

# Bosch rejects house-arrest deal

## Militant won't keep visitor log

By MIKE McQUEEN  
And CARLOS HARRISON  
Herald Staff Writers

The Justice Department offered to meet Orlando Bosch halfway Tuesday and modify the lone sticking point standing in the way of his release on house arrest, his attorneys said.

Bosch said no — and spent his 574th night at the Metropolitan Correctional Center in South Dade.

The Justice Department on Monday offered a surprise — and strict — 14-point agreement permitting

the 63-year-old anti-Castro militant's release from the federal prison, but restricting his movement and associations in South Florida.

Bosch, jailed at MCC since February 1988, has told his lawyers that he will accept all the conditions but one: A requirement that he keep a log of visitors to his home or of those whom he visits.

"From Dr. Bosch's perspective, there is no compromise," said Hank Adorno, one of Bosch's attorneys. "He's thrown down the gauntlet on that issue."

Publicly, so too has the Justice Department. "Mr. Bosch's attorneys have not accepted our conditions, therefore he will remain in jail," said Dan Eramian, a Justice spokesman in Washington D.C.

Privately, Justice Department officials talked by telephone twice late Tuesday afternoon with Bosch's lawyers and made a counteroffer that kept the disputed visitor log on the list of conditions, delivered to Bosch Monday night.

"They basically suggested there would be a gentleman's agreement to withdraw that condition in 60 days," said Raoul Cantero, a Bosch



**Bosch**

## Bosch rejects compromise on keeping log of visitors

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lawyer who informed Bosch Tuesday night of the government's latest offer.

The attorneys rejected it, but still double-checked with Bosch Tuesday evening. The government wanted to make sure the visitor's log was the only sticking point — and that Bosch would not bring up others if agreement can be reached on the logs.

Bosch repeated that he would accept all the conditions except the visitor's log. He said "he wouldn't accept that for 24 hours," much less 60 days, Cantero said.

Eramian, contacted Tuesday night, refused to even acknowledge that the government made a counteroffer.

Cantero said he expected a call from the Justice Department today to continue the talks.

The government said it wanted to release Bosch from MCC "for humanitarian reasons," but only on what it called temporary immigration parole.

Deportation still remains a possibility:

The FBI considers Bosch an unrepentant terrorist with ties to anti-Castro groups responsible for 50 politically connected bombings. Bosch's ties to the organizations were contained in secret government reports, portions of which were contained in a 1988 ruling by a federal judge that upheld the government's decision to deport Bosch.

The Justice Department has tried for two years to deport Bosch, but said 31 countries refused to allow Bosch to reside in their nation. The Justice Department said it still intends to continue its search for a country willing to accept Bosch.

Bosch's family and supporters say Bosch has already spent a total of 17 years in prison — including 11 in Venezuela, where two courts acquitted him in the 1976 bombing of a Cuban jetliner — and that Bosch poses no risk to national security.

Bosch fled Miami in 1974, after serving four years of a federal prison sentence for his role in an unsuccessful attack on a Polish freighter docked in the Port of Miami. When he returned to the United States in 1988, he was immediately arrested for parole violation.

The conditions the Justice Department has set for Bosch's release are among the tightest restrictions experts have ever seen for a prisoner released on parole.

The conditions include wearing an electronic monitoring device, remaining at home for 21 hours a day, and getting the permission of Immigration and Naturalization District Director Richard Smith before leaving Dade County or changing his address.

"I don't know what else they can do to the guy other than follow him around all the time. The restrictions are very tight," said Dale Sechrest, an assistant professor of criminal justice at Florida International University who has studied house-arrest conditions.

But Sechrest said all of the conditions appeared reasonable, except two: Keeping a visitor's log and agreeing to have his telephone calls constantly monitored.

A Justice Department official in Washington said Tuesday that "we believe we've been more than reasonable" in imposing conditions for Bosch's release.

House arrest measures, like the ones contemplated for Bosch, are generally used for prisoners with just a short time left on their sentences and for those not considered a danger to flee, Sechrest said.

Former Miami INS Director Perry Rivkind, now a deputy federal railroad administrator in Washington, read about the conditions Tuesday and was baffled by some of the logic.

"If they feel he is a danger then they shouldn't parole him," Rivkind said. He said the condition that Bosch submit to a lie-detector test was "rather sophomoric" since such tests aren't reliable.

If Bosch is released, the U.S. Probation Office is the likely agency that will administer key parts of his house arrest, such as the electronic monitoring device he must wear at home.

The device consists of two parts: A VCR-sized machine placed near the parolee's telephone and a waterproof ankle bracelet that cannot be removed without alerting probation officers.

Carlos Juenke, chief probation officer for South Florida, said the device allows a probation officer to call the parolee at home. The ankle bracelet acts like a radio receiver that picks up the signal as long as the person is within 100 feet of the telephone.

Herald staff writers Sandra Dibble and David Hancock contributed to this report.

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