

IN THE CRIMINAL COURT OF RECORD
IN AND FOR DADE COUNTY, FLORIDA

No. 70-8883-38 *B*

STATE OF FLORIDA, :
 :
 Plaintiff, :
 :
 -vs- :
 :
 HECTOR LLANO, :
 :
 Defendant. :
 :
:

- FILED -
JAN 24 1972
J. F. McCracken
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DEPOSITION OF BERNARDO PEREZ

The oral examination of Bernardo Perez, taken pursuant to Notice of Taking Deposition on behalf of the Defendant, before Bruce Hartman, a Notary Public in and for the State of Florida at Large, on Friday, the 7th day of January, 1972, at 4:20 o'clock p.m., at the Office of the Public Defender, 1351 Northwest 12th Street, Miami, Dade County, Florida.

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Thereupon

BERNARDO PEREZ

was called as a witness by the Defendant and, after having been first duly sworn, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. MORGAN:

Q Please state your name.

A Bernardo M. Perez, P-e-r-e-z.

Q And your official occupation, sir?

A **Special Agent, FBI.**

Q How long have you been so employed?

A Eight and a half years.

Q Where are you presently assigned to?

A To Headquarters Domestic Intelligence
Division.

Q Where is that located, sir?

A Washington, D. C.

Q How long have you been assigned there,
sir?

A Approximately one year.

Q Where were you before that, sir?

A Miami, Florida.

Q How long were you there?

A Approximately three years.

Q Starting in when, sir?

A Approximately 1968-- '67.

Q Have you ever had occasion to come in contact with Hector Llano?

A Yes, I have.

Q How many times?

A Fifteen, approximately.

Q Fifteen?

A Yes.

Q When was the first time?

A To the best of my recollection, in the middle of 1968, probably.

Q Where?

A In Miami, Florida.

Q Whereabouts?

A Different parts of the city. Usually in the southwest area.

Q We are talking about the first time.

A Are you asking me the first time I had anything to do with him?

Q The first time you saw him and you

knew the person you saw was Hector Llano.

A I can't remember the occasion. I believe it was on Southwest 8th Street, at a place-- a small bar. The name escapes me at the moment.

Q Were you watching him?

A I was surveilling him, yes.

Q When was the first time you had conversation with him?

A Aside from just saying "Hi" and that type of thing, you mean an actual--

Q No. The first time you ever greeted him and actually said "Hi" and he said "Hi" back to you, or something, as opposed to just meeting a stranger on the street and nodding because you felt like it.

A The first time I ever spoke with him was on December-- I'm sorry-- October 18th, 1968.

Q How did you have occasion to nod at him, or anything like that, prior to that?

A Surveilling him. Watching him.

Q What occasioned your nodding at each other? I mean, do you nod at everybody on the street that you pass by?

A He is Cuban and I am a Latin, and people-- the Latins tend to be very friendly. There is no animosity. We have a job and he feels we have a job, and you don't get uptight about it.

Q Did he know you were FBI?

A Yes, he did.

Q How did you know that, sir?

A He told me, later, he knew who we were. He knew my name.

I had interviewed many Cubans in the area when I was working on other Cuban related matters, and he knew me, apparently, by reputation.

Q What occasioned your having a conversation with him on the 18th of October?

A The Air Canada ticket office had been bombed earlier that morning, and Hector Cornilott was a suspect, and Agent Richard Castillo and I went to talk to him, to see if we could find out anything about it from him.

Q Tell me what happened. What time did you go see him?

A This was in the afternoon, about 4:30, we went to his house.

Q How long were you there?

A I'd say approximately a half an hour.

Q Tell me what happened.

A Hector greeted us; invited us-- asked us into the house. He was very polite. We told him that we wanted to talk to him. He said okay.

Q Who said you wanted to talk to him, you or the other Agent?

A I don't recall which one of us said that. We both talked together, more or less. Sometimes one would take it for a paragraph or so. We talked together. We both knew what we wanted.

And so we asked him if he would mind talking to us.

He said no, but he didn't want to talk in the house, there, with his mother.

We said, "Okay. We'll go get a cup of coffee somewhere."

He said all right. He consented to come with us.

Q Where did you go?

A We went to Sambo's restaurant at 27th and Flagler.

Q What happened there?

A We talked about different things.

Q What did you talk about?

A We talked about the Cuban revolution. We talked about his part, if any, in the anti-Castro movement; what the anti-Castro movement was about; what different organizations were involved in it; did he have any connection with any of these organizations; if he had any connections, what exactly were his connections; what did he think; what was his philosophy.

Q What did he say?

A He told us he was in favor of the violent overthrow of the Castro government, and that he thought it was his duty, patriotic duty, to do what he could to oust Castro, and to terrorize those who were dealing with Castro so to drive away his supply lines, and also to show the world that the Cuban exile movement was serious, and in that way they could get more contributions.

Q Anything else?

A We talked for approximately two hours.

Q Did he tell you anything about the

Air Canada place?

A On this occasion he mentioned that too much explosive had been used.

Q Anything else?

A And we said, "How do you know?" or, "What do you mean?" And he didn't say anything more about that.

Q That is all the discussion you had regarding the Air Canada office?

A Yes.

Q Did you have occasion to talk with him again?

A Yes.

Q When was that?

A On October 24th.

Q Where was that?

A I don't recall, exactly.

It was four times I spoke to him.
If I could check my notes, I would remember.

Q Go right ahead.

Did you have a chance to look at your notes before coming in here today?

A Yes, somewhat. I got here last night

at 10:30.

No. I'm sorry. On the second occasion we spoke with him at Sambo's. On the first occasion we spoke with Hector at his residence, in front of his house. We went outside and spoke by the car.

So on the second occasion he mentioned-- made that one reference, only, to the Air Canada situation.

Now, the first discussion that we had was concerning his political motivation and the anti-Castro movement in general.

Q There was no reference to the Air Canada, other than what you told me?

A Yes, other than what I told you.
Yes.

Q On the second occasion you met him where?

A The second occasion we met him at Sambo's, and at that time he made just the one reference, that too much explosive had been used.

Q The second time?

A Yes.

Q I thought that was the first time?

A No. On the first occasion he was explaining his anti-Castro sentiments and that bombings should take place, and this is the way that Castro was going to be overthrown, and he was in favor of bombings, without saying that he had partaken in any particular bombings.

Q Then, on the second one, when you spoke to him at Sambo's, what was the date? Do you remember?

A That was on the 24th.

The first one was the 18th.

Q And on that one he said that too much explosive had been used?

A Yes.

Q What else did you talk about? Anything else? Any other bombings?

A Yes.

Q What were those?

MR. OERTEL: Objection to any other bombings.

MR. MORGAN: Certify the question.

Q (By Mr. Morgan) What was the third

time you had an occasion to meet him?

A The third occasion was in Dade County Jail.

Q When?

A This was on the 4th of November, 1968.

Q What transpired there?

A On this occasion we advised him of his Rights.

Q Who did?

Do you have to look at your notes for this?

A I am sure that either Agent Castillo or I, or most probably both of us, because we would go into it in great detail to make sure that he did understand; for him to explain to us in his own words.

Q Explain to me the detail you went into. If you have to use your notes, you can, but all I ask is you indicate to me when you do not have an independent recollection and you have to use your notes. All right?

A Yes.

I'm just trying to get the three of them exactly in order. I remember what transpired on each one, but exactly what order-- just one moment, now.

Q You are looking at your notes now?

A Yes.

On this occasion we went to the jail and I advised him of his Rights. I told him that he had the right to an attorney and that he had the right to remain silent, and if he could not afford an attorney, one would be appointed for him.

Now, I must say that on each occasion that I began, whenever I advised Hector of his Rights, he would interrupt me and he would say, "You don't have to go into that. I understand."

On the first occasion I talked to him, he explained to me he had an attorney.

Q Did he tell you the name of his attorney?

A No, he did not.

Q Did you ask him?

A No, I did not.

Q Did you ask him if he wanted to call

that attorney?

A Yes, I did. He said, "No. I will talk to you people. I know what I'm doing."

And he said, "You don't have to read me those Rights business every time."

We said, "Hector, we understand that, but this is the procedure that we use." And we would insist, on each occasion, in reading it and showing it to him.

He refused to sign these things. They were in Spanish, and we also told him in English.

Q Would you tell me exactly the extent of your advising him of his Rights on the 4th of November, when you visited him at the jail?

A On the 4th of November I told him that he had the right to remain silent, had the right to an attorney, and that anything he said could be used against him in a Court of law. If he did not have enough money for an attorney, one would be appointed for him. That he had a right to an attorney before we questioned him, if he wanted, and that if he agreed to be interviewed,

that he could terminate the interview at any time or could consult with an attorney at any time before continuing. And we asked him if he understood, and he said yes, that he did, and he wished to continue the discussion with us.

Q You never asked him whether he understood until after you had laid out all of his Rights to him, is that right, or did you ask him whether he understood after you advised him of each individual Right?

A Asked him if he understood what?

Q His Rights. Did you ask him whether he understood each particular Right, individually, as you asked him?

A Yes. We go through it first, orally, then we would give him the form and ask him to please read it.

He said, "I know all about it."

We said, "Take the time and read it."

He read it.

We said, "Do you understand?"

He said, "Yes, I understand."

Q Let me explain my question to you

again.

After you advised him of his Rights, each section of his Rights; his right to have an attorney, his right to remain silent-- for instance, after you advised him that he had a right to remain silent and did not have to talk to you, did you ask him if he understood?

A Yes. We would elaborate.

Q Did he give you a response?

A Yes. He would say that he understood.

Q Well, can you re-create for me, as best you can recall, the way you advised him of his Rights, and what he said to you as you advised him of his Rights?

A All right.

Now, this is not verbatim.

Q As best you can recall.

A I say, "Hector, you know who we are?"
He said, "Yes. You are Perez and
Castillo."

I said, "Who are we?"

He said, "FBI Agents."

I said, "Hector, you know whatever

you say to us can be used against you in a Court of law?"

He said, "Yes, I know."

Then I said, "You don't have to talk to us if you don't want to."

He said, "I understand. I'll talk to you guys."

"You can have an attorney. Do you have an attorney?"

"Yes."

"Do you want him?"

"No."

"Are you sure?"

"Yes."

"Now, do you have enough money to pay for him?"

"Yes. I got no problem with the money. I get it from La Causa donations."

Q What donations?

A La Causa, the cause.

He said, "I got plenty of money. Whenever I need money, I get money from donations."

We said, like, "You're using this

money for the revolution, for your own cause."

He said, "Yes. I'm revolutionary. I need to live, so I use the money that I need."

I said, "Okay. Now, do you understand, again, who we are?" We take out the credentials and show him. This is after we talked to him, say, on three occasions before.

Q Might I see the credentials that you took out to show him?

A Yes.

And I'd say, "Hector, do you understand English?"

"Yes."

"Can you read English?"

"Yes."

"Do you understand what this means?"

"Yes."

"What is FBI?"

He said, "You're Federal Police, like."

Q What else?

A I told him that he could remain silent, meaning he didn't have to talk if he didn't want to. If he didn't want us to talk to him, he

could say he didn't want to talk to us and we would have to go away, we could not insist on badgering him. All he had to say was he didn't want to talk to us and we would have to leave.

He said, "I understand."

We told him, again, that if he didn't have enough money, an attorney would be appointed for him.

He said, "No. I understand all that. I got my money. I got my attorney. I'm going to talk, and I'll talk to you guys about anything you want to know."

I said, "Will you tell the truth?"

"Yes."

"Why?"

"Because I'm a man. I'll tell the truth. I'm a gentleman. You guys treat me like a gentleman, I will treat you like a gentleman."

I said, "All right. Hector, we're laying it on the line. We are not trying to trick you. You understand who we are, and you can get in a lot of trouble with this thing if you say anything that might incriminate you."

"I know."

"All right. Then if we ask you certain things, is it okay?"

"I'll tell you the truth, but some things I won't tell you everything."

And we said, "Well, all right."

"You told us before about these bombings. Now, let us go into each individual matter."

And, so, then we talked about different things in particular.

Q Now, the way you have laid out the advice--

A No. At this time, after we had talked like this, then I would say, "Okay. Now will you look. Here it is in the written form. Will you read it and sign it?"

"No. I don't want to."

"Look at it, will you, and read it. You don't have to sign it."

He says, "I don't want to sign anything. I have nothing against you guys, but I don't put my signature, because if you put your signature, they can get you for credit and all these things."

So in the United States you don't sign your name.

"Registering in the hotel I don't put my name. I don't sign my name, because the name is like you, and that means you are responsible."

He said, "I will read anything. I will agree, but I will not sign it."

Q Did you ask him his educational background?

A Not on this particular occasion, but I remember he told me that he had been at least to high school.

Q Did you ask him when you were advising him of his Rights on any prior occasion?

A I asked him if he could read, if he understood what I was telling him.

Q When was that?

A On each occasion when we were going through it. I said, "Can you read? Do you understand? Do you read English?" I have asked him that. I recall that.

Q You asked him that on this particular occasion?

A On this particular occasion.

Q The 4th of November, 1968?

A Yes. I asked him if he could read, because I remember in the jail cell handing him this form and asking him if he could read. And we also had some printed matter in English, and I said, "Hector, can you read English? I know you can speak it."

He said, "Yes, I can read it or write it. I've been here eight or nine years."

Q Some of the conversation was in English?

A A phrase or two at a time. We asked him, "Do you prefer to speak in English or Spanish?"

He said, "Spanish."

So we said, "Okay."

Q But upon occasions a sentence or two would be in English?

A Yes, but very rarely.

Q Did you advise him of his Rights on all the other occasions in the same manner as you have just described?

A No. On the first occasion I did not show him the form. I explained to him, orally,

what was on the form, however.

Q This was when you went to his house on the 18th?

A Yes.

The reason that I didn't was because I didn't have one with me.

Q But on the other occasions you explained, "You have the right to an attorney. Do you understand that?"

"Yes"?

A I explained it all, orally, then I would show him the written form.

Q And as you explained each phrase, he always responded?

A Yes. I would paraphrase it, to make sure he understood it, because in future cases the attorneys will ask you, "Did you make sure the man understood?"

And he said, "Perez, how many times do I have to tell you get on with it."

So we figured if we'd ask him any more, he wouldn't want to talk.

Q On the 6th, you are the one who

advised him of his Rights?

A Yes.

Q How about on the other occasions?

A I would-- we would both do it, jointly.

Q What do you mean, "jointly"?

A Castillo would say, "You have the right to remain silent. You understand? That means you don't have to talk."

And I say, "You have a right to an attorney, and if you don't have the money for an attorney, one will be appointed for you. That means if you don't have the money to pay, you can still have the attorney."

Maybe I would have the next line.

Q You and the other Agent would shift on and off?

A It depends on the conversation. When you are talking-- like you interject things while we're talking. I don't have four paragraphs, then you say one question. Your language intermingles. In particular, Latins talk much more that way than an Anglo, because you say your bit and politely

listen while they throw things in, but Latins listen and talk at the same time.

Q What is the conversation that was held in the jail on the 4th?

A We told him we wanted to talk about what we had talked about before, and he said, "Okay. What do you want to know?"

"What can you tell us?"

So he said-- well, we asked him about another case that we were interested in, in Los Angeles, and he proceeded to tell us about that. And during his conversation he began to tell us many things, and I said, "Hector, do you realize what you are talking about?"

He said, "Yes, I understand all this."

On this occasion, in particular, I recall that when we were about halfway through the interview I again took out the Advice of Rights form just to make sure that the man understood completely. I said, "This can be used against you," because we were getting good stuff.

Q What were you getting?

A Fantastic.

Q What?

MR. OERTEL: Objection to anything else he got besides the bombing of the Air Canada office.

MR. MORGAN: Certify the question.

THE WITNESS: Okay. Then I knew that this was-- we were getting a great volume of information and I wanted to keep it clear. So I communicated with my office to get a compilation of recent events that I thought Hector might have partaken in.

Q (By Mr. Morgan) When did you contact your office, while you were in the jail?

A Yes. I went out and made a telephone call.

Q Go ahead.

A This was brought to me. I did not go out of the room again. And we gave it to Hector, again explaining his Rights-- the second occasion, which I mentioned-- and asked him to go through this thing. And he pointed out that he had personally--

MR. SHENBERG: Before you go any further, Mr. Morgan, I wish you would clarify which day we are talking about, because I think the officer

has the 4th and the 6th mixed up, as the other officer did when you were jumping up and down.

MR. MORGAN: I have not said a word in five minutes.

Q (By Mr. Morgan) Go ahead. Keep going.

MR. SHENBERG: For the record, I would ask you to clarify what date you are discussing.

MR. MORGAN: I have been talking about the 4th, only.

THE WITNESS: This is the 4th.

No, he did not, on this occasion-- I am sorry.

Q (By Mr. Morgan) Have you confused the 4th and the 6th, Agent?

A Yes, I believe I have, now.

Q Do you want to tell me, now, going back--

A This is the 4th, now.

Q Tell me what he said on the 4th.

A On the 4th he said that he had personally partaken-- he stated-- he marked this paper, showing that he had personally partaken in the

bombing of the Air Canada ticket office.

Q On the 4th?

A On the 4th, yes, sir.

Q How did he do that? Do you want to explain it to me?

A I showed him a piece of paper with this information on it, and he made a check mark.

Q Did it have any other information on it?

A Yes, it did.

Q What did that information pertain to?

MR. OERTEL: Objection.

MR. MORGAN: You are not going to let him answer?

MR. OERTEL: Do not answer.

MR. MORGAN: Certify the question.

Q (By Mr. Morgan) Does the information pertain to other bombings?

MR. OERTEL: Do not answer that, either.

MR. MORGAN: Certify the question.

Q (By Mr. Morgan) What did it say, exactly, where he put a designation by?

MR. SHENBERG: Mr. Morgan, I am sorry for interrupting, but are you talking about the 4th or the 6th?

MR. MORGAN: We are talking about the 4th. We are talking about the piece of paper.

MR. SHENBERG: Are you talking about what we referred to earlier as to the checks and the asterisks?

MR. MORGAN: Yes.

MR. SHENBERG: You are referring to that date as being what date?

THE WITNESS: This is the 4th that I'm talking about now.

MR. MORGAN: Right. There is no problem.

MR. SHENBERG: Well, I am the only one that seems to think it happened on the 6th.

MR. MORGAN: Well then, you should make notes.

Q (By Mr. Morgan) Mr. Special Agent, would you please tell me what it said where he made the check next to. Do you know what it said, exactly what the sentence said, or wasn't it a sentence?

A I am sorry.

You are correct.

Q (By Mr. Morgan) It is the 6th?

A This is the 4th. I did not show him the list on this occasion, the piece of paper.

He told me orally that he had partaken in the bombing.

Q Who made the notes that you are using, you?

A Agent Castillo and I, together. We were jointly there on the interviews. Both of us were there, together.

Q Can you explain how you got the 6th and the 4th mixed up?

A Yes. Because it was three years ago, for one thing.

Q Your memory is not that good on it, is that right?

A It's not. That's why I made copious notes.

Q You have been looking at your notes, is that right?

A Yes. I'm trying to keep my

— chronology.

Q Didn't you look at your notes before?

A There is one section here that is very similar. We were talking at four different occasions, and we were talking about the same thing on many occasions, and on the other occasions we would not talk about the same thing and we would just talk about a small part of it, and it wasn't in sequence, because we were trying to get more information on this particular thing. That's why it's confusing.

Q You do not actually have an independent recollection of all the conversations?

MR. SHENBERG: Objection, as being a vague question.

THE WITNESS: Yes, I do.

MR. SHENBERG: I mean, it is clear he knows there were conversations that took place, but he might not know the specifics that you are talking about in the notes.

MR. MORGAN: That is what I meant.

MR. SHENBERG: I know that is what you meant.

Q (By Mr. Morgan) Would you tell me what actually did transpire on the 4th?

Are you looking at your notes now?

A Yes, I am.

Q Let me know when you have reviewed your notes.

A Okay.

On this occasion he told me that he had personally constructed and placed a bomb at the Air Canada ticket office.

Q How did that conversation come about? Do you recall?

Who asked what questions, and how did he say that?

A I asked him what bombings he had partaken in.

Q You asked, not the other Agent?

A I am not sure who the question was asked by.

Q What was the exact question, as best as you can recall? Do your notes reflect who asked it and what the question was?

A Yes. We asked him concerning

bombings in the Miami area in 1968: "What, if any, have you taken part in?"

Q Do your notes indicate which particular Agent asked the question?

A No. That particular question, no.

Q Do your notes reflect the very question and the very answer in that form?

A No, they do not.

Q Just a general narrative indicating a question?

A Yes.

I don't know the exact words used, no.

That was the question.

Q What did he say regarding his participation in the Air Canada bombing?

A He stated that he had taken part. He had made the bomb and he had personally placed it. He told me how he placed it, and when he placed, and how he placed it, and why he chose the particular target that he placed it on, and what his intent was.

Q Did he indicate the names of other

people who had participated?

A No. He told me that he was alone on this specific one.

Q On the 4th he told you he was alone?

A On the Air Canada bombing he stated that he was alone on this offense.

Q What else did he tell you on the 4th?

A He told me that it was raining.

Q What else?

A He told me where he placed the bomb.

Q Where was that?

A In the Air Canada ticket office at 68-- I'm sorry. I have to check my notes.

Q Go ahead. We know the office you are talking about.

A 6988 Collins.

And there's another one further down-- I don't know the address-- but he specifically did not pick that one because there was another airline ticket office next door and he did not want there to be any doubt about which building was being bombed.

Q Did he tell you where he placed it

and how he went about doing it?

A Yes, he did.

Q What did he tell you?

A He told me that he placed it on a ledge on the front window-- over the front window, and that the charge was not shaped.

Q It was what?

A The charge was not shaped.

Q Do you know what that means?

A He explained it to me. I don't know.

Q What did he explain?

A He explained to me that with the plastic explosive you can mold it into different forms, and depending upon the form that you mold it into, you can direct the force of the charge.

Q Whereabouts did he say he placed it, now?

A Above the front window, on a ledge.

Q Inside or outside?

A Outside, up high.

Q Did he tell you anything else about his placing this; how he went about it, where he came from, what he did?

A He said that he came in a car, from Miami, across the causeway, and it was raining. He had an umbrella in one hand and the bomb in another. That the bomb was wrapped with masking tape, and he put a-- he called it a lapizaro, which I understood to mean a pencil detonator-- this having been explained to me what a lapizaro was-- and it had a 9-minute fuse.

Q So it was supposed to go off nine minutes after he left it?

A Yes.

Q When did he set the fuse? Did he tell you?

A From what he explained to me about the working of these fuses, that would be set at the time the bomb was placed.

Q Did he explain to you the working of these fuses on this occasion or a previous occasion or a later occasion?

A I recall on this occasion he explained it, as I wanted to make sure we were talking about it.

Q Did he go inside or outside the Air

Canada office that night?

A He told me that he just placed it on top of the window. He didn't say whether he went in or out.

Q Did he indicate whether he just sort of cased the office and waited around to make sure nobody was around on the streets?

A He said that he had cased it previously.

Q Did he indicate whether or not he waited in an alley until there was nobody by the place, until he walked by and put it on the ledge?

A He did not say that. He just said he made sure that nobody was around to get injured.

Q Did he indicate at what point in time he set the detonator?

A No, he did not tell me that.

Q Did he ever indicate where he got the material?

A He said it was after midnight. That's all, the only time.

Q Did he ever indicate where he got the materials for making this?

MR. OERTEL: Objection.

Do not answer that.

MR. MORGAN: Certify the question.

Q (By Mr. Morgan) Did he ever indicate whether he made it?

A He told me he made this bomb.

Q Did he indicate where he made it?

A No, he did not tell me that.

Q Did he indicate where he gained his knowledge regarding making of bombs?

MR. OERTEL: Do not answer that.

MR. MORGAN: Certify the question.

Q (By Mr. Morgan) Did he indicate what sort of plastic material he used for making the bomb?

A He mentioned C-4.

Q What is C-4?

A The only knowledge that I have of C-4 is from what he told me.

Q Exactly what did he tell you concerning it?

A He told me that it was a plastic explosive, military type.

Q Do you have any knowledge of similar types of plastic explosives?

A I, personally, do not, no.

Q You have had no training in that sort of thing?

A No, nothing at all.

Q And the detonator, what did he describe of the detonator?

A Pencil detonator.

Q Exactly what is a pencil detonator? Do you know?

A Yes.

Q What is it?

A Now, this is not from what he told me. This is from independent knowledge.

Q Go right ahead and tell me.

A It's a cylinder. It looks like a pencil, approximate size. It's metal and it has a thin, bendable section in which there is a breakable glass vial containing acid. Inside of the vial there is a copper wire. Depending upon the type of detonator, the wire is either thinner or smaller. This wire is connected to a spring which holds the

firing pin, which, when the acid eats through the metal, which is controlled by the type of acid, it releases the spring and it hits the primer. The primer fires into a dynamite cap or an explosive cap which has been crimped into one end, and this in turn goes off and sets off the main charge.

Q Did you talk about anything else regarding the Air Canada explosion?

A That after it went off, he got in his car and drove back to Miami.

Q He waited for it to go off?

A Yes.

Q Did he indicate where he parked his car?

A No.

He didn't indicate that it was his car. He said, "A car."

Q Did he indicate whether he could see the Air Canada office from where he was parked in the vehicle?

A We did not talk about that. He did not mention that. He just said that he stayed there until it went off. I don't know whether he could

see it, whether he was a block away, two feet away, where he was, but he said he was there until it went off. Where "there" is, I don't know.

Q Did he indicate whether he went any place after that, or where he went?

A He said he went back to Miami.

Q He did not say where?

A No.

Q When was the next time you had a conversation with him?

A On the 6th of November.

Q Where was that?

A This, again, was in Dade County Jail.

Q What time was this?

A This was in the evening.

Q How long was your conversation with him?

A About an hour and ten minutes.

Q An hour and ten minutes?

A Yes.

Q What time did you start? What time did you end?

Do you have to look at your notes for

that?

A Yes.

Q Do you have it in your notes?

A Yes.

Q Would you please tell me?

A It started-- the first occasion was in the evening.

This was at 10:45 in the morning.

Q Did you go to the jail on the 4th with any particular purpose?

A Yes.

Q What was that?

A To talk to Hector Cornilott.

Q Regarding what?

A Regarding anything that he wanted to talk to me about. First of all, I didn't know whether he would talk to me.

Q How about on the 6th, did you go with any particular purpose that day?

A Yes.

Q What was that?

A Again, to talk to him, if he would talk to me, to learn what I could from him.

Q What happened when you went to the Dade County Jail on the 6th of November, 1968?

A We again meticulously advised him of his Rights as I have explained previously.

Q Who advised him?

A Agent Castillo and I.

Q Both of you?

A Together.

Q Do you know what you advised him of and what the other Agent advised him of?

A The exact portion?

Q Yes, sir.

A Not exactly who said what, but I know that he was advised in detail by one or both of us, together. He was again shown the form which was explained to him, again, in Spanish. He again refused to sign it, but he would read it, stating that he understood what it meant, all of it, and that he consented to talk.

Q Do you have an independent recollection of the advising of his Rights, or do you just have something in your notes?

A No. I recall it.

Q You do?

A Yes, I do.

Q Do you recall any part of it that you advised him of?

A No, I don't.

Q What is there about the advising of his Rights, then, that gives you independent recollection that you actually did advise him?

A Because this is a habit that I developed, that I always advise a man of his Rights.

Q So you are relying on habit?

A On habit, yes, and I've never known myself to fail in that habit.

Q So you have no independent recollection, then, of the actual advising of the Rights, isn't that correct?

A On this particular occasion?

Q Yes, sir.

A Yes, I remember it. I don't remember what was said, but I remember advising him.

Q Tell me how it was done and who did what and where they stood in the cell and what you recall as your independent recollection. What did

the people have on? What were you wearing?

A No, I don't recall that.

Q Well, what do you remember?

A I remember telling him of his Rights.
That's all.

Q What I am trying to get at, is there something in your mind--

A I remember being in that cell with Hector sitting there.

Q Do you have a little picture in your mind of the actual advising him of the Rights?

A Yes, but it's not a little picture like a photograph.

Q What is it?

A I can't tell you what kind of shirt he was wearing. I remember I was in there with Hector and Castillo was also in there with Hector. That's all I recall. And I remember advising him of his Rights.

Q Would you tell me what he said, what you said, who said what?

A We said a lot of things.

Q Tell me.

A I asked him how he'd been; how they were treating him in the jail, and he told us that they were fighting upstairs over pillows and blankets, bedding. And he said they were hippies that were fighting, because there wasn't enough bedding for all of them.

So we asked him what he did, and he said he'd just wait until they quit fighting and they get too beat up, then he'd go take the blankets, and the rest of the guys would, too.

Q What else did you talk about?

A We talked about the jail life. He said that he liked it, didn't mind it. It wasn't too bad.

Then we told him that we again wanted to talk about what we had talked about before-- not like that. We said we wanted to talk about what we talked about before. He said all right. He was willing to talk about it.

Q What did he say and what did you say?

A On this occasion we produced a piece of paper with the Air Canada ticket office bombing, and asked him if he personally had partaken in that.

Q Do you have that paper with you?

A Yes. This is it. I initialed each page.

Q May I see it?

MR. OERTEL: No.

Do we have to waste time with these questions?

MR. MORGAN: For the most part.

MR. SHENBERG: You perfected the record as to that part with the other witness.

MR. MORGAN: I have not asked all of the same questions that were objected to on the last man, with the understanding that those same questions would also be asked of this Agent and the objections be the same.

MR. SHENBERG: Right.

MR. MORGAN: In some parts it is just impossible not to ask him.

Q (By Mr. Morgan) What did he do on the piece of paper?

A He made some marks.

Q What sort of marks? Would you describe them for me?

A He made a check mark on those in which he had-- he or his organization had taken part. He made a little star or an asterisk by those in which he personally had taken part.

Q What did it say right next to where he put a mark? What did it say regarding the Air Canada one?

A The Air Canada one said, "10/18 bombing Air Canada, Miami Beach."

Next line, "Bomb placed above window ledge, exploded 1:20 a.m., time pencil used. 174-392."

And there's a check mark and an asterisk.

Q What does the 174-392 mean?

A That's the Miami file number.

Q Is that in English or Spanish?

A English.

Q Did you ever do anything to determine whether or not he could read English?

A I asked him if he could, and I saw the way he acted when I gave him this paper.

Q So you assumed that he could?

A I assumed that he could, and I-- yes, I assumed that he could.

Q Did you have further conversation with him that day?

A Not concerning this.

Q Anything else? What else?
How much longer did you speak with him that day?

A After this particular time?

Q Yes.

A I talked with him from 10:45 a.m. until 12:50 p.m., when he told us that it was time for the lunch. And he agreed to continue talking, but he explained to us that if he continued talking, he would miss his lunch and he wouldn't get any, and we told him that no, he better go eat.

Q Did you ever have any conversation with him on any other occasions?

A After this, no.

I mean, yes, I did.

Q When was that?

A In Los Angeles.

Q What did you say and what did he say?

What did you talk about?

A We said hello. I asked him how his wife was, how his mother and sister were.

Q What did he say?

A He told me they were fine.

Q Do you have any idea why he was so cooperative with you?

A Yes.

MR. SHENBERG: I have got to object. It clearly calls for a conclusion.

Q (By Mr. Morgan) Did he indicate to you why he was cooperative?

A No, he did not.

Q Did he ever indicate to you what his position was in this Cuban organization?

A Yes, he did.

Q What was that?

A He explained that he was-- I'm not sure of the word-- but that he was just one of the soldiers, one of the ordinary, run-of-the-mill arrangements, and we said-- I explained to him-- I said, "Well, the way you act you're not just one soldier, you're a leader." And he insisted that he

was not.

Q When was it that you had this conversation?

A This was at Sambo's.

Q This was on the 24th?

A Yes.

Q Did he ever indicate who some of his superiors were?

A Yes, on one occasion.

Q When was that?

A I don't recall the occasion, but he mentioned that Jose Marti was.

MR. SHENBERG: I would object and move to strike that.

I think that is under your objection, as to any other persons.

MR. OERTEL: I do not have any objection.

MR. MORGAN: No objection?

MR. OERTEL: Do we have any objection to that?

THE WITNESS: No, not at all.

Q (By Mr. Morgan) Who was one of his

leaders?

A Jose Marti. Jose Marti is the father of Cuba, like George Washington is of the United States.

Q Do you know whether that is who he was referring to, or was he referring to someone else?

A No. I know, from the conversation, that's who he was referring to.

Q Did he ever give you any other names of other active members of the Cuban organization?

A No, he did not.

Q Never, in all of the conversations?

A Concerning the Air Canada ticket office bombing he did not mention any other person.

Q Concerning other bombings that he was a participant in?

MR. OERTEL: I will have to object and direct the witness not to answer.

MR. MORGAN: Certify the question.

Q (By Mr. Morgan) Did he ever indicate anybody else who had taken part in any of the planning of the bombing of the Air Canada office?

A No.

Q Did he ever discuss or mention the name of anybody who had either authorized the bombing or suggested the bombing or selected the place to bomb in regards to the Air Canada office?

A He did not mention anyone else.

Q Did he ever indicate why he selected Air Canada?

A Yes.

Q Why?

A Because Canada was trading with Cuba.

Q Canada, or Air Canada?

A The country of Canada.

His actions were directed against these countries. He explained to us that it was not against any particular organization, but against the country itself for doing such a thing.

Q Were you on the scene the night of the bombing?

A Yes, I was.

Q Did you gather up any evidence at the scene?

A I photographed the scene.

Q Did you bring the photographs with you?

A Yes.

Q May I see them?

MR. SHENBERG: We would have no objection.

THE WITNESS: I am sorry. I don't have them with me. Joe must have taken them.

No. I just got the interviews.

Q Did you do anything other than photograph the scene? Did you collect any evidence for processing?

A I, personally, did not.

Q Did you do anything other than photograph?

A That's all I did. I photographed and I spoke to some of the other officers there.

Q Was there anything in particular that caused you to go to Hector Llano's house later that day?

A Yes. I believed him to be the type of person that would do that, from what I knew about him from our official investigations.

Q Did you go to the homes or residences or places of employment or stop and talk to anybody else prior to--

A Did I?

Q Yes.

A Prior to what?

Q Prior to seeing Hector Llano that day? Did you go around and see any other Cuban suspects?

A No.

Q He was the first one in your investigation that you went to see?

A He's the first one on that date that I went to see.

Q Did you go see others after Hector Llano, on the 18th?

A As suspects in this particular bombing?

Q Yes.

A I don't recall.

Q Did you ever get any information from anyone else that Hector Llano had been the one to do the bombing, other than from Hector Llano himself?

A No.

Q Do you have any other evidence that indicates Hector Llano actually did the bombing, other than what Hector Llano, himself, told you?

A No.

Q Did you ever get, or cause to be gotten a Search Warrant, and go through his home or his place of employment or business or anything?

A No, I did not.

Q How would you describe Hector Llano, in his conversations with you, as far as friendliness, his enthusiasm? Did you talk about these bombings and whether or not he was full of pride, or whatever, regarding them?

A He appeared to be very proud of his activity in this. He was not at all ashamed of it. He felt it was his patriotic duty. He said it was.

Q Did he feel it was a great honor to have been or to be somebody who would be appointed, or whatever, to do a bombing?

MR. SHENBERG: Tom, I would ask you to rephrase the question, as to what he felt. If he said that he was, that would be a fair question.

But I think this question would call for a conclusion.

Q (By Mr. Morgan) Did you get an indication as to whether it was an honor, or did he ever indicate to you that it was an honor to be selected to be the man to do a bombing?

A He never gave any indication that it was any honor. He never spoke of anyone being selected to do a bombing. He never used the word, "honor," in connection with any bombing.

Q Well, did he tell you about anybody else who had done other bombings?

A No.

Q He never told you about anybody else who he thought or knew had done any other bombings?

A He particularly refused. He said that he would not name any names of people.

Q Did he tell you about other bombings he had done?

A Yes, he did.

Q Did he ever indicate to you how those places to be bombed were chosen; whether he was told by someone or he did the selection on his own?

A Neither one of those alternatives were mentioned as such. He said these places were designated, not saying who designated, whether he chose them or somebody else designated them, but they were picked because they were dealing with Cuba.

Q Did he ever give any indication who they were?

A He did not give any indication whether somebody designated them or he chose them.

Q Did he ever tell you where his organization met in Miami, if it met in Miami, in fact?

A No, he did not.

Q Did you ever, in tailing him, follow him to what you believed was a meeting of this organization?

A No, I did not.

Q Did he ever give you the names of anybody else who was a member of the organization with him?

A No, he did not. He mentioned, when we were talking to him about these things, a friend that he had, but he did not specifically say that

he was a member of the organization. He said that they had worked in the organization, but he didn't mention, necessarily, membership as such.

Q Did he indicate how long he had been in the organization, himself?

A No, he did not.

Q Did he give you an official name for the organization?

A Yes.

Q What was that?

A I'd have to check my notes for that.

Q Go right ahead.

A In speaking of this organization he spoke of it more as a movement, a philosophy, than a specific-- he called it Nuestro Grupo, Our Group. And he mentioned his group as being Poder Cubano, Cuban Power.

Q In the conversations with you did he ever express a desire of what he expected to achieve with this bombing?

A Yes. I explained that before.

Q What was that?

A To bring the attention of the world

to the plight of the Cuban exile, who was being unjustly treated, so that the Cuban exile would feel a sense of unity in their fight against Castro, and to show the outside world, and particularly the administration of the United States, that the Cubans were serious, and therefore the United States would furnish financial and other aid to this group.

Q Did he ever indicate that he wanted to injure anybody?

A He never indicated that he wanted to injure anybody.

Q Just the property, or just to create a--

A He didn't say. He never mentioned that he wanted to hurt anybody.

I'm sorry. I recall he did say that he tried to hurt somebody on one occasion.

Q When was that, sir?

A It was on the 24th, and he mentioned that he had made an attempted assassination on the Cuban Ambassador to the United Nations.

Q On some other, prior occasion?

A Yes. But he meant physical harm to

that man.

Q Did you do anything else in the way of investigation regarding this bombing?

A This particular bombing?

Q Yes.

A Like what?

Q I do not know. If I knew, I would have asked you specifically.

A Yes. I made reports.

Q Other than just filing a report regarding this particular bombing, did you talk to other people?

A Yes.

Q Who?

A Brought it to the attention of the State of Florida authorities.

Q Who was that and when was that?

A I don't recall the date, but it was Mrs. or Miss-- Mrs. Morphonios.

Q You filed the information with her, you mean?

A Yes.

Q That is when you filed, when you went

to the State Attorney's Office to file the case?

A I did not file the case. I was asked to give-- I went to give testimony on the matter.

Q Did you talk to anybody else in the investigation of this case, other than what we have already talked about?

A Yes. I talked with the local police officers concerning this case.

Q Did you give the information you already had?

A Yes, I did.

Q Did you talk with any other people in the street, suspects or whatever, trying to gather any further information?

A Yes. I spoke with other Federal officers, other agencies.

Q I am talking about in the way of informants or anything like that, on the street.

MR. OERTEL: You know I have an objection to that.

MR. MORGAN: To whether or not he did speak to people, or to their names, or both?

MR. OERTEL: Just as to who they are.

MR. MORGAN: I did not ask who they were.

MR. OERTEL: I also object to the general form of the question. I cannot pose a genuine objection to these questions in this general form.

MR. MORGAN: Well, I have to ask them in general form until I know specifically what he did.

MR. OERTEL: Well, the question, for example, is, "Did you do anything else after this?"

MR. MORGAN: Well, I just narrowed it down and I excluded all police agencies. I am talking about other persons he talked to, who are not police agencies, in the investigation of this case.

THE WITNESS: I do not recall any others.

May I say something off the record?

MR. MORGAN: Yes. Off the record.

(Thereupon an off-the-record discussion was held, after which the following proceedings were had.)

MR. MORGAN: I do not have anything
else.

MR. SHENBERG: I have no questions
for the Agent.

(Reading, signing and notice
of filing of the deposition
were waived by the witness.)
(Thereupon the taking of the
deposition was concluded.)

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