

# Bosch's fate to be decided in Miami

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Top-ranking immigration officials in Washington and Dallas decided Friday to let the Miami office decide the fate of anti-Castro activist Orlando Bosch, a move hailed by his lawyers and supporters, who say Bosch will get a fairer hearing here.

"It's unquestionably a friendlier battlefield," said Bosch's attorney, Hank Adorno. Local immigration district director Perry Rivkind "is going to be more sensitive to and cognizant of the community feelings about Dr. Bosch," Adorno said.

After a year of studying the Bosch case, Stephen Martin, the southern regional commissioner for the U.S.



Bosch

A decision on the fate of Orlando Bosch will be made within a few weeks by immigration district director Perry Rivkind. The options:

- Free him to seek political asylum.
- Deport him to a country other than Cuba.
- Leave him in prison as a danger to society.



Rivkind

Immigration and Naturalization Service in Dallas, made a key ruling Friday: He decided that confidential evidence about Bosch's alleged terrorist activities — including a 700-page FBI report and documents

from the CIA and State Department — was insufficient to block Bosch from having a hearing on his right to seek political asylum here. Martin sent the case to the Miami INS office for a hearing.

Late Friday, INS Commissioner Alan Nelson in Washington upheld Martin's ruling with no changes.

Either Martin or Nelson could have ruled that the confidential material was so damning that Bosch

should be excluded from this country, or remain in prison. Exclusion is a process similar to deportation, but with fewer appeal rights.

Bosch "has gotten over the biggest hurdle, the unbridled discretion of the INS to have excluded him without a hearing," Adorno said.

Rivkind said Friday that he expects to make a decision within a few weeks after receiving the case paper work. Rivkind said that Bosch, 62, will have to remain in prison during the time he makes the decision: He will not grant a temporary parole or house-arrest arrange-

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ment sought by Bosch's family.

Rivkind has three options:

- Free Bosch to seek political asylum.
- Deport Bosch to a country other than Cuba.
- Leave him in prison as a danger to society.

"I will make this decision like I make all my decisions, without fear or favor," Rivkind said.

Although he declined Friday to discuss the merits of Bosch's case,

Rivkind spoke about it in an interview last month with The Miami Herald:

"It's a complex case, it's not an easy one," Rivkind said at the time. "The main charges brought against him were not for actions against the United States. The whole issue is, is

he of an age, and is there such a thing as forgiveness?"

Friday's INS ruling came after a year of community action in favor of Bosch, including telegram campaigns, petition drives and letters of support from U.S. Sens. Bob Graham and Connie Mack and a powerhouse coalition of Florida politicians.

Adorno and Bosch's wife Adriana credited state Sen. Ileana Ros-Lehtinen, R-Miami, with spearheading the community campaign. At a press conference Friday, Adriana Bosch presented Ros-Lehtinen with an oil painting of the rural Cuban countryside done by Bosch this year while in prison.

Bosch has been imprisoned at the Metropolitan Correctional Center in Southwest Dade since Feb. 16, 1988, when he arrived in Miami. He had spent 11 years in prison in Ven-

ezuela awaiting trial on charges that he masterminded the bombing of a Cuban jetliner in 1976. Seventy-three people died in that explosion.

Bosch was acquitted in three different trials in Venezuela.

After his return to the United States, the INS tentatively ruled in May 1988 that Bosch should be excluded from the country. In one of the few documents made public, INS lawyers cited a classified FBI report:

"Classified source materials reveal that [Bosch was] a coordinator and member of multiple terrorist organizations.

"These organizations through his leadership and association have been responsible for numerous terrorist operations, including bombing attacks against Cuban territory; set-

ting off a bomb in front of the Panamanian Embassy in Caracas, Venezuela; blowing up the Viasa [Venezuelan airline] office in Puerto Rico; setting off a bomb at the Mexican Embassy in Buenos Aires, Argentina; and planning the murder of two Cuban diplomats in Argentina who subsequently were kidnapped and have disappeared."

In a statement made to U.S. consular officials in Caracas, Bosch admitted that during the 1970s he was the leader of one anti-Castro terrorist group, CORU, the Coordination of United Revolutionary Organizations.

"I was not responsible for or involved in any activities, violent or otherwise, that resulted in any bombings in the United States. In fact, I affirmatively discouraged CC RU and other groups from performing any such acts in the United States," Bosch wrote in an INS deposition.

"It was a fight against Castro, I was a violent time. It was a violation of law from everybody, including the CIA," Bosch said in the deposition. "The CIA was training us to make: commando attack. They stopped. We keep doing. Nothing was clear at all, it was a confusion inside and outside the island."