old Miami police station Dec. 4.

Sanchez also said it is impossible to cut and thread the lengths of pipe described to him by the FBI on his pipe-cutting and threading machine.

But Benitez told the jury that he had gone to the hardware store and purchased an 8 $\frac{3}{4}$ -inch length of one-inch pipe and had it threaded in the manner of a pipe bomb at the store.

The detective said he sent the pipe to the FBI laboratory in Washington, D.C., for comparison with a pipe taken from the pipe bomb at the Employment Service office and fragments of pipes from the other bomb sites.

"**NOTHING SPECIFICALLY** identifiable as a bomb component was found in the Otero apartment," testified Roger Amrol, an FBI laboratory specialist.

Amrol also testified that wires, batteries and connectors found in the apartment could have been used to make a bomb but that there was nothing to prove that was the purpose for which they were intended.

Amrol testified that marks on the pipe bombs used at the two post offices and the Barnett bank branch had markings similar to those on a pipe bomb found at the apartment of Elises Perez — Stable at the University of Miami.

Otero is not charged in the Perez-Stable bombing and Antonio Rafael de la Cova, who was recently con-

## flict on Bomb Pipe

victed in state and federal court on bombing charges, is charged with that bombing attempt.

**STUART CASE**, an FBI specialist from the laboratory, testified that the pipe sent him by Benitez and the pipes from the bombs bore the same marks on them. He said this meant that all of the pipe had been cut and threaded on the same machine, namely the one at the hardware store.

Another FBI laboratory specialist, William Mahoney, told the jury that he had examined fragments of the bomb parts and determined that they had once contained dynamite.

Mahoney said that chemical analysis of residues left on the bomb fragments showed that the dynamite had been used.

William Tobin, a physics and chemistry expert from the FBI lab, testified that he had examined the parts of the bombs sent to him and had determined through careful measurement and analysis of the parts that Westclox alarm clocks had been used to set off bombs.

**BUT THE** government was unable to present the testimony of another FBI lab expert, who dealt with improvised explosive devices, because prosecutors had

failed to provide defense attorney Tom Almon with a copy of the FBI laboratory report.

U.S. District Judge Norman C. Roettger recessed the trial and out of the presence of the jury delivered a stern warning to the prosecution.

"If this happens again," said Roettger, "I will declare a mistrial."

The incident concerning the lab expert's testimony was the ninth time during the six-day trial that the government had produced evidence that it had been holding for several months but which it had failed to provide for Almon to prepare his defense for Otero.

**SANFORD AND** Assistant U. S. Attorney Sullivan rested the government's case at 3:30 Thursday afternoon, and Almon said he would begin presenting the defense case Monday morning.

Sullivan presented Newton Porter, a Dade Public Safety Department bomb specialist, who testified that the book "Six Crises" by Richard M. Nixon, was found in Otero's apartment.

The book, displayed to the jury by Porter, was hollowed out in a rectangle. He said it could have been used for a book bomb such as was used by convicted bomber Humberto Lopez, but also said under cross-examination that it could have been intended for a small tape recorder.



# Otero to take witness stand; *Mia News (FH) 23 Aug 76 4A col 3.* judge denies acquittal motion

By MILT SOSIN  
Special to The Miami News

JACKSONVILLE — Rolando Otero takes the witness stand today in his bombing trial following a major defense setback when a federal judge denied motions for a directed verdict of acquittal on any of the 16 counts of his indictment.

The midnight decision by Otero's court-appointed attorney, Thomas Almon, to put the defendant on the stand came only after an agonizing two days of conferences between Almon and Otero in the Duval County Jail.

Appearance on the stand is fraught with risk for the 33-year-old Otero.

The defendant was certain to be submitted to a merciless cross-examination by the government prosecutors, Assistant U.S. Attorneys Pat Sullivan and Jerome Sanford.

In four days of testimony, the government put on 58 witnesses — some of them more than once — and introduced a mountain of physical evidence, including debris of exploded pipe bombs and components of one bomb that didn't go off.

Other evidence includes a fingerprint lifted from the door of a locker destroyed in a bombing at Miami International Airport Oct. 7 — a fingerprint which FBI experts testified was that of Otero.

He was linked also, FBI agents and laboratory technicians testified, with "El Condor" communiqués last December which threatened further bombings unless certain conditions were met and \$50 million was paid by the U.S. government to "minority groups."

Otero is charged with the bombing at the airport and six other Dade bombings Dec. 3 and 4, and one attempted bombing. He also is charged with eight counts of illegal possession of explosive devices.

If convicted by the jury of six men and six women, he faces maximum penalties of 160 years in prison and \$160,000 in fines. The trial was moved to Jacksonville by U.S. District Court Judge Norman Roettger Jr., on a defense plea that prejudicial publicity precluded a fair trial in Miami.

Part of that publicity concerned the manner in which Otero was returned to Miami from Chile May 20 after fleeing first to Santo Domin-

go and then to Santiago.

Otero is also expected to give his description of a battle he had with FBI agent Robert Scherrer aboard a Braniff jet en route to Miami.

Almon spent long hours at the Duval County Jail on both afternoons of the weekend and returned there again last night, going over Otero's anticipated testimony and preparing him for the cross-examination onslaught.

The government rested its case Thursday afternoon and the trial had been in recess since then until today.

DUPLICAT

# Otero denies bomb charges

col 5

By MILT SOSIN  
Special to The Miami News

JACKSONVILLE — The Rolando Otero bombing case goes to a federal jury of six men and six women today — the eighth day of the trial.

The government put on 60 witnesses — some of them two or three times — while court-appointed defense attorney Thomas Almon contented himself with six. Both sides rested yesterday.

The most important defense witness was Otero. Following direct examination by Almon for an hour yesterday, he was subjected to a rigorous cross-examination for 90 minutes by Assistant U.S. Attorney Pat Sullivan.

Otero steadfastly denied he was responsible — "directly or indirectly" — for the series of seven bombings and one attempted bombing in October and December of last year with which he is charged.

Sullivan at one point held up a hollowed-out hard cover copy of former President Richard M. Nix-

on's book "Six Crises," which the FBI had found in Otero's Fontainebleau Park apartment and which the government in testimony, had dubbed a "book bomb." Otero said that was not its purpose.

Challenged by Sullivan to explain what other purpose could be served by the cutout in the pasted together pages, Otero answered:

"To hide a gun and two magazines for it."

Pressed further by Sullivan to explain his answer, Otero, who had previously testified that he was one of the conspirators in a plot to assassinate Fidel Castro in Venezuela said, "I used it to carry a small pistol and two magazines (of ammunition) to Venezuela."

Asked how he intended to use the weapon, Otero replied, "My role was only to get the gun into Caracas and out again to Miami."

Asked to account for his movements the night of Dec. 3, 1975 when a series of explosions terrorized Dade, Otero said, "Well, I know there was a party that night and a lot of drinking and I think I may have gone out around 7:30 p.m. to collect some bets in a bolita numbers operation I was involved in at that time."

Although Otero was using an interpreter — at his own request, — his command of English was such that sometimes he answered the questions even before they were interpreted, and even, on occasion he corrected the translator when the latter used what Otero considered an incorrect word.

At another stage in the cross-examination, Otero was asked why he had requested a favor from Ricardo Morales, a man he said he didn't trust.

The defendant replied that when he was in Venezuela, before fleeing to Chile, he needed someone to find out the nature of the evidence against him in Miami.

"I didn't ask Morales to go; he volunteered," Otero testified. "When he came back to Caracas he told me that all my friends at Fontainebleau Park were in a panic and were afraid they would be arrested and charged in the bombings."

"Morales told me," Otero continued, "that one of the Fontainebleau group had called a CIA contact in Washington." The CIA man told him about a "safe house" where Otero's associate could find refuge.

When FBI agent Joseph Ball of the Miami office was put on the stand by the government as a rebuttal witness, he said as far as he knew, Morales was "an official of a foreign government."

Morales, a Cuban exile, has been described by government witnesses as an official employed by Venezuela with responsibility for screening Cubans entering Venezuela. The defense characterized him as an undercover informer for the FBI.

Sought by the government as a witness, Morales disappeared from Miami and is believed to be in Caracas.

Ball, on direct examination, testified that Morales was not an undercover informant for the FBI.

But when Almon asked him "Did the FBI pay Ricardo Morales any money?" Ball answered "Yes." Further cross-examination revealed that the FBI had paid Morales \$3,600 in 1975.

DUPLICATE

# Otero Testifies,

# Denies Bombings

Mia Her (F)

By JOE CRANKSHAW  
Herald Staff Writer

24 Aug 76 / B Col 1

JACKSONVILLE — Rolando Otero denied planting bombs at nine Dade County buildings and told a U. S. District Court jury Monday that he was busy picking up bolita slips at the time the government charges he was planting one of the bombs.

"I don't believe in putting bombs in the U.S.," Rolando Otero, 33, testified.

Denying any connection with any bombings in this country, Otero admitted that he participated in an abortive plot to kill Fidel Castro in Caracas, Venezuela, last year.

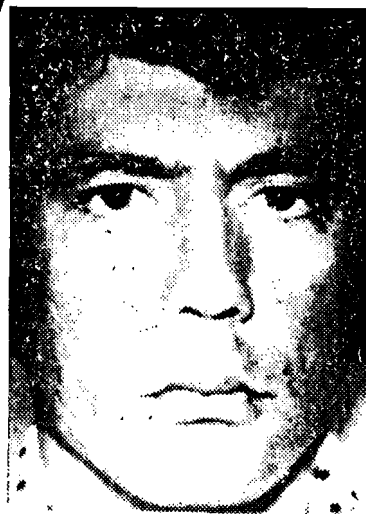
**OTERO SAID** the plot failed because Castro did not come to Venezuela and because an FBI informant working as a Venezuelan security official learned of it.

Otero took the stand in his own defense early Monday morning as defense attorney Tom Almon began unfolding a defense attacking what he feels are weak points in the government's case.

Otero testified under direct and cross examination for almost 3½ hours, after which two other witnesses were called who briefly supported his testimony about events on the aircraft from Chile.

The defense rested at 2:50 p.m., and government prosecutors prepared for rebuttal arguments.

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Rolando Otero admits Castro plot

DUPLICATE

# Otero Denies Bomb Charge,

Mia Her (F) 24 Aug 76 2B Col 1

# Admits Castro Death Plot

FROM PAGE 1B

**THE JURY** is expected to receive the case sometime late today, following final arguments by government and defense attorneys.

During the early morning, Almon asked U.S. District Judge Norman C. Roettger to dismiss charges against Otero in the bombing of the Dade state attorney's office and the Miami police department. And he asked that eight charges of unlawful possession against his client also be dismissed.

"No one has testified that they have ever seen my client with a bomb, ever found dynamite or black powder or anything that could be considered a component of a bomb either in his possession or in his apartment," said Almon.

But Assistant U.S. Attorneys Jerome Sanford and Michael Sullivan argued that the weight of the evidence tended to show that Otero had a motivation arising from his disagreement with U.S. foreign policy toward Cuba and the ability to make and deliver the bombs with which he is charged.

**JUDGE ROETTGER** denied the request to drop the charges but commented with the jury out of the room that the government's case appeared weak to him.

"The government can show that the explosions took place, they can show the components of the bomb, but they have not tied this man to them to my satisfaction," said Roettger.

Dressed in a khaki bush jacket with military-style epaulets, and matching slacks with zippered cowboy boots, Otero told the jury that he had fled from Cuba at the age of 16 at the Bay of Pigs.

Sometimes speaking through an interpreter and sometimes in English, Otero said he was part of a 200-man group trained as paratroopers and guerrilla war experts.

**ONE OF THE** persons who acted as an instructor, Otero said, was E. Howard Hunt, who pleaded guilty

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2B col 1

to second-degree conspiracy in connection with Watergate and is in prison at Eglin Air Force Base. Hunt trained Otero and his companions in conventional parachute and infantry tactics at a base in Guatemala, Otero testified.

"Seventy-two hours after we landed all was lost," Otero told the jury. Lack of air support doomed the invasion, he claimed.

"We did not know why the airplanes had failed to come," said Otero, who spent the next 20 months with his brigade members in Cuban prisons.

"The G-2 (Castro's intelligence) tried to brainwash us. Every day they told us we had been betrayed. But we did not believe them," Otero said.

Prisoners, he said, started a counterpropaganda program. "No prisoner stayed in Cuba," Otero said, emphasizing the success of the prisoners' efforts.

(ATTORNEY Ellis Rubin, representing Hunt, disputed Otero's testimony in a telephone interview with The Herald.

"Hunt does not know Otero," said Rubin in a statement he said Hunt authorized him to make. "Hunt never met Otero. He has never trained anyone in the use of explosives.

"Hunt's only connection with the Bay of Pigs operation was as the political liaison officer between the CIA and the Bay of Pigs invaders. He had nothing to do with any military operations or training.

"This is another misuse of Hunt's name by those who would take license because Hunt was involved in the Watergate situation.")

AFTER RETURNING to the United States, Otero engaged in several occupations, finally becoming a tire inspector for Laramie Tire Company and an active anti-Castro exile, Otero testified.

In 1975 Otero and three other men went to Venezuela, he testified. Their aim was to assassinate Castro, who was supposed to come to Caracas.

Otero said that he carried a small-caliber pistol with two extra clips of ammunition in the hol-

lowed-out center of a book, "Six Crises," by Richard M. Nixon.

Government prosecutors tried to tell the jury that the book, which was found by FBI agents in Otero's apartment in Miami, was a part of a planned book bomb, but Otero said he had never placed explosives in the book and had simply used it as a means to conceal the weapon.

THE VENEZUELAN security officer, Ricardo Morales, a former Castro G-2 agent, learned of the plot and later followed Otero to Miami, witnesses have testified. There, it has been testified, he told the FBI that Otero was responsible for the bombings of the Miami International Airport on Oct. 17, 1975, and the Dec. 3 and 4 bombings of the FBI building, Social Security Office, State Employment Service Office, the state attorney's office, the Miami Police Department, two Post Offices and a Barnett Bank branch.

Morales then told Otero that the FBI suspected him of being a bomber and urged him to flee the country, Otero said.

"I told him I had nothing to do with the bombings and I wasn't going to leave the country," Otero said. "Not like that anyway."

Otero had difficulty at times with the man doing the Spanish interpretation for the court.

ONCE OTERO told the interpreter to slow down and speak distinctly and later told him to repeat his words exactly and not to try to interpret what he meant.

Then Otero told the jury he did leave the country on Jan. 4, using his own passport and under his own name to go to the Dominican Republic to train Dominican Spe-

cial Forces members in freefall parachute techniques.

Otero along with other veterans of the brigade parachutists, is a member of the private parachute club, the "Golden Falcons."

Otero said that after the training period in the Dominican Republic, the Golden Falcons and the Dominicans gave an exhibit of parachute jumping.

WHILE IN the Dominican Republic, Otero was placed under arrest because he had been indicted for the Miami bombings. But he said he was released and went to Venezuela.

Venezuelan authorities, Otero testified, seized his passport and he went to Chile.

Otero gave no description of his activities in Chile, but said that Chilean authorities suddenly arrested him and threw him in jail.

Otero said he was then handcuffed, blindfolded, taken to the airport and turned over to FBI agents on board a commercial airliner flying to Miami.

"The man flashed his FBI badge across my eyes," testified Otero. "Then grabbed me, my hands were handcuffed behind my back, (he) began cursing me in Spanish and tried to make me sit down.

"THREE OTHER agents stood around and prevented the other passengers from seeing what happened."

Otero said the agent cursed him in Spanish and a scuffle ensued during which Otero kicked the agent, had two of his own front teeth knocked out and then bit the agent on the hand.

"It was the only defense I had," said Otero.

DUPLICATE

(1043)

**But He Faces More Charges**

# Otero Cleared In Bomb Case

Mia Her (F) 25 Aug 76 1A col 4

By **JOE CRANKSHAW**  
And **RON SYMPSON**  
Herald Staff Writers

JACKSONVILLE — A U.S. District Court jury Tuesday found Rolando Otero innocent of charges that he bombed nine Miami area buildings during the winter of 1975.

But just as an emotional Otero turned away after thanking the 12-member federal jury, he walked into the arms of a marshal who informed him that the state was arresting him on similar charges in the same incidents.

"OK, let's go," Otero said firmly, shaking hands with the marshal.

Officials in Miami said the state filed the new charges "to protect itself from a terrorist," and they said the charges do not constitute double jeopardy for Otero.

The federal court verdict leaves investigators at least technically without a solution to the rash of bombings that plagued post offices, banks and the Miami FBI office during those winter months.

Federal and state officials refused to say whether they will reopen their investigation, but implied that they will count on a conviction on the new state charges to officially place the blame for the bombings.

**THE FEDERAL JURY**, which sat through eight days of testimony from more than 60 witnesses, deliberated 4½ hours before returning the innocent verdict on all 16 charges contained in the June 20 Miami Federal grand jury indictment.

U.S. District Judge Norman C. Roettger called Otero before him after the verdict and ordered the \$200,000 federal bond on Otero discharged.

Delivery of the verdict was one of the most dramatic moments of the trial. Otero, dressed in a khaki bush jacket with military-style

heard throughout the courtroom. It became apparent that he was writing two words on each line. There would be a short series of scratches, a pause, a longer series of scratches.

Otero half rose in his seat watching the man. The foreman handed the paper back to the judge. He handed it to the clerk.

**THE CLERK ROSE** and read the

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epaulets and matching slacks with zippered cowboy boots, stood swaying nervously as the jury marched past him into the jury box.

**NONE OF THE** jurors looked at Otero.

"Have you reached a verdict?" asked Judge Roettger.

"We have," said the jury foreman, rising. He handed his verdict to the clerk who gave it to the judge, who handed it immediately back.

"Please fill in the verdict in all the blank spaces," said the judge. The jury had written the verdict only on the first of 17 lines.

The foreman took the paper and walked to the witness stand, searched his pockets for a pen and took one handed down by the judge. He began to write.

The scratch of his pen could be

# Federal Jury Acquits Otero; He Now Faces State Charges

Mia Her (F) 25 Aug 76 2A CP 3



Rolando Otero After Return to Miami in May ... he was arrested upon arrival at airport

### FROM PAGE 1A

verdict, emphasizing the words "not guilty" to each of the charges.

Otero had been charged with the Oct. 17, 1975 bombings of a locker at Miami International Airport, the Dec. 3 and 4 bombings of the Miami FBI office, two post offices, a Social Security Office, the State Employment Service office, a bank, the Dade State Attorney's Office and the old Miami Police Department building.

Assistant U.S. Attorneys Michael Sullivan and Jerome Sanford, who prosecuted the case, had told the jury during closing arguments that Otero was motivated by a desire to protest U.S. policies toward Cuba and was waging psychological warfare in Miami.

The prosecutors continued that Otero also was angered by the failure of U.S. air support at the Bay of Pigs and because three Dade police departments had turned down his applications for employment.

**DEFENSE ATTORNEY** Tom Almon told the jury that the government's case did not tie Otero to the bombings. Almon also said the government case actually was intended to thwart a plot of Cuban exiles, now U.S. citizens, to assassinate Fidel Castro.

"No one has come into this courtroom," Almon shouted in his closing argument, "and told you that they have seen Rolando Otero with a bomb or parts of a bomb. Nor has anyone told you that any bomb parts were ever found in his possession."

During the eight-day trial the government presented a parade of FBI agents and laboratory technicians, investigators and technicians from the Dade Public Safety De-

partment and Miami Police Department who explained the workings of pipe bombs, time bombs and the mysteries of metalurgy, chemistry and fingerprint identification to the jury.

**BUT THE STRONGEST** witnesses presented by the state were those who said they could identify Otero.

An Eastern Airlines reservation clerk, Katherine Simpson, identified Otero's voice from a tape as one she had heard shortly before 6 a.m. Oct. 17 warning her that a bomb had been placed in the Miami International Airport complex.

A State Attorney's Office secretary, Roberta Harris, identified Otero as the man she had seen in an elevator Dec. 4 who told her that a bomb would be planted in the office and another in the Miami Police Department. But Almon pointed out that Mrs. Harris originally had described the man as a non-Latin male.

**OTHER GOVERNMENT** witnesses told of finding a string of military communiques claiming credit for the bombings on which FBI laboratory technicians found Otero's fingerprints. An FBI laboratory technician and a Dade Public Safety Department fingerprint officer told the jury they had found Otero's thumbprint on the door of the bombed locker at the airport.

And finally, the government traced pipe used in some of the bombs to the Ramer Hardware Store in Northwest Miami.

**ALMON LAUNCHED** a vigorous

Mia Her (F)  
25 Aug 76  
2A col 3

defense, bringing out on cross examination that Otero and several other persons had been implicated in a plot to kill Fidel Castro in Venezuela.

And Almon elicited testimony which showed that the government was acting on information provided by Hector Morales, a Cuban exile who had worked for Castro's intelligence services and was now working as a Venezuela intelligence officer.

Morales, testimony soon showed, was also being paid as an FBI informant in the Miami area during the same period that the bomb plot was underway. FBI agents testified that Morales was not paid after August 1975, when he informed the bureau that Otero had allegedly placed all the bombs.

**SULLIVAN SAID** that Morales was out of the country and could not testify at the trial.

Almon told the jury he thought the government charges concerning the airport bombing on Oct. 17 were ridiculous because the government testimony showed that Otero asked someone to drive him to the airport.

Almon also produced Armahdo Sanchez, owner of the hardware

store, who testified that Otero had not been in the store in 1975 until after the Dec. 3rd and 4th bombings.

Government prosecutors, obviously stunned by the jury verdict, had no comments at the conclusion of the trial.

Otero did.

"Standing before the judge, speaking in broken English, Otero told Roettger: "I want to thank everyone. They have all been very lovely to me. Thank you. Thank you."

"I feel pretty good, very happy," said Otero, shaking hands with the marshals, attorneys, newsmen and clerks in the courtroom.

It was then that he turned around and was informed by the marshal of the new state charges. He was returned to Miami before midnight for arraignment this morning.

**IN MIAMI**, Assistant State Attorney George Yoss said the state will charge Otero with the same felonies charged by the federal authorities, "or more."

He said the new trial would not constitute double jeopardy "because he states have rights which are separate from the federal government's.

"It makes no difference if he goes to jail in federal prison (or in state prison). It's just that the state is trying to protect itself from a terrorist."

Assistant State Attorney Hank Adorno said the state decided to file the new charges because "we wanted to do something before he was allowed to flee the country and our jurisdiction."

**IN AN AFFADAVIT** presented to County Court Judge Henry L. Oppenborn just after 8 p.m. Tuesday, Metro detectives alleged that they had evidence to substantiate charges that:

- On Oct. 17, 1975, a bomb was found inside the locker at Miami International Airport, and that Otero's fingerprint was on the inside of the locker handle.

- Pipe bombs were found on Dec. 3, 1975 at the FBI office, 3801 Biscayne Blvd.; Riverside Branch of the U.S. Post Office at 228 W. Flagler St., the Tamiami branch of the U.S. Post Office at 6801 SW Eighth St.; the Barnett Bank, 7760 W. Flagler St.; the Social Security Office at 1408 NW 36th St.; and the Florida State Employment Service at 234 W. Flagler St.

- Bombs were discovered Dec. 4, 1975 at the State Attorney's office in the Metro Justice Building and at the Miami Police Department.

- Six communiques were discovered on Dec. 5, 1975 crediting the bombings "to an individual calling himself El Condor," and that all six bore Otero's fingerprints.

# Otero cleared,

By VERNE WILLIAMS  
And MILT SOSIN  
Miami News Reporters

col



Wednesday, August 25, 1976 (FH)

For about 30 seconds, Rolando Otero was a free man. But he is back in jail today facing state charges nearly identical to the ones he was acquitted of yesterday in federal court in Jacksonville.

The Dade State Attorney's office said today there is "basis" to bring Otero to trial on state charges of bombing several public buildings in Miami even though he was acquitted of the federal charges following an eight-day trial.

State Attorney Richard Gerstein said his assistants "feel very strongly there is basis to try Otero on state charges."

Assistant State Attorney Hank Adorno, who will team with another assistant, George Yoss, to prosecute Otero, said today he would confer with the U. S. Attorney's office on whether to proceed on all nine bombings at once or take them up singly.

Otero was arrested by three Metro detectives from the Organized Crime Bureau seconds after U. S. District Court Judge Norman Roettger Jr. discharged him from custody following the jury's acquittal of him on all 17 federal counts.

He was immediately flown back to Miami and taken to the Dade County Jail without bond to await a hearing scheduled for late today before County Court Judge Edmund Newbold.

Gerstein said double jeopardy was not involved in trying Otero in a state court.

"Both the state and federal governments can prosecute a defendant from crimes arising out of the same incident without it being double jeopardy. They are in-

dividual offenses. For example, you can prosecute a person for a post office robbery in both state and federal courts."

Gerstein noted also that the prosecutors he has assigned to the case, Adorno and Yoss, successfully prosecuted recently two other men charged in bombing cases, Blas Jesus Corbo and Antonio de la Cova, and got a guilty plea from a confederate, Gary Latham.

The arrest of Otero by the Metro detectives was based on a warrant signed by County Court Judge Henry Oppenborn. The actual criminal informations still have to be drafted by Adorno and Yoss.

Metro Detective D. Benitez said in an affidavit attached to the warrant that Otero committed the "crimes of possession of explosives, arson and discharge of a destructive device."

The affidavit recited the details of nine bombings between last Oct. 17 and Dec. 4, ranging from outside the Miami FBI office, newsstands, a bathroom in the state attorney's office and a hallway on the second floor of the Miami Police Department.

Benitez' affidavit added that communiques were found after the bombings signed by someone calling

## faces state charges

DUPLICATE

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3 5A

himself "El Condor," who claimed credit for them. He said Otero's fingerprints were on five copies of communiques recovered by police.

It was believed here that the Metro officers came to Jacksonville in anticipation that Otero would be acquitted on some or all the charges in the federal indictment.

Assistant U.S. Attorneys Pat Sullivan and Jerome Sanford would not comment on yesterday's verdict. Otero's court-appointed defense attorney, Thomas Almon, said, "Of course, my client and I are very happy at the result."

When asked if he had any idea what factors most swayed the jury in Otero's favor, Almon said, "There were just too many unanswered questions and I think the jury saw that."

Outside the courthouse, preparing to leave for his home in Fort Lauderdale, Roettger said he thought the strongest case made by the government probably involved the count charging Otero with blowing up a bank of lockers at Miami International Airport last Oct. 17.

The government introduced evidence that a thumb print which matched that of Otero was found on a

handle of a locker which had been blown apart by the blast.

There was also testimony from an associate of Otero's that he had driven the defendant to the airport the night before the bombing. The judge said the jury perhaps did not believe that a man who was going to stage an explosion at the airport would have someone drive him there the night before.

The judge said he was "very impressed" with the work done by the Miami FBI in finding a Miami hardware store which sold pipe bearing the same vise marks from a cutting tool as that found on the pipe used in some of the bombings. But, he added, there was no evidence presented that Otero had bought such pipe even though he had been a customer at the store some time previous to the explosions.

When the verdict was read, Otero impulsively threw his arms around Almon's shoulders and got up from his chair, apparently seeking to say something to the court or the jury.

Roettger, not unkindly, motioned him to sit down. The judge thanked the jury and discharged the panel.

As the jurors filed out, Otero stood in front of the counsel table and thanked each one.

After the door had closed behind the jurors, Otero was given his chance to speak. "I thank you," he told Roettger, "for giving me a fair trial." The judge responded, "I moved the trial to Jacksonville because you felt that you could not get a fair trial in Miami and I think you will agree you got a fair trial here."

As the judge left the bench, Otero turned once more to Almon and grasped his hand. At that moment, the Metro OCB men walked up and told him he was under arrest.



'I was tortured all night.'

— Rolando Otero

'Otero tried to kick the officer  
in the groin.'

— Jailer Jeffery Jewett

# Otero Hurt in Jailhouse Fight, *Mia Her (F) 26 AUG 76 13col* Charged With Causing Ruckus

By JOE CRANKSHAW  
And RON SYMPSON  
Herald Staff Writers

Back in Miami, just one day after he had been acquitted in Jacksonville of federal bomb-planting charges, Rolando Otero walked into a Dade County courtroom Wednesday afternoon — cut, bruised and facing 39 criminal charges by the state.

About an hour before he appeared at the 4 p.m. bond hearing conducted by Dade Magistrate Edmund Newbold, Otero had been taken to Jackson Memorial Hospital after a scuffle with guards at the Dade County Jail.

Otero, who told friends he had been "tortured all night," was treated for what hospital spokesmen said were superficial cuts and bruises on the head and shoulders.

JAILERS HAD a different story, however, claiming that Otero had to be physically restrained after refusing to submit to a nude body search early Wednesday morning.

Otero was cited by Metro officers for aggravated assault in the incident, but State Attorney Richard Gerstein ordered assistants Hank Adorno and George Yoss to conduct their own investigation before formal charges are filed.

The accused bomber arrived in Miami late Tuesday night. After a snack of Cuban sandwiches and Cokes with Metro Organized Crime Bureau officers, Otero was escorted to the Dade County Jail by Metro public information officers Ralph Page and Lon Lawrence. He was booked on the new state charges at 12:20 a.m. Wednesday.

Capt. Robert Hillman, operations supervisor for the Dade Corrections Department, said Otero was placed in the holding cell near the jail's lobby at first, where he underwent the initial prisoner processing. Otero napped off and on until about 5:30 a.m., when he was awakened by jail guards for the nude search.

HILLMAN SAID that Otero's complete processing was delayed by the booking of other jail inmates who were, unlike Otero, eligible for bond and release.

Officer Jeffrey Jewett said he took Otero into a shower stall next to jail's first-floor property room and asked him to strip.

Otero obligingly removed his brown leisure suit, shirt, socks and underwear. "I told him to face me and raise his arms and he did," Jewett said. "I told him to open his mouth, and he did. Then I asked him to bend over, and he raised back up, and said, 'I re-

fuse.'

"I said, 'Why?'" Jewett continued, "and he said, 'It's humiliating.' I explained that it (the body search) was necessary for the security of the jail and the safety of the officers.

"THEN I asked him, 'Do you have something to hide?'" Jewett said, recalling an experience about 10 days ago when he discovered three tubes of what appeared to be hashish on a prisoner. "He said, 'No, it's just humiliating.'"

Jewett said he called for the assistance of Sgt. Roy Albritton, "who went through the same thing I did. Sgt. Albritton said, 'It has to be done. We can do it the easy way, or we can do it the hard way.'

"I guess you'll have to do it the hard way," Jewett quoted Otero as replying.

Sgt. Albritton stepped into the shower stall, "and then I stepped in," Jewett said. "I was standing behind the sergeant, and then Otero tried to kick the officers in the groin."

JEWETT SAID he saw Otero holding a brown, platform-heel shoe in each hand, and then, "with a straight, off-the-shoulder shot,"

Turn to Page 3B Col. 1

# Otero Charged, Injured in Jail Fight

Mia Her (F) 26 AUG 76 3B Col 1

▶ FROM PAGE 1B

saw him strike Albritton in the face with one of the shoes.

"The sergeant and I handcuffed him, and then he started flailing his legs around," Jewett said, so the officers cuffed Otero's legs as well.

Jailers had Otero examined by a jail nurse, then took him to an upstairs, solitary-confinement cell, Capt. Hillman said, and left him there until 8:30 a.m., when he was brought back down for a disciplinary hearing before prison officials. Hillman said that Otero refused to participate in the hearing, which is attended by a three-member panel of jail staff workers who review all cases of alleged rules infractions by inmates.

Officials told Otero that he would have 48 hours to find an attorney before the disciplinary hearing was rescheduled, Hillman said, and Otero was allowed to place a telephone call. Otero called a 15-year friend who had served with him in the 1961 Bay of Pigs Invasion, Hector Serrano.

"HE SAID they tortured him all night," Serrano told The Herald, adding that Otero also asked him to contact attorney Thomas Almon, who had represented him in the federal trial in Jacksonville.

Otero, who had been scheduled to appear before Magistrate Newbold at 8 a.m. Wednesday, was taken to the hospital instead and did not arrive in court until 4 p.m.

At the hearing, Magistrate Newbold explained Otero's rights to him, and told him that he had been charged by the state with 39 criminal violations: three counts of attempted first degree murder, eight counts of arson, one count of attempted arson, and nine counts each of unlawful possession of explosives, possession of unregistered explosives, and discharging a dangerous destructive device.

"Your honor," protested Otero, clad in slacks and a blue, buttonless shirt, "I have just been acquitted of those same type of charges by a federal jury."

NEWBOLD, who was trying to determine if Otero had an attorney, replied patiently, "I know the defendant is trying to raise the question of double jeopardy. But these are state laws, not federal laws and no double jeopardy exists."

Otero finally told the judge that he had no attorney but wanted to be represented by his former attorney, Tom Almon.

"I can't do that," explained Newbold, naming Bob Rosenblatt of the State Public Defenders Office to represent Otero. He set a

preliminary hearing for 10 a.m., Sept. 7.

When Newbold asked about bond, Adorno pointed out that state law prohibits bond when bombs have been placed in such a fashion as to interfere with governmental processes. Adorno said the bombs at the Dade State Attorney's office and the Miami Police Department had such an affect.

"THE DEFENDANT is ordered held without bond," ordered Newbold.

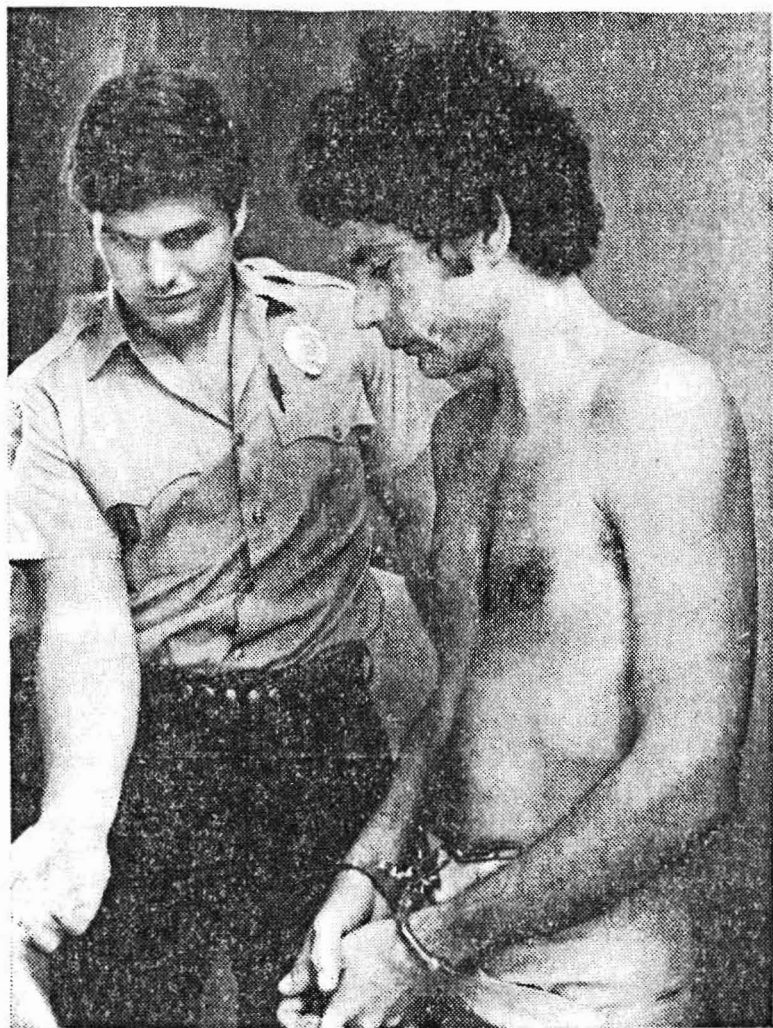
Rosenblatt then told the judge that Almon had said he would assist in Otero's defense, but could not do the entire job because he has a small practice which was suffering because of the time he was spending on the bombing case.

Nine officers provided security in the courtroom, keeping spectators and press halfway across the room from Otero. When Otero rose to leave, the officers surrounded him and marched hurriedly out.

Otero also told the judge that he was unable to sign papers in court and had to make only an X because his right hand was stiff and sore as a result of the fight in the jail.

The proceedings were watched with interest by several of Otero's friends, including Roberto Carballo, President of Brigade 2506, Bay of Pigs Veterans Association,

Mia Her(F)  
26 Aug 76 1B col 1



— ALBERT COYA / Miami Herald Staff

**Acquitted Rolando Otero After Fight**  
*... he told friends of all-night 'torture'*

# Otero charged in jailhouse fight

*Mia News (FH) 26 AUG 76 5A col 5*

By VERNE WILLIAMS  
Miami News Reporter

Rolando Otero today was charged with aggravated assault following a fight at the Dade County Jail yesterday.

Metro detectives said Otero struck Sgt. Roy Albritton with a platform shoe early yesterday after Albritton ordered him to submit to the search. Otero was told to strip in a shower stall and bend over for a body examination.

The Dade State Attorney's office is still investigating Otero's allegations that he was beaten without provocation in the jail. The assault charges were filed after an investigation by Metro detectives.

At a hearing before County Court Judge Jack Tanksley this morning, bond on the assault charges was set at \$3,500. But Otero is currently being held in the jail without bond pending the expected filing of a 39-count indictment later this week on charges ranging from discharging bombs to attempted murder.

Otero was acquitted of federal bombing charges in a Jacksonville federal court Monday but then immediately rearrested by Metro detectives.

He appeared before County Court Judge Edmund Newbold briefly yesterday shortly after being examined at Jackson Memorial Hospital for injuries Otero claimed were inflicted without provocation by Dade jail guards.

In the courtroom, Otero whose face was noticeably swollen — made no mention of the beating and walked without difficulty. Jail officials said Otero struck a guard and was then subdued.

Otero wore a blue shirt left unbuttoned and slacks without a belt. He demanded that Newbold appoint attorney Thomas Almon, his court-appointed federal counsel, to represent him in the state court.

"I'll name the public defender but I don't know about Mr. Almon," replied Newbold.

Dade Assistant Public Defender Robert Rosenblatt stepped to Otero's side and conferred with him. Rosenblatt told the court that he had already spoken to Almon, who won Otero's acquittal in the Jacksonville federal trial.

"Mr. Almon indicated he would cooperate but cannot take part on an active basis," Rosenblatt said.

Assistant State Attorney Hank Adorno told Newbold that one charge against Otero — placing a bomb in the State Attorney's office last Dec. 4 — is not a bondable offense because it involves a state-owned public building.

As Adorno asked the judge to hold Otero without bond, there was a loud catcall from an unidentified spectator in the courtroom.

Later, Adorno and Assistant State Attorney George Yoss, who will prosecute Otero, said they will file a direct information later this week charging Otero with three counts of attempted murder, nine counts of discharging a destructive device, nine counts of possessing explosives and nine counts of unlicensed possession of explosives.

The attempted murder counts relate to bombs placed in a wash-room of the State Attorney's office, a second-floor hallway of the old Miami police station and a locker at Miami International Airport.

*Mia News (FH)*

**An explosive  
SA 412  
situation is**

**defused fast  
27 AUG 76**

The man moved quietly down the corridor, looked both ways, and deposited the large brown box in the office of Assistant State Attorney George Yoss. Then he left.

Yoss is co-prosecutor of bombing suspect Rolando Otero, who is charged, among other things, with blowing up a bathroom on the same floor as Yoss' office last Dec. 3.

Betty Roettger, secretary to Yoss, pondered the mysterious box and the coincidence.

Then she summoned several other prosecutors from adjacent offices. "Would you go look at that box?" she pleaded.

No one would. Fortunately, just before it was decided to call the bomb squad, Assistant State Attorney Michael Voigt came by.

"Man in a business suit, wears glasses, came in carrying a box?" asked Voigt. "Sure. I saw him. He's an FBI agent."

Everyone relaxed. Yoss returned.

"I fearlessly tore open the box," Yoss said. "Guess what was in it? A pile of records."

# Jail Officials Confine Otero to a Single Cell

*Mia Herald (F) 31 AUG 76 3B Col!*

By **JOE CRANKSHAW**  
Herald Staff Writer

Rolando Otero, charged with bombing nine Miami area buildings in December 1975, is being held alone in a single cell in the Dade County Jail for his own protection, a jail spokesman said Monday.

"We don't know who might want to hurt him, and this is the best way," said the night supervisor.

Friends of Otero, including officials of Brigade 2506, the Cuban assault unit that landed at the Bay of Pigs, charged Monday that Otero was "being treated like an animal."

**HECTOR SERRANO**, an Otero roommate who testified for the government during the Jacksonville federal trial in which Otero was acquitted of charges similar to those he now faces in state court, said Otero had called him.

And Otero's mother, Mrs. Margot Otero, told friends that she had been unable to see her son since he was returned by Dade officers from Jacksonville.

But jail spokesmen said that Otero is not being kept naked in his cell, as some friends have said he claims, and that he is allowed to see his attorney, Bob Rosenblatt of

the state public defender's office.

Otero was allowed out of his cell Monday afternoon to confer with his attorney, jail guards said, and then was allowed to make several telephone calls.

**"HE WAS GIVEN** a new towel when he went back upstairs," said one.

Asked why Otero was being held in a single cell out of the general prison population, the supervisor said that it was for the prisoner's protection. "We don't know who might want to hurt him. This way no one can get at him."

Visits to Otero can be arranged by special arrangement with the day shift commander at the jail, according to the spokesmen.

Brigade officials have protested Otero's treatment to Gov. Reubin Askew.

Otero was involved in a fight when he returned from Jacksonville and sustained superficial cuts and bruises. He said the guards provoked the fight. They said he refused to cooperate during a body cavity search and resisted, those sparking the brawl.

Brigade officials also are considering asking the FBI to investigate to see if any of Otero's civil rights have been violated at the jail.

**- Don't try him again**

**Miami News (FH) 31 AUG 76 11A**

As a taxpayer, I am against my money being used for a second trial for Mr. Rolando Otero. He was found not guilty in federal court in Jacksonville of bombing charges against him. Federal law supercedes local law and not the other way around. He has every right according to the Constitution of the United States - Fifth Amendment - not to be put twice in jeopardy of life and limb.

How much more of our tax money will be wasted in this second trial just for the purpose of paying for the ego trips of some of our judicial officers or political propoganda in this election year?

**THERESA McCLURE, Miami**

\* \* \*

I read in today's newspaper about Mr. Rolando Otero being cleared and his fair trial and now they say here that he faces state charges. This, I think, goes against the Constitution. The Fifth Amendment says in the Bill of Rights, that no shall any person be subject for the same offense, to be twice put in jeopardy of life or limb; nor be deprived of life, liberty, or property, without due process of law.

I think that Mr. Otero got already his due process of law and his life and limb should not be put now in jeopardy for a whole trial because if the United States Constitution covers the whole United States, I think that Florida is part of the United States.

**MARIANO CRUZ, Miami**



# 39 charges filed *Nia News* against Otero *(FH) 31 AUG 76* *12 AC 1*

The State Attorney's office has filed 39 separate charges against Rolando Otero involving eight bombings and one attempted bombing last year. Assistant State Attorney George Yoss said the charges covered the same offenses for which Otero was tried and acquitted in federal court in Jacksonville. The charges filed yesterday included various counts of unlaw-

ful possession of explosives, attempted arson, attempte two clerk typists. These would be necessary to maintain for pu to discharge a destructive device, attempted murder, arson and unlawfully discharging a destructive device. Otero was arrested on the state charges after his acquittal in Jacksonville last week.

Mia, Her (F) 3Bcols 8 Sept 76  
**Otero's Bond Set at \$250,000**

Rolando Otero, charged with 39 state felony counts in the bombing of nine Miami-area buildings in December 1975, was ordered held under \$250,000 bond Tuesday by Dade Circuit Court Judge Lenore Nesbitt.

Otero has pleaded innocent to the charges. He was acquitted of similar charges by a Jacksonville federal court jury in August.

Otero did receive one bit of good news Tuesday. Officials said no charges will be filed against him as a result of an incident in the Dade County Jail August 24.

**AFTER BEING** returned to the jail ~~from~~ Jacksonville to stand trial

on the state charges, Otero said he was assaulted by members of the jail staff and "tortured all night."

Jail spokesmen said Otero resisted a routine body cavity search and had to be subdued. During the fracas, Otero sustained minor cuts and bruises.

Assistant State Attorney Hank Adorno said Tuesday that an independent investigation by the state attorney's staff showed that there is probable cause to believe Otero committed a "simple battery" on his jailors.

"But we don't think that there is any need for further action against him," said Adorno.

*Mia Her (F) 23 Sept 70*  
**Bomb Suspect**

**Asks Lower Bond**  
*col 1*

Rolando Otero, Bay of Pigs veteran charged with nine Miami area bombings, has asked for a reduction in his \$250,000 bond so that he might be released from jail prior to his Nov. 15 trial in Dade Circuit Court.

The motion for a reduction in bond was filed Wednesday by Assistant State Public Defender Bob Rosenblatt, who told the court that the high bond is equivalent to no bond for an indigent such as Otero.

# Informant Said Otero

By JOE CRANKSHAW  
Herald Staff Writer

A confidential informant told state officials that Rolando Otero, accused of nine Miami area bombings, took personal credit for those bombings, Dade circuit court documents revealed Tuesday.

And, for the first time, officials admitted that Otero had been subjected to various forms of electronic surveillance and that his telephone conversations had been recorded.

Otero was found innocent of the charges by a Jacksonville federal court jury following an eight-day trial in August during



OTERO

which neither the statement nor the electronic surveillance were mentioned.

Otero faces 39 felony charges in state court which arise from the nine bombing incidents he is alleged to have committed Oct. 17 and Dec. 3 and 4, 1975.

**DURING THE** Jacksonville trial, federal spokesmen said that a confidential informant, identified as Ricardo Morales, was a source of information for the investigation.

But the statement was never introduced into evidence because federal prosecutors, Assistant U.S. Attorneys Michael P. Sullivan and Jerome Sanford, could not locate Morales.

The information about the informant's potential testimony was disclosed in papers filed by Assistant State Attorneys

## Took Credit for Bombs

George Yoss and Hank Adorno, who responded to a request for the information from Assistant State Public Defender Bob Rosenblatt.

According to the documents, Otero "made oral statements to a confidential informant in which he took credit for the bombing at Miami International Airport and the bombings Dec. 3 and 4."

FBI Agent Robert G. Ross had said during the federal trial in Jacksonville that he received word of Otero's involvement in the bombing from Morales, who had also been a key witness against Dr. Orlando Bosch.

**BOSCH, CURRENTLY** a fugitive, has been identified as a leader of anti-Castro activities. Bosch was convicted of a violation of the federal firearms act in 1974

but broke probation and fled the country. He is wanted for questioning in connection with terrorist activities, including the murder of Jose Elias de la Torriente.

Morales was employed as a security officer for the Venezuelan government and Ross said he was out of the country. Various persons in Miami, however, reported that they had seen Morales in Little Havana while the Otero trial was underway in Jacksonville.

Witnesses for Otero also alleged that Morales had also served as a member of Castro's G-2 intelligence service working against anti-Castro Cubans in the U.S.

Otero was specifically charged with placing a bomb in a locker at Miami International Airport on October 17, 1975, and of placing pipebombs at the Miami FBI office, Social Security office, Florida State

Employment Service office and two post offices on the night of Dec. 3, 1975.

On Dec. 4, authorities charge, Otero placed bombs at the Dade state attorney's office and the old Miami police station.

**SANFORD SAID** Tuesday that the announcement that wiretaps and electronic surveillance material secured on Otero was available was "new to me."

Sanford said that he had not been aware of any such evidence collected during the joint investigation between the FBI and the Dade Public Safety Department's Organized Crime Bureau.

Otero is currently being held in a single-man cell "for his own protection", according to jail spokesmen. He was involved in a struggle with jail personnel after he was placed in the facility following his victory in the Jacksonville court.

Mia News (FN) 18 Oct 76 1A col 4

# Strange Otero trial unfolds a 2nd time

By **BILL DOUTHAT**  
Miami News Reporter

Rolando Otero sits in Cell No. 4A2 in the Dade County Jail, reading newspapers brought to him by his girlfriend, taking Valium tranquilizers and pondering his dual legal status: He is an acquitted bomber. He is an accused bomber.

"He never asks for anything special," said his girlfriend, Katie Seoane, who visits Otero at least twice a week.

Otero's friends and his attorney say Otero is asking a lot of questions about why he is in jail.

"He feels he is going to be tried, again and again and again, until he is convicted," said his attorney, Assistant Public Defender Robert Rosenblatt. "He says, 'Maybe if the state doesn't get me, the city will.'"

The case against the 33-year-old Cuban exile and Bay of Pigs veteran is an uncommon one. On Aug. 24, after an eight-day trial in Jacksonville, Otero was acquitted of federal charges that he was responsible for the bombings or attempted bombings of nine public buildings in Miami last year. Thirty seconds after the not-guilty verdict was announced he was taken into custody by the State of Florida and charged with the same acts, this time under state statutes.

Dade State Attorney Richard Gerstein steadfastly claims there is no double jeopardy. In addition to protection against forced self-incrimination, the Fifth Amendment to the U.S. Constitution provides that persons cannot be subject to prosecution twice for the same offense.

"It grows out of the same sequence of events but they are not

the same offenses," Gerstein said.

Countered attorney Rosenblatt: "The wording of the offenses is different, yes. But practically speaking, when you get rid of the legalese they are the same offenses."

Neither Gerstein nor Rosenblatt said he could recall a previous case involving a defendant who was acquitted in federal court and tried again on state charges referring to the same criminal act. "This is a unique criminal act," Gerstein said, referring to the bombings, "so the circumstances are unique."

Rosenblatt is expected to make an issue of the double jeopardy aspect as many of Otero's friends and the Spanish-language press have already done.

There are other issues in the case which have stirred community reaction. After his transfer to the

2 of 2

Mia News (FH) 18 Oct 76 11A Col 1  
**Strange trial of Otero unfolds second time**

Continued from Page 1A

Dade County Jail from Jacksonville. Otero got into a fight with jail guards over a "body cavity" search for contraband conducted at 5:30 in the morning.

Otero was injured, but an investigation by the state attorney's office found that the force used by the guards was "necessary, reasonable and justified" because Otero provoked the attack by hitting a guard with his shoe.

Miami Mayor Maurice Ferre called the body-cavity search inhumane and degrading, and sent letters of complaint to prosecutors, jailers and the Metro Commission.

"I am not an advocate one way or another for Rolando Otero," Ferre said. "My concern is that even if he is guilty he is still a human being and ought to be treated as a human being."

Ferre said he spoke out after he had received "a lot of calls and requests" from citizens. "I felt obligated to speak out to cool passions. It was one of the most volatile situations I had seen."

Also at issue is the \$250,000 bond set for Otero's release. Rosenblatt has unsuccessfully sought a lower bond, arguing that his client has no criminal record and the FBI has seized his passport.

Trial is scheduled for Nov. 15 in Circuit Court and much of the testimony is expected to be a re-run of the Jacksonville trial. "I can't see for the life of me how anything will be any different in the second trial," Rosenblatt said.

"Everything we have (as evidence) the federal government had," said Assistant State Attorney George Yoss, who along with Assistant State Attorney Hank Adorno will prosecute the case. Added Gerstein: "We feel with the evidence we have it will justify a conviction."



**ROLANDO OTERO**

Sources close to the case said the only new evidence could be the testimony of Ricardo Morales, a former paid informant for the FBI, who told the federal agency that Otero had boasted of the bombings he is charged with. Morales, who is believed to have been working in Venezuela as a security agent, was not available for the Jacksonville trial.

Adorno said the state will seek to have Morales testify, but added, "We can't force him." Morales' statements to the FBI about the boasts will not be introduced in the trial unless Morales is present, Adorno said.

Otero's friends condemn the trial as political and say Otero is being made a scapegoat for the largely unsolved wave of terrorist-like bombings and murders in Miami.

"It's more political than anything else," said Roberto Carballo, the 34-year-old president of Brigada 2506, the Bay of Pigs veterans' association of which Otero was a member. "But you know what re-

ally makes me angry," he said, pounding his desk. "The cost of this trial. We, as taxpayers, have already paid for the trial in Jacksonville and now we have to pay for this one."

"We are against the bombings, against terrorism, but if a man is declared innocent that should be that."

Ciro Orizondo, Otero's friend and former roommate, portrayed Otero as a deeply committed anti-Communist who once cried at the sound of the U.S. national anthem and considered the FBI to be the most anti-Communist agency in the American government. The bombing of the Miami FBI headquarters last Dec. 3 is one of the charges against Otero.

Orizondo said he once thought Otero was responsible for the bombings because "we believed what the FBI was telling us. An agent told me, 'Listen, Ciro. We got the proof that he was the bomber.' But I saw for my own eyes at the trial in Jacksonville that they did not have the proof. If I thought Rolando was the bomber I would want to convict him myself. But now, if they convict him, without proof, I will suffer the greatest disillusement in my life since Castro."

Katie, Otero's girlfriend, sits quietly in her apartment listening to the elaborate stereo system that Otero, a sound technician, parachutist and anti-Castro commando, built. In the 18 months they had known each other, she said Otero rarely discussed politics and his anti-Castro activities. She said she did not know until the trial that he and others plotted to assassinate Fidel Castro in Venezuela during a trip Castro had planned there in 1973.

His clothes and possessions are in her apartment, for Otero has no home. She says Otero is not bitter, but is confused as he sits in the fourth-floor jail cell awaiting trial five weeks away.

"But Rolando is a very patient man," she said.

# Otero espera

Mia News (FH) 6C  
19 Oct 76 coll

Segunda parte de un artículo sobre el caso de Rolando Otero

**POR BILL DOUTHAT**  
Redactor del Miami News

pero se siente confundido sentado en su celda, esperando el juicio que será dentro de cinco semanas. "Pero Rolando es un hombre muy paciente", dice.

Version al español por NORMA NIURKA

Después de haber sido declarado inocente en el juicio de Jacksonville, Rolando Otero encara un nuevo juicio por cargos similares, esta vez acusado por el estado.

El ayudante del Procurador del estado, Frank Adorno, quien tiene a su cargo, junto con George Yoss, la acusación en el juicio, dijo que el estado tratará de lograr que Morales testifique, pero añadió que "no pueden obligarlo". Según Adorno las declaraciones de Morales no pueden citarse en el juicio si éste no se encuentra presente.

DUPLICATE

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Los amigos de Otero califican el juicio de "político" y dicen que éste ha sido el chivo expiatorio de la enorme ola de actos terroristas y asesinatos sin resolver en Miami.

"Es más político que otra cosa", dice Roberto Carballo, de 34 años, presidente de la "Brigada 2506", Asociación de veteranos de Bahía de Cochinos, de la que Otero es miembro. "Pero lo que me pone furioso es el costo de este juicio", dice, golpeando su escritorio. "Los contribuyentes hemos pagado ya por el juicio en Jacksonville y ahora tenemos que pagar por éste".

"Estamos en contra de las bombas y del terrorismo, pero si un hombre es declarado inocente, así debe ser", dice.

Ciro Orizondo, amigo y ex compañero de vivienda de Otero, lo describió como un anticomunista comprometido que una vez llorara al escuchar el himno nacional de los Estados Unidos, y quien consideraba al "FBI" como la agencia más anticomunista del gobierno estadounidense. Uno de los cargos contra Otero es la explosión de una bomba en las oficinas del "FBI" en Miami, el pasado 3 de diciembre.

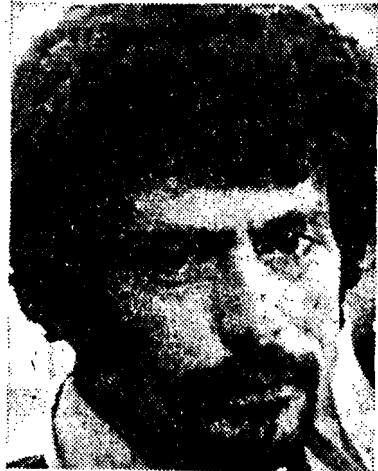
Orizondo dijo que en una ocasión creyó que Otero era el responsable de este acto porque: "Creímos lo que nos decía el 'FBI'. Un agente me dijo: 'Fíjate, Ciro. Tenemos pruebas de que él fue el que puso la bomba'. Pero en el juicio de Jacksonville, ví con mis propios ojos que ellos no tenían la prueba. Si Rolando fuera culpable me gustaría condenarlo yo mismo. Pero ahora, si ellos lo condenan sin pruebas, sufriré la mayor desilusión de mi vida, después de la de Castro".

Katie, la novia de Otero, se sienta tranquilamente en su apartamento, escuchando el sistema estereofónico que construyó Otero, técnico, paracaidista y comandante anticastro.

Ella dice que durante los 18 meses en que se conocieron, pocas veces Otero habló de política o de sus actividades anticastristas; y que antes del juicio ella no sabía de su participación en un complot para llevar a cabo el asesinato de Fidel Castro, durante un viaje que éste proyectaba a Venezuela, en 1973.

Como Otero no tiene casa, sus pertenencias están en casa de ella. Katie dice que Otero no está resentido,





ROLANDO OTERO

# Otero lawyer claims 'joint<sup>HA</sup> prosecution<sup>cl 3</sup>' *Mia News (FH) 9 NOV 76*

Attorneys for Rolando Otero are attempting to prove that state and federal prosecutors collaborated to seek a conviction of the terror-bomb suspect.

"This was a joint investigation and a joint prosecution," said Assistant Public Defender William Clay, arguing for a motion to dismiss the charges against Otero. "We had just one huge prosecutorial entity moving against Mr. Otero."

Clay and Assistant Public Defender Robert Rosenblatt argued for dismissal based on the double jeopardy provision of the U.S. Constitution. The Fifth Amendment says a person cannot be subjected to prosecution for the same offense twice.

On Aug. 24, Otero, 33, was acquitted in federal court of charges that he placed bombs at nine public buildings in Miami last year. He was arrested immediately after the trial and charged with violation of state statutes in connection with the bombings. The Dade State Attorney's office contends double jeopardy doesn't apply.

In arguments yesterday before Circuit Court Judge Lenore Nesbitt, state prosecutors Hank Adorno and George Yoss denied they collaborated with federal prosecutors in seeking a conviction of Otero.

Judge Nesbitt is expected to finish hearing arguments and rule on the dismissal motion later this week. Otero's trial is scheduled to begin Monday.

Otero, thin and pale, appeared at the hearing carrying a Spanish-language Reader's Digest. He has been in custody since his arrest May.

Judge Nesbitt refused a defense request to allow Otero to take tranquilizers while in jail. She said she approved medication for one defendant who later returned to court and began throwing furniture around.

# Bomb Trial Mia Her (A) 2BCPH Moved to 11 NOV 76 Pensacola

By **GLORIA MARINA**  
And **JOE CRANKSHAW**  
Herald Staff Writers

Rolando Otero cannot get a fair trial in Miami on 39 state charges related to nine alleged bombings last year. Dade Circuit Judge Lenore Nesbitt ruled Wednesday, ordering that his trial be moved to Pensacola.

Prosecutors and public defenders speculated that the trial will probably take place during the first two weeks of January 1977.

Judge Nesbitt denied a motion by Assistant Public Defender Bill Clay that the charges be dropped because Otero has already been acquitted of similar accusations by a Jacksonville federal court.

**JUDGE NESBITT** said a person can be tried in both state and federal courts for offenses which violate both state and federal laws.

Assistant State Public Defender Robert Rosenblatt, arguing that the trial should be held somewhere outside of South Florida, presented 190 news articles, 85 affidavits by prominent area attorneys, and film clips and scripts of many area TV news reports.

Rosenblatt said that the tenor of the articles was to indirectly incriminate his client — Otero — or to associate him with persons who have been convicted of committing bombings in the Miami area.

Other articles show the thinking of the community in regard to bombings, Rosenblatt said.

**THE AFFIDAVITS** produced by the public defenders showed that a sizeable segment of the community's legal profession believes that Otero could not receive a fair and impartial trial.

Assistant State Attorney Kurt Marmar responded that the test of whether or not Otero would receive a fair trial lay in the ability of the court to select a jury panel.

Judge Nesbitt disagreed. She said there had been two bombing attempts in the Metro Justice Building in the one year she has served on the bench. "If such an incident should occur during this trial, no instruction of mine could overcome the prejudice to the defendant."

Judge Nesbitt's ruling on the question of similar state and federal charges was based on a U.S. Supreme Court decision handed down in an Illinois bank robbery case last year.

**THE BANK** robber, Alfonse Bartkus, was tried for bank robbery and acquitted in federal court in much the same fashion as Otero was charged with bombings and acquitted. He was later convicted on state charges in the same robbery.

The U. S. Supreme Court held that the federal government must make and enforce laws aimed at protecting its citizens and their interests, and that state courts must do the same at their level.

**THE STATE** charges against Otero include nine for unlawful possession of explosives, nine for possession of unlicensed explosives, one for attempting to discharge a destructive device, one for attempted arson, three counts of attempted first degree murder, eight charges of arson in the first or second degree, and eight charges of unlawfully discharging destructive devices.

# Otero's trial

Miami News (FH) 3A col 11 Nov 76

## heading north

By **BILL DOUTHAT**  
Miami News Reporter

A statement by Miami Mayor Maurice Ferre and another case involving a bank robber figured heavily in two major developments in the case against accused terror bomber Rolando Otero.

Because of voluminous pre-trial publicity, including the statement by Mayor Ferre, Circuit Court Judge Lenore Nesbitt ordered the trial of Otero moved to "the farthest point" from Miami.

Judge Nesbitt also denied a defense motion for dismissal of the case against Otero. The motion, argued for more than an hour by Dade Assistant Public Defender Bill Clay, contended that since Otero was acquitted by a federal court for the same criminal actions, he should not be placed in double jeopardy by being tried in state courts.

In a letter to a county official that the defense said was distributed to the press, Mayor Ferre referred to Otero as "a known bomber and fugitive." He later apologized to Otero for the statement.

The 39-count indictment alleging that the 33-year-old Cuban exile was responsible for the bombing or attempted bombing of nine public buildings in Miami last year had been scheduled to be tried in Miami, beginning Monday. But Judge Nesbitt yesterday granted the change of venue.

She ordered the trial to be held in the First Judicial Circuit of Florida, which covers Escambia, Santa Rosa, Okaloosa and Walton counties. Presumably the trial will be held in Pensacola. A date for the trial will be set by judicial authorities there.

"It's going to cost us a whole lot more to transport witnesses," said

Dade Assistant State Attorney Hank Adorno. Aside from the team of prosecutors and public defenders, an estimated 80 witnesses will be called to the trial.

The relocation of the trial is likely to cost taxpayers a minimum of \$25,000 in transportation, food and lodging for the witnesses and attorneys.

Otero was acquitted Aug. 24 after an eight-day trial in U.S. District Court in Jacksonville. The trial also was moved out of Miami.

Judge Nesbitt denied the motion to dismiss the state case against Otero—citing a 5-to-4 decision made by the U.S. Supreme Court in 1958. The case related to an Illinois bank robber who was acquitted in federal court of robbing a bank but was subsequently convicted in state court for the same act.

Judge Nesbitt also said Clay failed to make a sufficient claim that federal prosecutors improperly collaborated with state prosecutors in seeking a conviction of Otero.

Clay argued that the only differences between the federal and state prosecutions was the wording on the pleading document. "I suggest this has been a joint effort since the word 'go.'"

The 1958 decision, he said, is out of date and is a "slipping and sliding mechanism" that is applied when it fits the interests of government prosecutors.

But Judge Nesbitt, citing the doctrine of "dual sovereignty" of the federal government and the states, said in her ruling that a criminal act committed "against both can be punished by both."

Otero, bushy-haired and lean from nearly five months in jail, sat silently throughout the three-hour hearing and showed no emotion as the rulings were announced.

*cop/*  
 Operated in Chile, sources say

# Otero called Venezuelan spy

By LOUIS SALOME  
 Miami News Reporter

Accused Miami bomber Rolando Otero was spying in Chile early this year for a high-ranking Venezuelan intelligence officer who had informed the FBI about Otero's alleged terrorist activities here, according to reliable sources.



OTERO

Otero was working for Ricardo Morales and had carried his espionage activities to the point of establishing strong contacts with the Chilean secret police when his role was uncovered and he was arrested, several sources said.

Otero's role in Chile during February, March and April was to be "the eyes and ears for Venezuelan intelligence," one source said.

In late April, Chilean agents arrested Otero, and almost a month later FBI agents brought him back to Miami to stand trial on nine bombing charges.

Otero was acquitted of those charges in a federal trial in Jacksonville. He now faces, however, a state trial in Pensacola on those same charges.

In late December, 1975, just a few weeks before he went to Chile, Otero allegedly told Morales

in Miami that he was "El Condor," and had placed nine bombs in Miami a year ago. That is the story Morales, who had been a paid informant, told the FBI.

Morales was expected to testify against Otero at the federal trial, but he did not and details about the complex working relationship between the two men never were revealed.

Not long after he allegedly told Morales about his role in the Miami bombings, Otero went to the Dominican Republic.

He left the Dominican Republic

in late January and turned up next in Venezuela where he was housed and supported by Morales.

During his stay in Venezuela Otero reportedly was recruited by Morales for the mission to Chile that was to follow.

Otero met Morales in Miami through a mutual friend — Jose (Pepe) Gonzalez-Castro.

Gonzalez-Castro had been a friend of Morales since they worked together with the CIA in the Congo during the 1960s. He also was a roommate of Otero in 1974 and 1975.

On several occasions Morales came to Miami to visit Gonzalez-Castro and that is when he met Otero.

Gonzalez-Castro left Miami in September, 1975, and went to Venezuela where he apparently hooked up with Morales again.

DUPLICATE

# Otero's attorneys ask judge to move trial from Pensacola

*Mia News (FN) 9A Col 1 8 Dec 76*

By **BILL DOUTHAT**  
Miami News Reporter

Rolando Otero's state trial should be shifted from Pensacola to a larger city because the courtrooms are too small and there is not adequate hotel space in the city to house witnesses, defense attorneys for the accused bomber say.

The judge in the case is expected to rule next week on the motion to move the trial.

"The facilities are just terrible," said Bob Rosenblatt, Dade County assistant public defender and co-counsel for Otero. "It's totally inadequate for a trial of this magnitude."

The trial was moved from Miami to the First Judicial District last

month. Pensacola, population 50,000, is the largest city in the district. Dade Circuit Court Judge Lenore Nesbitt ordered the trial to Pensacola after hearing a defense motion which contended that Otero could not get a fair trial in Miami because of pre-trial publicity.

Otero, 33, a Bay of Pigs veteran who has lived in Miami since the Castro revolution, is accused of the bombings or attempted bombings of nine public buildings in Miami last year.

The Pensacola trial is scheduled for Jan. 10 before Judge Clyde Wells of Defuniak Springs.

Judge Wells wanted to hold the trial in Defuniak Springs, a town of 5,000 about 80 miles west of

Pensacola. But Wells said both prosecutors and public defenders thought the town was too isolated from travel routes. Some 80 witnesses are expected at the trial.

Wells, 44, a 1963 graduate of the University of Florida Law School, has been a Circuit Court judge for four years and previously practiced law in Defuniak Springs. He served three years as an assistant state attorney in the county.

Attorney Rosenblatt said he and Assistant Public Defender Bill Clay filed a motion Monday asking that the trial be moved from the district. Rosenblatt said Pensacola only has three courtrooms and does not have the judicial manpower and security personnel necessary for the trial.

Gov. Reubin Askew has granted permission for two Dade County assistant state attorneys, George Yoss and Hank Adorno, to prosecute the case in Pensacola, outside of their Dade jurisdiction.

Otero, who is being held in Dade County Jail without bond, was acquitted in August of federal charges involving the same series of bombings.

# Agent agrees to testify at second Otero trial

DUPLICATE

Mia News (PH) col B 10 Dec 76

By BILL DOUTHAT SA  
Miami News Reporter

Ricardo Morales, a high-ranking intelligence officer for the Venezuelan government, has agreed to testify in the trial next month of Rolando Otero, accused as the "El Condor" terrorist bomber.

Morales has asserted that Otero boasted that he was responsible for the pipe bomb explosions at several public buildings in Miami last year.

The testimony of Morales, the No. 2 man in the Venezuelan intelligence agency, is expected to weigh heavily against Otero.

In August, Morales' absence weakened the federal government's case against Otero in Jacksonville. In that trial, Otero was found not guilty.

The disclosure that Morales would testify in the state trial came in a recent statement given to Otero's attorneys by Raul Diaz, a member of the anti-terrorist unit of Metro's Organized Crime Bureau. Diaz and two Dade assistant state attorneys traveled to Caracas Oct. 21 to talk to Morales.

"Morales was asked if he would come and testify for the state ... and he advised that he would if a formal request was made," Diaz said in a deposition taken Nov. 16.

Hank Adorno and George Yoss, the assistant state attorneys who visited Morales in Caracas, declined to confirm Morales' agreement to appear or say whether a formal request is being made for Morales to appear at the trial.

Despite his checkered past as an espionage agent, CIA-paid commando and FBI informant, Morales would be the strongest witness against Otero. As in the federal trial, the known evidence against Otero is circumstantial.

Otero is charged with the bombings or attempted bombings of nine public buildings in Miami in October and last December. Bombs exploded at a locker at Miami In-

ternational Airport, FBI headquarters, the Miami police station, the Dade State Attorney's Office and several post offices. Communiqués signed "El Condor" were sent to radio stations and newspapers after the bombings.

The state's Otero trial is set for Jan. 10 in Pensacola, shifted there because of the heavy publicity given to the case here.

Diaz in his deposition said he has known Morales for several years and often saw him socially. He characterized Morales as an unpaid informant of long-standing for the Metro Organized Crime Bureau.

Last Dec. 26, 22 days after the bombings of the FBI building, state attorney's office and Miami police station, Diaz said he approached Morales and arranged a meeting with FBI special agent Joe Dawson. At that meeting, Diaz said, Dawson told Morales that Otero was a suspect because his fingerprints were found "on paper," presumably the El Condor communiqués.

A month later, Morales told Diaz that Otero told him he was a member of a group called "JIN" and that JIN was responsible for the bombings.

Earlier this year Morales apparently became estranged from his FBI contacts and began making derogatory statements about the FBI. At the June 14 birthday party for Morales, according to the Diaz deposition, Morales said an FBI agent had told him in December to advise Otero to skip the country. The FBI reportedly investigated the allegation and later labeled it false.

The Diaz deposition also refers to an early morning phone call Morales made to Diaz in October. Mo-

rales, calling from Caracas, said he wanted to make a statement to Jose Cabrera-Riesgo of Spanish-language station WQBA. Diaz said he arranged a conference call and remained on the line. In the statement, according to Diaz, Morales said the second trial of Otero was unjust since he had been acquitted in federal court for the same offenses.

The statement was recorded but never used on WQBA, and Otero's attorneys have unsuccessfully sought a transcript from the radio station. Cabrera refused comment on the conversation with Morales.

## Otero trial shifted again by circuit judge

PENSACOLA — A circuit judge has ordered the bombing trial of Rolando Otero moved for a second time — this time from Pensacola to Fort Walton Beach. Escambia County Circuit Judge M.C. Blanchard ordered the change of venue after Otero's lawyers complained that Pensacola's old courthouse could not provide an adequate trial site.

Otero's trial, scheduled for

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Jan. 10, was moved from Dade County to the Panhandle area because of heavy media coverage. He is charged with 39 felony counts in connection with nine Miami-area bombings in 1975.

HA cop /

Mia News (FH) 15 Dec 76

Col 6  
1B**Otero Trial****Moved Again**

Mia Her (F) 15 Dec 76

The trial of Rolando Otero, charged with 39 felony counts in connection with nine Miami area bombings in the winter of

**OTERO**

1975, has been moved to a modernistic courtroom in Fort Walton Beach after his attorney's complained that he could not get a fair trial in Pensacola's older court-

house. "We are very happy with the courthouse in Fort Walton Beach," said attorney Bill Clay. "The courtrooms are like theaters-in-the-round. It's strange that we should come this far from Miami to find the ultramodern courtroom. This is not your typical case, and these are not your typical courtrooms." Otero was found innocent of federal charges arising out of the same bombing incidents in a trial in Jacksonville last September. He was immediately arrested on the state charges and has been held in the Dade County Jail since that time.



# Otero near blast, informant says

*Mia News (FN) 21 Dec 76 / A Col 4.*

By JOHN KATZENBACH

Miami News Reporter

A confidential informant has told Metro investigators that he saw bombing suspect Rolando Otero near a bathroom in the Dade County State Attorney's Office only 30 minutes before a bomb exploded there on Dec. 4, 1975, a court deposition reveals.

A 150-page transcript of two lengthy sessions on Dec. 8 and 9 among defense attorney William Clay, Assistant State Attorney George Yoss and Metro Organized Crime Bureau Detective Daniel Benitez was filed last week with the county clerk's office.

The informant's story, if it holds

up, could represent new evidence against the 33-year-old suspect, who faces trial on nine bombing charges in state court next month.

In the transcript, the detective described meeting the informant on the day after the explosion. He told the detective he had overheard several men discussing politics and bombs in Little Havana's Rancho Luna bar-restaurant. One of them was a pockmarked Latin man, who argued loudly.

A few weeks later, the informant said, he twice saw the same man carrying a package on the sixth floor of the Metro Justice

**Continued on Page 6, Col. 6**

# Otero at blast scene, informant tells police

Mia News (Ft) 21 Dec 76 6ACol

Continued From 1-A

Building. It was only 30 minutes before the noon explosion.

Subsequently, the detective said in the deposition, the informant identified Otero's photo as that of the pockmarked man. The informant also later recognized Otero at a chance meeting in the Dade County Jail.

In August, Otero was acquitted of setting nine bombs in the Miami area after a long trial in federal court. The case presented against Otero was largely circumstantial, but the informant's story puts the suspect close to a bombing scene at a critical moment, and could be crucial at his new trial, set to begin Jan. 10 in Fort Walton Beach.

It is not known why the informant's story did not surface at the first trial.

Otero's court-appointed attorneys have fought unsuccessfully to have the 39-count state indictment of their client dismissed on the grounds of double jeopardy. State

prosecutors have argued that they will present different evidence at his second trial.

If the informant does testify against Otero — and prosecutors refuse to confirm or deny that he will — his story would appear to corroborate the testimony of a secretary who said she heard a man in a Justice Building elevator joke about the bomb shortly before it went off.

Although the secretary, Bobbie Harris, later identified the man in the elevator as Otero, her testimony was viewed as suspect because she previously had told police the man was "Anglo-Saxon."

The state's case against Otero may also be strengthened if Venezuelan intelligence officer Ricardo Morales, to whom Otero allegedly boasted of setting the bombs, testifies. The absence of Morales — who has told prosecutors he is now willing to take the stand — at the federal court trial weakened the government's case.

The deposition also reveals that the informant — who previously had worked with federal customs officials — is serving time for an unspecified crime and requested detectives to ask the prosecutors to have his sentence reduced in return for his testimony. No such action was agreed to in the statements made in the deposition.

The deposition also reveals that Metro detectives have talked with a second informant who says he overheard several people in a Hialeah meat market discussing the LaGuardia International Airport blast — several hours before the explosion took place.

One of those people, he alleged to detectives, was Otero.

The blast at LaGuardia on Dec. 29, 1975, claimed 11 lives and remains unsolved. New York police have been to Miami to talk with the informant, sources said.

But the court papers reveal Otero was under police surveillance — in Miami — when the LaGuardia bomb went off.

Otero is charged with bombings on Oct. 17, 1975, at the Miami International Airport and the Dec. 3 and 4, 1975, explosions at the state attorney's office, the Miami FBI office, two post offices, a Social Security office, a bank and the old Miami police headquarter.

# Papers Show

# More Bomb

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# Suspects

By **JOE CRANKSHAW**  
Herald Staff Writer

At least two other persons may have been involved in the December 1975 wave of bombings in Miami for which Rolando Otero is to stand trial in Fort Walton Beach Jan. 10, according to court records.

Despite the documents, police are not looking for additional suspects and have given no reason why they are not.

The two, as yet unidentified, persons include a male voice on a telephone telling people where to find military communiques concerning eight bombings, and a mystery woman driving a car. Yet a fourth person could be an FBI informant.

Evidence of a second and third person can be found in depositions, discovery documents and sworn statements which show:

- Two voice experts testifying that someone other than Otero made telephone calls to news media, identifying himself as "El Condor" and directing newsmen to "military communiques" taking responsibility for the bombings.

- An informant's testimony that he saw Otero, Ricardo Morales and two unidentified men in a Little Havana restaurant, discussing bombings, and later saw Otero outside a washroom at the state attorney's office minutes before a bomb exploded inside.

- Testimony from a woman that Otero may have been riding in a gray Volkswagen, driven by a woman, near one of the bomb targets Dec. 3.

None of the information reported in depositions in the state's case against Otero was presented during his trial on federal bombing charges in Jacksonville. Otero was found not guilty of the federal charges.

Police say they have not found hard evidence to establish the identities of the other persons.

Court documents also reveal that Otero was once briefly suspected of being involved in the LaGuardia Airport bombings, but that suspicion dissolved when the informant providing it failed a lie detector test on the subject.

**OTERO FACES** charges of arson, attempted arson, unlawful possession of explosives, attempted first-degree murder and discharging a destructive device in connection with the bombings of the FBI office, Social Security office, Florida State Employment Service office, two post offices, a bank, the old Miami Police Department and the Dade County state attorney's office

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# Records Show Possible Suspects

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on Dec. 3 and 4, as well as the bombing of a locker at Miami International Airport Oct. 17.

Miami area newspapers, wire services, radio stations and television stations received telephone calls Dec. 4 and 5, directing them to various public telephone booths where they would find "military communiques" about the bombings.

One of the messages to Libertad newspaper, founded by Rolando Masferrer, who was killed in a bombing, made a tape of the telephone message and gave it to FBI and police investigators for their use.

**FBI OFFICIALS** have testified that they do not know of any effort to have a voice analysis, using the same words and phrases as the Libertad message, made and compared with Otero's voice.

But Assistant State Attorneys Hank Adorno and George Yoss did order voice graphs made of the Libertad tape and compared with Otero's voice.

Earl Richardson, a fingerprint and voice print expert for the Metro Public Safety Department, did the local comparison of the tapes, and, in a deposition filed this week, reported that someone other than Otero made the call.

Richardson then sent the tapes to a voiceprint expert in the Michigan State Police Department, but

did not tell him about his conclusions.

Lt. Lonnie L. Smrkovski of the Michigan State Police sent investigators a report in which he stated, "After aurally and visually comparing the known and questioned voices, it is the opinion of the undersigned that, with the given samples, there is no evidence to indicate that Rolando Otero Hernandez made the call."

**LT. SMRKOVSKI** suggested that additional test tapes be made, with Otero repeating the message as given him by another person.

Other depositions by Metro detective Danny Benitez reveal that investigators have been talking to an informant who has testified that he saw Otero and three other men in a Little Havana restaurant, discussing bombings.

The informant, identified by other sources as Max Gonzales — now serving a prison sentence on bad check charges, and who is a former associate of Frank Sturgis — said he later saw Otero in the sixth-floor hallway of the Metro Justice Building minutes before a bomb exploded in a washroom outside the state attorney's office.

Gonzales also said that one of the men in the restaurant was Ricardo Morales, expected to be a key witness against Otero. Morales is a Cuban exile, now employed by the Venezuelan secret police, who has provided information to the FBI.

**MORALES WAS** a key witness

against Orlando Bosch during a Miami federal trial in which Bosch was charged with shelling a freighter in the harbor. Morales also helped arrest Bosch in Venezuela this year for an alleged part in the bombing of a Cubana Airline plane in which 73 persons died.

Gonzales said Otero, Morales and the two other men were discussing bombings and how much dynamite or plastic explosives would be needed.

But Gonzales' testimony to the police differs slightly from a notarized statement he gave to The Miami Herald last October. In that he stated that he saw the conversation take place in the Rodeo Restaurant and Lounge, but his deposition and interviews with police have placed the talk in the Rancho Luna Restaurant.

Yoss and Adorno have said that they do not expect to call Gonzalez as a witness in the case.

**INVESTIGATORS** also say that a woman working in an insurance office opposite the Barnett Bank branch on West Flagler Street told them that a woman was driving a car in which a man resembling Otero was riding.

The insurance agency worker got a closer look at Otero because he came into her office to ask the time. She said he had a large object under his jacket at the time.

A bomb exploded at the bank shortly after the meeting.

Police have said that they have investigated reports that Otero's roommates and associates, Ciro Orizondo, Manuel Reveulta and Waldo Castroverde, may have actively participated in the bombings.