

Bosch quest for release goes to D.C. Attorney general to review case

BOSCH / from 1A

year-old pediatrician, who has spent 16 of the past 21 years in U.S. and Venezuelan prisons. Bosch spent 11 years in a Venezuelan prison, accused of masterminding the bombing of a Cuban jetliner in 1976, which killed all 73 aboard. He was acquitted three times. From 1968 to 1972, he was imprisoned for firing a recoilless rifle shell at a Polish freighter docked at the port of Miami.

Bosch, who flew to Miami on Feb. 16, 1988 after his release in Venezuela, was immediately arrested by U.S. marshals. After serving a three-month sentence for violating his U.S. parole, he has been held for a year while immigration officials consider his fate.

Bosch's lawyers said they had hoped their client would get a speedy release in Miami. In Washington, policy-makers are weighing information in confidential FBI reports that link Bosch to terrorist activities.

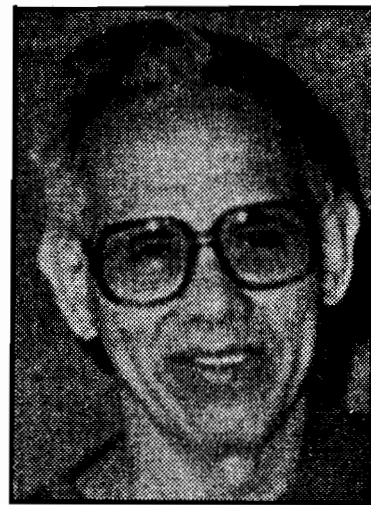
Justice Department officials said little Thursday to explain the transfer.

"We are reviewing the proceedings that have gone on so far," said spokesman Dan Eramian. "We're doing this review because of the considerable public interest in the case, and because of Mr. Bosch's background."

Just last week, the Bosch case, which had been under study for a

CHRONOLOGY OF THE BOSCH CASE

- **FEB. 16, 1988:** Orlando Bosch returns to Miami after 11 years in Venezuelan prisons and is arrested by U.S. Marshals at the airport.
- **MAY 16, 1988:** Bosch completes a three-month sentence for a 1974 federal parole violation and is detained by the U.S. Immigration and Naturalization Service.
- **MAY 17, 1988:** INS announces it is beginning deportation proceedings against Bosch and denies him parole.
- **JUNE 1, 1988:** U.S. District Judge William Hoeverler refuses Bosch's request for temporary release, saying Bosch has not met his "heavy burden" to prove he is not a security risk.
- **MAY 19, 1989:** After a year of studying the case, INS Southern Regional Commissioner Stephen Martin decides that Bosch can have a hearing on his right to seek political asylum, and sends the case to the Miami INS office.
- **MAY 24, 1989:** Joe D. Whitley, acting associate Attorney General, instructs INS Commissioner Alan Nelson to recall the Bosch case from INS District Director Perry Rivkind and turn it over to the Attorney General's office.
- **MAY 25, 1989:** The case is transferred to U.S. Attorney General Richard Thornburgh, the nation's top law enforcement and immigration officer.



Orlando Bosch: Has spent 16 of the past 21 years in prisons.

year by the Immigration and Naturalization Services southern regional commissioner in Dallas, was transferred to the Miami INS district. Rivkind promised a ruling within a month.

Although Rivkind declined to comment on the case last week, he said in an April interview:

"It's a complex case, it's not an easy one. 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?"

On Wednesday, Joe D. Whitley, acting associate attorney general, sent a terse, two-sentence memo to INS Commissioner Alan Nelson ordering the case sent to Washington by noon Thursday, "for review and decision."

The memo followed a meeting Wednesday between Nelson and Cary Copeland, deputy associate attorney general.

"It seems INS is handling this as a great big ping pong, and playing with someone's life as if this is some kind of game," said State Sen. Ileana Ros-Lehtinen, R-Miami, who

has mobilized Cuban community leaders, state and federal politicians and religious leaders to support Bosch. "We're quite distressed and upset over this decision."

Ros-Lehtinen said Copeland previously expressed concern about Bosch's alleged terrorist acts, which he said were described in confidential reports from the FBI, CIA and the State Department.

"He seemed to be under the erroneous impression that Orlando Bosch is still involved in terrorist activities, which is totally incorrect," Ros-Lehtinen said.

Thursday afternoon, Justice spokesman Eramian said the attorney general might still return the case to Rivkind after reviewing it. "We are reviewing the proceedings that have gone on so far. The decision may be to say that everything is OK so far, or it may require further review," he said.

Rivkind was not in Florida Thursday and told aides to direct all calls about Bosch to the Justice Department.

In a hastily called press conference Thursday afternoon, Bosch at-

torney Raoul Cantero said the transfer of the case to Washington "defies logic." He expressed a faint hope that the Justice Department, eager for a resolution on the case, would order Bosch released immediately.

"If they wrested jurisdiction from Mr. Rivkind to make a speedy decision, then we're ecstatic," Cantero said.

But the initial consensus among Bosch's family and supporters was that the transfer would mean a longer wait for Bosch. Until the case transfer, Cantero said, a decision on Bosch's case appeared imminent.

"It took Dr. Bosch a year and a half to get to third base," Cantero said. "When he was about to run home, they sent him back to first base."

"At first it struck me as bad news," said Adriana Bosch, Bosch's wife. "But now, I don't know what to think. To take the case so abruptly from Rivkind's hands — it surprised everyone."

Herald staff writer R. A. Zaldivar contributed to this report.