

ACCESSING OF EXPLOSIVES
THROUGH ILLICIT CHANNELS

3-88*

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4-677

CONFIDENTIAL

Dade County Public Safety Department
ORGANIZED CRIME BUREAU REPORT

Report Classification

FILE NO: 3-88

Type of Report: Investigative Intelligence Other (Specify)

Other Related File # _____ Date of Report: November 2, 1976

File Title: DYNAMITE DIVERSION	Source Identification:
Investigator's Evaluation of Information	Investigator's Evaluation of Source
<input checked="" type="checkbox"/> Confirmed <input type="checkbox"/> Possibly True	<input checked="" type="checkbox"/> Reliable <input type="checkbox"/> Questionable
<input type="checkbox"/> Probably True <input type="checkbox"/> Cannot be Judged	<input type="checkbox"/> Usually Reliable <input type="checkbox"/> Unknown

NARRATIVE:

Warrant service on OSMEL GRAVE DE PERALTA. ✓

On 22 October 1976 this writer along with OCB Det. J. Benitez attempted to serve warrants #76-27823 and 76-27824 at the Dade County Jail on the above named inmate, the charges being unlawful possession of explosives and unlawful transportation of explosives. The Dade County Jail advised this detective of DE PERALTA being in custody of the State Division of Corrections in Raiford, Florida serving a robbery sentence.

This writer contacted by phone the Lake Butler Reception Center and attempted to notify the Center. Lake Butler advised that there was no information on DE PERALTA. A call was also placed to Raiford State Penitentiary and no information could be obtained on DE PERALTA.

On Saturday, 23 October 1976, this writer contacted by phone the Orange County Jail since that is a holding facility for in-transit prisoners going from Miami to Raiford. A contact was also made with the Orlando City Jail for the same reasons. Neither location had any knowledge of DE PERALTA or his whereabouts.

This writer then notified the PSD Warrants' Section of the futile efforts to locate DE PERALTA and have him served with the warrants and a request for teletypes to be sent to the Orange County Jail, Orlando City Jail, Lake Butler Reception Center, and Raiford State Penitentiary desk and advise them of the charges and ask them to execute the warrants. On 29 October 1976 Lt. Howard Nelson of PSD Criminal Warrants Section sent a letter over his signature to the Raiford Department of Offender Rehabilitation advising them of the warrants outstanding for DE PERALTA and further asking them to place appropriate holds on him and notify this department prior to release.

Case closed by arrest. Pending trial.

Copy of letter attached.

SUBMITTED BY: *D. Benitez*
D. BENITEZ, Officer
Terrorist & Security Unit

APPROVED BY: *P. Janosky*
P. JANOSKY, Sergeant
Terrorist & Security Unit

REVIEWED BY: *T. Lyons*
T. LYONS, Supervisor
Tactical Inv. Section

Recommendation upon Review:

Maintain in File Hold for Reevaluation Microfilm Purge

SENSITIVE

Dade County Public Safety Department ORGANIZED CRIME BUREAU REPORT

3-88

Report Classification

FILE NO:

Type of Report: Investigative Intelligence Other (Specify)

Other Related File #

Date of Report: 14 Jan. 1977

File Title: Illegal Dissemination of Explosives

Source Identification: OSMEL DE PERALTA

Investigator's Evaluation of Information
 Confirmed Possibly True
 Probably True Cannot be Judged

Investigator's Evaluation of Source
 Reliable Questionable
 Usually Reliable Unknown

NARRATIVE:

SYNOPSIS:

Contact with Mr. OSMEL G. DE PERALTA by Det. D. Benitez and this writer.

DETAILS:

On 14 January 1977, this writer's presence was requested by Mr. OSMEL DE PERALTA at the Dade County Jail.

On the same date, this writer and Det. D. Benitez contacted Mr. DE PERALTA at the Dade County Jail. Mr. DE PERALTA, who had formerly informed this writer and Det. M. Martinez of a possible case to be made regarding the Illegal Exportation of Firearms out of the U.S., informed this writer that he wished to cooperate with the Public Safety Department in solving some of the terrorist problems within the community.

Mr. DE PERALTA indicated that he had heard rumors from outside sources that Mr. ROLANDO OTERO would probably go into seclusion when released from the State Penitentiary for serving sentenced time for his conviction of the Miami International Airport bombing which occurred in Miami in 1975. Mr. DE PERALTA stated he had no way of verifying the information, since he had received it third-hand.

He further mentioned that he has received information which indicated forthcoming terrorist attacks in Miami during the month of February 1977.

Mr. DE PERALTA went on to reiterate that the possibility of a second attack against WQBA radio commentator EMILIO MILIAN may be an issue the Public Safety Department should be concerned with, since it appears that some of the involved parties in the initial bombing of Mr. MILIAN's vehicle were under strong pressure and scrutiny by members of Cuban terrorist subversive groups.

According to Mr. DE PERALTA, regarding the whereabouts of Mr. VALENTIN HERNANDEZ and Mr. JESUS LAZO, indicted by the Dade County Grand Jury for the killing of LUCIANO NIEVES in 1974, both these men had been in Miami sometime recently, but had departed to a northern part of the State of Florida or New York, to escape apprehension by police.

SUBMITTED BY: Benitez (Det.)
J. BENITEZ, Officer
Airport/Seaport Section

APPROVED BY: R. Gonzalez
R. GONZALEZ, Sergeant
Airport/Seaport Section

REVIEWED BY: RF
G. R. HAVENS, Lt.
Airport/Seaport Section

Recommendation upon Review:

Maintain in File Hold for Reevaluation Microfilm Purge

JB/cc cc: M. Barbakoff

114.03-04

3-88 50 p1

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Mr. DE PERALTA was not able to specifically substantiate any of the aforementioned information, but advised he would attempt to verify it through his sources, through the inmates he knew at the Florida State Penitentiary.

Mr. DE PERALTA was advised that he would be contacted at a time when he would be able to provide these officers with more accurate and specific information. He stated he would recontact these officers when he received any further information pertinent to either terrorist activity or illegal weapons being exported out of the country.

Mr. DE PERALTA was given these writers work telephone numbers, where these writers could be reached at any time.

No further information/case pending.

SECRET

SECRET

CASE NO: 3-88

DATE: January 6, 1977

Investigation into the recovery of explosives which occurred in Dade County on 11 November 1976.

SYNOPSIS:

Information received from ATF Agent James Harmon.

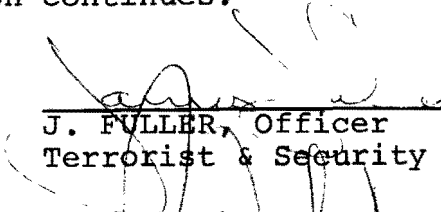
DETAILS:

On 5 January 1976 this writer contacted Agent James Harmon, ATF, reference the recovery of dynamite which occurred on 11 November 1976 at 2885 N. E. 214 Street.

Agent Harmon advised that he received a report on 5 January 1976 via his agency that there were no companies reporting thefts of dynamite with reference to DuPont lot #'s P5AP17C or P5MY02C.


Investigation continues.

PREPARED BY:



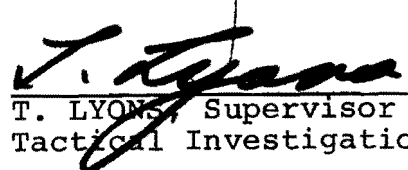
J. FULLER, Officer
Terrorist & Security Unit

APPROVED BY:



P. JANOSKY, Sergeant
Terrorist & Security Unit

REVIEWED BY:



T. LYONS, Supervisor
Tactical Investigation Section

JF/do

3-88-49

051

REFERRAL MEMORANDUM

201.01-172

TO: ~~AVTO UNIT~~ **HANK ADORNO**

DATE: Dec. 20, 1976

FROM: RICHARD E. GERSTEIN

SUBJECT: Ltr dtd 12/15/76 re #76-27823-
24-FMO6 Magistrate warrant)./s/ Osmel Grave de Peralta ✓
#045907
500 Orange Avenue Circle
Belle Glade, Florida 33430

Please handle. If reply required, return copy of reply with this memo
within 24 hours.

If no reply required, return copy of this memo with notation to that effect
within 24 hours.

/mr

TO: STATE ATTORNEY

VS. *Peralta*
OSMEL GRAVE DE PERALTA: #045907

Dear Sirs:

This is to explain the case that I have with you (#76-27823-24-1706 Magistrate warrant).

The reason for this letter is to tell you that I made a statement reference to a series of explosions and attempts (which culminated in deaths) in Miami in 1974 and 1975.

I made that statement thinking of the community of Miami, and also thinking that those responsible were Communists.

I belong to the "Frente de Liberacion Nacional de Cuba (FLNC) FNLC", and the people that I mention in my statement are high ranking people in the organization. ✓

It now turns out that you accuse me of some dynamite that I said was moved from one place to another without license and of being in my possession.

I want you to know (although you know it) that if the statement I made is made public in the courtrooms, the lives of my family (wife and two children) will be in danger of death, since having spoken about the Organization and something detrimental of the Organization, automatically puts me under sentence of "death" In this case, for which I am in jail, it will be my family and the family of Carlos Hernandez who will pay for the consequences.

I ask you to do something about this case. If you want a guilty person to give to the community, you can take me and give me whatever time you want, but what I don't want you to do is read the "statement" in court because it would mean the loss of my family, and that is all I have in this country.

I explained to Det. Raul Diaz and Det. Benitez the consequences of the process.

I never refused anything in respect to the security of Dade County, that is why I gave them all kinds of information, I expect that you will understand that also.

I know a lot of people that are actually in the Organization that are continuing with the bombs and the assassination of politicians in exile (as you will see in the statement) and property of this country.

I guarantee you that I will work with you and help you (without mentioning my name) as soon as I get out of here, since I can either infiltrate someone in the group or give you information about what is going to be done (remember that there are boats that leave from Miami to do sabotage at sea).

I ask you to resolve this case as soon as possible and with the most discretion possible.

Hoping that you will understand this case and the danger that it represents for my family,

Sincerely,

Osmel Grave de Peratta

NOTE:

Let me know what you are going to do. Two or three months ago there was a homicide in a bar in Miami (Manhattan) that I know who did it since the murderer told me himself.

All depends on how my case goes.

SENSITIVE

Dade County Public Safety Department ORGANIZED CRIME BUREAU REPORT

3-88

Report Classification

FILE NO:

Type of Report: Investigative Intelligence Other (Specify)

Other Related File #

Date of Report: 17 Jan. 1977

File Title: Illegal Dissemination of Explosives

Source Identification: OSMEL G. DE PERALTA

Investigator's Evaluation of Information

Investigator's Evaluation of Source

Confirmed Possibly True
 Probably True Cannot be Judged

Reliable Questionable
 Usually Reliable Unknown

NARRATIVE:

SYNOPSIS:

Contact with Mr. OSMEL G. DE PERALTA at the Dade County Justice Building.

DETAILS:

On 17 January 1977, at 1:00 PM, this writer and Det. J. Fuller, O.C.B. Terrorist and Security Squad, contacted Mr. OSMEL DE PERALTA at the Metropolitan Dade County Justice Building, where he was awaiting a preliminary hearing on charges of Illegal Possession of Dynamite and Transportation of Explosives without a Permit.

Mr. DE PERALTA advised these writers that he had intentions of cooperating with the Public Safety Department and of pleading guilty to the aforementioned charges. He rationalized that he was already a convicted felon and that if he cooperated with the Public Safety Department, it might help him later on when he entered the guilty plea before the Criminal Court.

This writer advised Mr. DE PERALTA in the presence of Det. J. Fuller to obtain legal counsel and discuss the matter with him prior to making his decision. This writer further informed Mr. DE PERALTA that if he should provide any information deemed relevant and accurate to the Public Safety Department which would assist the Terrorist Unit in solving any of the recent terrorist homicides and/or bombings, the court would be apprised of the extent of his contribution to the law enforcement agencies.

Mr. DE PERALTA stated he would contact these writers at a later time.

No further information/case pending.

SUBMITTED BY: *J. Benitez*
J. BENITEZ, Officer
Airport/Seaport Section

APPROVED BY: *R. Gonzalez*
R. GONZALEZ, Sergeant
Airport/Seaport Section

REVIEWED BY: *G. R. Havens*
G. R. HAVENS, Lt.
Airport/Seaport Section

Recommendation upon Review:

Maintain in File Hold for Reevaluation Microfilm Purge
JB/ce cc: M. Barbakoff

114.03-04

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SENSITIVE

Dade County Public Safety Department
ORGANIZED CRIME BUREAU REPORT

3-88

Report Classification

FILE NO:

Type of Report: Investigative Intelligence Other (Specify) Information

Other Related File # _____ Date of Report: 17 Jan. 1977

File _____ Source Identification: N/A

Title: Illegal Dissemination of Explosives

Investigator's Evaluation of Information		Investigator's Evaluation of Source	
<input type="checkbox"/> Confirmed	<input type="checkbox"/> Possibly True	<input type="checkbox"/> Reliable	<input type="checkbox"/> Questionable
<input type="checkbox"/> Probably True	<input type="checkbox"/> Cannot be Judged	<input type="checkbox"/> Usually Reliable	<input type="checkbox"/> Unknown

NARRATIVE:

SYNOPSIS:

Preliminary hearing of OSMEL G. DE PERALTA on charges of Illegal Possession of Explosives and Transportation of Explosives without a Permit.

DETAILS:

On 17 January 1977, at 2:00 PM, Mr. OSMEL G. DE PERALTA appeared before Courtroom #7 for a preliminary hearing on charges of Illegal Possession of Explosives and Transportation of Explosives without a Permit. The above hearing was postponed until 7 February 1977, in view of the State's request.

At the time the case was called, this writer and Det. Fuller, O.C.B. Terrorist and Security Unit, advised the court that there were no open cases against Mr. DE PERALTA and that there were no objections on the part of these officers to Mr. DET PERALTA's release from bond on his own recognizance.

On this same date, Sgt. P. Janoski, Supervisor of the Terrorist and Security Unit, was apprised of what had transpired in the preliminary hearing of Mr. DE PERALTA.

Sgt. Janoski was further advised that he would be notified of any forthcoming information received by these writers pertinent to terrorist activity.

No further information/case pending.

SUBMITTED BY: J. Benitez
J. BENITEZ, Officer
Airport/Seaport Section

APPROVED BY: R. Gonzalez
R. GONZALEZ, Sergeant
Airport/Seaport Section

REVIEWED BY: G. R. Havens
G. R. HAVENS, Lt.
Airport/Seaport Section

Recommendation upon Review:

Maintain in File X Hold for Reevaluation Microfilm Purge
JB/ce cc: M. Barbakoff

114.03-04

3-88-53

CAD

SENSITIVE

Dade County Public Safety Department
ORGANIZED CRIME BUREAU REPORT

3-88

Report Classification

FILE NO:

Type of Report: Investigative Intelligence Other (Specify) Information

Other Related File # _____ Date of Report: 7 Feb. 1977

File Title: Illegal Dissemination of Explosives Source Identification: N/A

Investigator's Evaluation of Information	Investigator's Evaluation of Source
<input type="checkbox"/> Confirmed	<input type="checkbox"/> Reliable
<input type="checkbox"/> Possibly True	<input type="checkbox"/> Questionable
<input type="checkbox"/> Probably True	<input type="checkbox"/> Usually Reliable
<input type="checkbox"/> Cannot be Judged	<input type="checkbox"/> Unknown

NARRATIVE:

SYNOPSIS:

Preliminary hearing of OSMEL G. DE PERALTA before Judge Tanksley.

DETAILS:

On 7 February 1977, this writer and Det. J. Fuller, O.C.B. Terrorist and Security Unit, appeared before Judge Tanksley for a preliminary hearing of OSMEL G. DE PERALTA on charges of Illegal Possession of Explosives and Illegal Transportation of Explosives without a Permit.

Mr. Cassuso, Assistant State Attorney, was notified prior to the hearing that Mr. DE PERALTA had intentions of pleading guilty to the above charges.

Mr. Cassuso indicated that Mr. DE PERALTA should put his plea in writing through his attorney. Mr. Cassuso explained that if Mr. DE PERALTA wished to be relocated at the Belle Glades Correctional Institute, where he is presently serving time for a Robbery charge, the State would have no objections if these officers felt that by doing so, Mr. DE PERALTA might be in a better position to receive information of interest to the Public Safety Department. Mr. Cassuso explained that if this were the alternative to be taken, then Mr. DE PERALTA should inform the court of his intended plea from Belle Glades in writing through his appointed attorney. He added that he personally would handle the matter as soon as he was contacted by the Public Defender handling the DE PERALTA case.

At the time of the preliminary hearing on this date, Mr. DE PERALTA waived his preliminary hearing in front of Judge Tanksley.

No further information/case pending.

SUBMITTED BY: *J. Benitez*
J. BENITEZ, Officer
Airport/Seaport Section

APPROVED BY: *R. Gonzalez*
R. GONZALEZ, Sergeant
Airport/Seaport Section

REVIEWED BY: *GRH*
G. R. HAVENS, Lt.
Airport/Seaport Section

Recommendation upon Review:

Maintain in File Hold for Reevaluation _____ Microfilm _____ Purge _____
JB/ce cc: M. Barbakoff

114.03-04

3-88-54

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SENSITIVE

Dade County Public Safety Department

ORGANIZED CRIME BUREAU REPORT

3-88

Report Classification

FILE NO:

Type of Report: Investigative Intelligence Other (Specify)

Other Related File #

Date of Report: 16 March 1977

File Title: ILLEGAL POSSESSION AND DISSEMINATION OF EXPLOSIVES

Source Identification: Officer

Investigator's Evaluation of Information
 Confirmed Possibly True
 Probably True Cannot be Judged

Investigator's Evaluation of Source
 Reliable Questionable
 Usually Reliable Unknown

NARRATIVE:

SYNOPSIS:

On 16 March 1977, this writer appeared before Judge Rubin at the Metro Justice Building in order to testify on behalf of the State regarding charges of Illegal Possession of Explosives and Illegal Transportation of Explosives without a Permit, filed against Mr. OSMEL G. DE PERALTA in 1976.

DETAILS:

Regarding the matter, Mr. DE PERALTA, represented by Mr. Brauerman, changed his Not Guilty plea in private chambers and entered a plea of Guilty after discussing the matter with Mr. Brauerman. The above Guilty plea was entered by Mr. DE PERALTA after plea negotiations were agreed upon by Defense Counsel, this writer and Mr. CASSUSSO, Assistant State Attorney.

In view of the plea of Guilty, Judge Rubin sentenced Mr. DE PERALTA to two (2) years probation withholding adjudication on the matter pending Mr. DE PERALTA meeting certain specific terms of probation including full cooperation with the Public Safety Department regarding terrorist activity.

No further information.

Case closed.

SUBMITTED BY: *J. Benitez*

APPROVED BY: *R. Gonzalez*

REVIEWED BY: *G. R. Havens*

J. BENINEZ, Officer
Airport/Seaport Section

R. GONZALEZ, Sergeant
Airport/Seaport Section

G. R. HAVENS, Lieutenant
Airport/Seaport Section

Recommendation upon Review:

Maintain in File Hold for Reevaluation Microfilm Purge
JB/ce cc: M. Barbakoff

MEMORANDUM

107.07-17A

TO Summa
 J. DeLoach
 FROM J. DeLoach, SAT
 TIS

DATE 11 Dec 75

SUBJECT 3-86

It is requested that file number 3-86 be assigned to the series of pipe bombings which occurred on 3 Dec 75. and were handled by our lab under the following case numbers:

1. 284980-T - 328 W. Flagler
2. 284971-T - 3501 Bisc. Blvd
3. 284969-T - 2300 W. Flagler
4. 284963-T - SW 68 Ave & 85 St
5. 284974-T - NW 14 Ave & 36 St
6. 285175-T - 77 Ave & Flagler St

Note: # 6 is PSD jurisdiction and will be used as a master case number for any departmental reports.

3-86-1

PURGING FORM
(TO BE COMPLETED IN DUPLICATE)

May 6, 1985
DATE

OCB FILE #: 3-88

FILE TITLE: Accessing of Explosives thru
Illicit Channels

SUBMITTED BY: A.E. Hill, Lt.

SUBMITTED TO: P. Janosky, Sgt.

The above noted item(s) was (were) purged from the Organized Crime Bureau files under the guidelines set forth by the Metro-Dade Police Department, for the reason indicated below:

Information no longer useful or pertinent to the operation of the Organized Crime Bureau.

Information which no longer pertains to a possible criminal violation or criminal intelligence information necessary to the operation of the Organized Crime Bureau.

Other (Explain):

ACTION TAKEN:

PURGE ENTIRE FILE RETAIN ENTIRE FILE RETAIN FOLLOWING PAGES:

Purge 3-88-51, 3

ACTION REQUESTED BY:
(Unit Supervisor/Signature)

APPROVED

DATE

DISAPPROVED

A. F. NEHRBASS, CMDR.
ORGANIZED CRIME BUREAU

6/6/85

A.F. NEHRBASS, CMDR.
ORGANIZED CRIME BUREAU

~~CONFIDENTIAL~~

Dade County Public Safety Department
ORGANIZED CRIME BUREAU REPORT

Report Classification

FILE NO: 3-88

Type of Report: Investigative Intelligence Other (Specify)

Other Related File #

Date of Report: October 23, 1976

File Title: ILLEGAL DISSEMINATION OF EXPLOSIVES

Source Identification: Law Officer

Investigator's Evaluation of Information
 Confirmed Possibly True
 Probably True Cannot be Judged

Investigator's Evaluation of Source
 Reliable Questionable
 Usually Reliable Unknown

NARRATIVE:

Issuance of arrest warrants against OSMEL GRAVE DE PERALTA and CARLOS HERNANDEZ by Judge Hickey.

On Friday, 22 October 1976, these writers met with Mr. Munroe, Assistant State Attorney, in order to obtain an affidavit in support of an arrest warrant being sought by these writers against OSMEL GRAVE DE PERALTA and CARLOS HERNANDEZ for illegal possession of explosives and transportation of explosives without a license in violation of FSS 552.101 and FSS 522.12 respectively. The meeting was held with Mr. Munroe in view of ASA Hank Adorno's and ASA George Yoss's departure from Miami to Venezuela.

After a review of the entire case, Mr. Munroe prepared an affidavit in support of probable cause for the issuance of the arrest warrants being sought.

On the same date at approximately 3:30 p.m. these writers appeared before Honorable Judge Hickey in order to present him with the facts surrounding the case as outlined in the sworn affidavit against OSMEL DE PERALTA and CARLOS HERNANDEZ. After a brief inquiry by Judge Hickey regarding the case herein at issue, the sought arrest warrants were signed and issued as follows:

- 1) CARLOS HERNANDEZ - Warrants #7627821 and 7627822
 - 1) Possession of explosives in violation of FSS 552.101
 - 2) Transportation of explosives without a permit in violation of FSS 552.12
- 2) OSMEL GRAVE DE PERALTA - Warrants #7627823 and 7627824
 - 1) Possession of explosives in violation of FSS 552.101
 - 2) Transportation of explosives without a permit in violation of FSS 552.12

Investigation continues.

J. Benitez
SUBMITTED BY: J. BENITEZ/J. FULLER, Officers
Terrorist & Security Unit

P. Janosky
APPROVED BY: P. JANOSKY, Sergeant
Terrorist & Security Unit

T. Lyons
REVIEWED BY: T. LYONS, Supervisor
Tactical Inv. Section

Recommendation upon Review:

Maintain in File Hold for Reevaluation Microfilm Purge

CONFIDENTIAL

Dade County Public Safety Department
ORGANIZED CRIME BUREAU REPORT

Report Classification

FILE NO: 3-88

Type of Report: Investigative Intelligence Other (Specify)

Other Related File # 254641-V

Date of Report: October 21, 1976

Title: ILLEGAL DISSEMINATION OF EXPLOSIVES

Source Identification: Law Officer

Investigator's Evaluation of Information

Investigator's Evaluation of Source

Confirmed Possibly True
 Probably True Cannot be Judged

Reliable Questionable
 Usually Reliable Unknown

NARRATIVE:

FBI cooperation to be an issue at the criminal hearing against OSMEL GRAVE DE PERALTA and CARLOS HERNANDEZ.

In view of the statements taken from the defendants by the FBI, on 21 October 1976 this writer contacted FBI Special Agent Vince Warger at the Miami Office in order to ascertain if he and the other agents involved in the OSMEL DE PERALTA and CARLOS HERNANDEZ interview taken in 1975 would be available for court testimony at the Circuit Court in Miami, Florida.

S/A Warger stated he would notify S/A T. Stickney and S/A R. Ross and assured this writer that it would present no conflict to any of their present assignments.

S/A Warger further assured this writer that they would be available for trial upon being subpoenaed by the state.

J. Benitez
SUBMITTED BY:
J. BENITEZ, Officer
Terrorist & Security Unit

P. Janosky
APPROVED BY:
P. JANOSKY, Sergeant
Terrorist & Security Unit

T. Lyons
REVIEWED BY:
T. LYONS, Supervisor
Tactical Inv. Section

Recommendation upon Review:

Maintain in File Hold for Reevaluation Microfilm Purge

CONFIDENTIAL

Dade County Public Safety Department
ORGANIZED CRIME BUREAU REPORT

Report Classification

FILE NO: 3-88

Type of Report: Investigative Intelligence Other (Specify)

Other Related File #

Date of Report: October 23, 1976

File Title: ILLEGAL DISSEMINATION OF EXPLOSIVES

Source Identification: Law Officer

Investigator's Evaluation of Information
 Confirmed Possibly True
 Probably True Cannot be Judged

Investigator's Evaluation of Source
 Reliable Questionable
 Usually Reliable Unknown

NARRATIVE:

Arrest of CARLOS HERNANDEZ on 22 October 1976 at 2531 N. W. 24 St., Miami, Fla.

On 22 October 1976 at approximately 6:00 p.m. this writer along with PSD detectives and Miami Police Department assistance served arrest warrants #7627821 and 7627822 on CARLOS HERNANDEZ at 2531 N. W. 24 Street, Miami, Florida.

Mr. HERNANDEZ was read his constitutional rights as per Miranda by this writer in the presence of Dets. E. Mederos and D. Benitez and the circumstances for which he was being criminally charged were explained.

Mr. HERNANDEZ was then transported to the PSD building, OCB office, by PSD Officer William Hendersohn, where HERNANDEZ was processed and subsequently turned over by this writer and Det. D. Benitez to the custody of the Dade County Jail for formal booking procedures.

The following officers responded to assist this writer in serving the above cited arrest warrants:

- 1) PSD Sgt. P. Janosky
- 2) Det. D. Benitez, PSD
- 3) Det. E. Mederos, PSD
- 4) PSD Canine Off. C. Welden
- 5) PSD Off. W. Hendersohn
- 6) Miami PD Det. R. Agras

Investigation continues.

SUBMITTED BY: *J. Benitez*
J. BENITEZ, Officer
Terrorist & Security Unit

APPROVED BY: *P. Janosky*
P. JANOSKY, Sergeant
Terrorist & Security Unit

REVIEWED BY: *T. Lyons*
T. LYONS, Supervisor
Tactical Inv Section

Recommendation upon Review:

Maintain in File Hold for Reevaluation Microfilm Purge

CONFIDENTIAL

Dade County Public Safety Department
ORGANIZED CRIME BUREAU REPORT

Report Classification

FILE NO:

3-88

Type of Report: Investigative Intelligence Other (Specify)

Other Related File #

Date of Report: November 15, 1976

File

Source

Title: ILLEGAL DISSEMINATION OF EXPLOSIVES

Identification: Other

Investigator's Evaluation of Information

Investigator's Evaluation of Source

Confirmed

Possibly True

Reliable

Questionable

Probably True

Cannot be Judged

Usually Reliable

Unknown

NARRATIVE:

On Friday, 12 November 1976, these writers appeared before Magistrate Judge Newbold in Courtroom #5 in order to testify on behalf of the state against CARLOS HERNANDEZ.

Other witnesses for the state present were Mr. P. Warren (Public Works Department), S/A Robert Ross (FBI), S/A Vince Warger (FBI), and Mr. Al Champaigne (Troup Brothers Construction).

In view of instructions from ASA Hank Adorno, the state motioned for a postponement in an effort to file the case directly.

CARLOS HERNANDEZ, who was represented by counsel, Jeffrey S. Weiner, was not in the courtroom at the time the case was called.

No further information.

SUBMITTED BY: *[Signature]*

APPROVED BY: *[Signature]*

REVIEWED BY: *[Signature]*

J. BENITEZ/J. FULLER, Officers
Terrorist & Security Unit

P. JANOSKY, Sergeant
Terrorist & Security Unit

T. LYONS, Supervisor
Tactical Inv. Section

Recommendation upon Review:

Maintain in File Hold for Reevaluation Microfilm Purge

CONFIDENTIAL

Dade County Public Safety Department
ORGANIZED CRIME BUREAU REPORT

Report Classification

FILE NO: 3-88

Type of Report: Investigative Intelligence Other (Specify)

Other Related File # 254641-V

Date of Report: November 2, 1976

File Title: DYNAMITE DIVERSION

Source Identification: Law Officer

Investigator's Evaluation of Information
 Confirmed Possibly True
 Probably True Cannot be Judged

Investigator's Evaluation of Source
 Reliable Questionable
 Usually Reliable Unknown

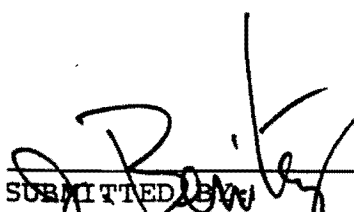
NARRATIVE:

Magistrate hearing of CARLOS HERNANDEZ scheduled for 2 November 1976 in Judge Jaffe's court in Dade County.

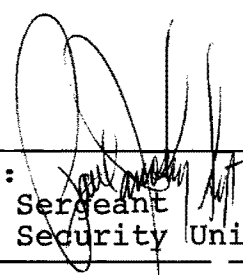
On 2 November 1976 this writer appeared before Magistrate Court Judge Jaffe in order to testify for the state at the preliminary hearing of defendant CARLOS HERNANDEZ, who was represented by counsel.

In view of the lack of the State Attorney's Office to subpoena Special Agents of the FBI involved in the case along with other necessary witnesses, the case was postponed until 12 November 1976.

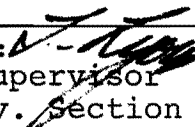
No further information.



SUBMITTED BY:
J. BENITEZ, Officer
Terrorist & Security Unit



APPROVED BY:
P. JANOSKY, Sergeant
Terrorist & Security Unit



REVIEWED BY:
T. LYONS, Supervisor
Tactical Inv. Section

Recommendation upon Review:

Maintain in File Hold for Reevaluation Microfilm Purge

SENSITIVE

CASE NO: 3-88

DATE: August 27, 1976

Continuing investigation into the illegal flow of explosives in Dade County.

SYNOPSIS:

Interview of OSMEL GRAVE DEPERALTA at the Dade County Jail in Miami, Florida.

DETAILS:

On 27 August 1976, these writers met with Mr. OSMEL GRAVE DE PERALTA at the Dade County Jail for the purpose of interviewing him regarding his involvement in the larceny of a case of dynamite from the Troup Brothers construction site sometime in 1974.

Mr. DE PERALTA was advised of the scope of our authority and of his incriminatory repercussions if he should talk to us. In spite of this advice, Mr. DE PERALTA agreed to talk and discuss the above matter.

Mr. DE PERALTA was advised of his constitutional rights in English and in Spanish in the presence of Det. J. Fuller. He indicated he understood his rights and agreed to discuss his involvement in the larceny of a case of dynamite from the Troup Brothers site in 1974.

Before proceeding, Mr. DE PERALTA was advised of the charges which were being contemplated against him by the State Attorney's Office and the Public Safety Department, i.e., Illegal possession of explosives without license, FSS 552.101, and Transportation of explosives, FSS 552.12.

Mr. DE PERALTA stated that this was an old case and he did not see any sense in keeping it to himself since he had already spoken to FBI S/A Vincent Warger and PSD Det. R. Diaz when he was at the State Penitentiary in Belle Glades, Florida.

Mr. DE PERALTA appeared somewhat nervous but at ease in conversation with these writers. He indicated a lack of understanding about the present sentence for robbery he was serving. These writers made no attempts to either explain to him his present sentence or promise him anything in exchange for a statement.

Mr. DE PERALTA was further informed by these writers that all information to be discussed would be presented to the office of the State Attorney and that they (SAO) would make the final determination of what charges would be filed on whom regarding this case.

Mr. DE PERALTA proceeded as follows:

3-88-32

SECRET

3-88

-2-

August 27, 1976

On a day sometime in 1974, as previously agreed by himself and Mr. CARLOS HERNANDEZ, they both went to a construction site near the Palmetto Expressway to pick up some dynamite from a source who worked at the job site.

Upon their arrival at the Palmetto Expressway job site, a dynamite truck arrived after them. After a brief inaudible conversation between Mr. HERNANDEZ and the truck driver, Mr. DE PERALTA was motioned by Mr. HERNANDEZ to the rear of the recently arrived truck.

According to DE PERALTA, he went to the rear of the truck and opened up a box which was part of the cargo in the rear of the truck. Upon doing so, and convincing himself of the contents, he removed the box and placed it in Mr. HERNANDEZ' vehicle.

Upon departing from the area, Mr. DE PERALTA and Mr. CARLOS HERNANDEZ drove to Mr. FRANCISCO HERNANDEZ' and advised him of what they had obtained. According to Mr. DE PERALTA, Mr. FRANCISCO HERNANDEZ appeared very pleased with what he was told.

Mr. DEPERALTA states that the dynamite was subsequently transferred from CARLOS HERNANDEZ' Pontiac to FRANCISCO HERNANDEZ' vehicle by himself prior to their departure.

According to DE PERALTA, he never again saw the dynamite.

Mr. DE PERALTA concluded by stating that FRANCISCO HERNANDEZ had been associated with the FRONTE DE LIBERACION NACIONAL DE CUBA (FLNC), however, he did not have any knowledge of what the dynamite was used for.

Investigation continues.

PREPARED BY:

Det. J. Benitez

J. BENITEZ, Officer
Terrorist & Security Unit

J. Fuller by JB

J. FULLER, Officer
Terrorist & Security Unit

APPROVED BY:

[Signature]

P. JANOSKY, Sergeant
Terrorist & Security Unit

REVIEWED BY:

[Signature]

T. LYONS, Supervisor
Tactical Investigation Section

JB/JF/do

82

CASE NO: 3-88

DATE: September 8, 1976

Continuing investigation into the illegal flow of explosives in Dade County.

SYNOPSIS:

Interview of OSMEL GRAVE DE PERALTA at the Dade County Jail in Miami, Florida on 8 September 1976.

DETAILS:

On 8 September 1976 these writers contacted OSMEL GRAVE DE PERALTA for the purpose of ascertaining if he would testify against CARLOS HERNANDEZ, FRANCISCO HERNANDEZ, and any other involved parties in the illegal dissemination and transportation of explosives herein under investigation.

Mr. DE PERALTA stated he would testify in a grand jury hearing on behalf of the state against the other involved parties in this case but expressed fear for his safety if he should do so. DE PERALTA also expressed a strong desire to speak to Det. R. Diaz, PSD, regarding a previous conversation which took place at Belle Glade, Florida.

In view of DE PERALTA'S answer and agreement to testify on behalf of the state, Mr. Hank Adorno, Assistant State Attorney, was notified in order to discuss immunity proceedings to be granted for OSMEL GRAVE DE PERALTA. As a result of the meeting with ASA H. Adorno, an agreement was made to arrange for DE PERALTA'S sworn statement to be taken at the State Attorney's Office.

Investigation continues.

PREPARED BY:

Det. J. Benitez
J. BENITEZ, Officer
Terrorist & Security Unit

J. Fuller
J. FULLER, Officer
Terrorist & Security Unit

APPROVED BY:

P. Janosky
P. JANOSKY, Sergeant
Terrorist & Security Unit

REVIEWED BY:

T. Lyons
T. LYONS, Supervisor
Tactical Investigation Section

JB/JF/do

3-88-33

RB

CASE NO: 3-88

DATE: September 21, 1976

Continuing investigation into the illegal flow of explosives in Dade County.

SYNOPSIS:

Interview of OSMEL GRAVE DE PERALTA at the Dade County Jail in Miami, Florida.

DETAILS:

On 21 September 1976 these writers contacted OSMEL GRAVE DE PERALTA at the Dade County Jail in order to finalize arrangements to take his sworn statement to be used on behalf of the state against all the involved parties in the illegal dissemination of explosives case herein under investigation.

Mr. DE PERALTA refused to discuss anything pertaining to the case at issue and stated he would not testify either in court or a grand jury hearing against anyone. He further stated he would take his chances and serve whatever time he is given if sentenced for this offense.

These writers advised DE PERALTA that he would be notified of the outcome of the case and of the decision made by the State Attorney's Office concerning the action to be taken against him regarding his involvement in the crime.

Mr. H. Adorno, Assistant State Attorney, was notified of DE PERALTA'S change of attitude about testifying on behalf of the state against all other involved parties in the case here at issue.

Investigation continues.

PREPARED BY:

Det. J. Benitez
J. BENITEZ, Officer
Terrorist & Security Unit

J. Fuller by JB.
J. FULLER, Officer
Terrorist & Security Unit

APPROVED BY:

P. Janosky
P. JANOSKY, Sergeant
Terrorist & Security Unit

REVIEWED BY:

T. Lyons
T. LYONS, Supervisor
Tactical Investigation Section

JB/JF/do

3-88-34

RC

SENSITIVE

CASE NO: 3-88

DATE: September 20, 1976

Continuing investigation into the illegal flow of explosives in Dade County.

SYNOPSIS:

Attached is a sworn statement of SIDNEY FARLEY. ✓


DETAILS:

On 20 September 1976 these writers received the attached sworn statement of SIDNEY FARLEY which was taken on 23 July 1976.

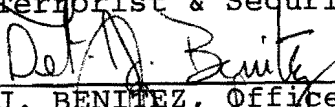
The statement is in regard to an alleged theft of dynamite which occurred in October 1974.

Investigation continues.

PREPARED BY:

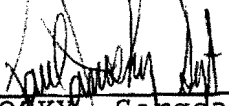


J. FULLER, Officer
Terrorist & Security Unit




J. BENITEZ, Officer
Terrorist & Security Unit

APPROVED BY:



P. JANOSKY, Sergeant
Terrorist & Security Unit

REVIEWED BY:



G. R. HAVENS, A/Supervisor
Tactical Investigation Section

JF/JB/do

3-88-31 pg 1

CASE NO: 3-88

DATE: September 20, 1976

Continuing investigation into the illegal flow of explosives in Dade County.

SYNOPSIS:

Attached is a sworn statement of SIDNEY FARLEY.

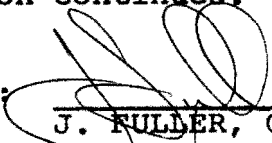
DETAILS:

On 20 September 1976 these writers received the attached sworn statement of SIDNEY FARLEY which was taken on 23 July 1976.

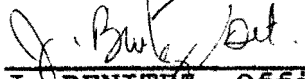
The statement is in regard to an alleged theft of dynamite which occurred in October 1974.

Investigation continues.

PREPARED BY:



J. FULLER, Officer
Terrorist & Security Unit



J. BENITEZ, Officer
Terrorist & Security Unit

APPROVED BY:

P. JANOSKY, Sergeant
Terrorist & Security Unit

REVIEWED BY:



G. R. HAVENS, A/Supervisor
Tactical Investigation Section

JF/JB/do

3-88-31 pg. 2

FOR THE DADE COUNTY PUBLIC SAFETY
DEPARTMENT, ORGANIZED CRIME BUREAU
MIAMI, DADE COUNTY, FLORIDA

CASE NO: O.C.B. 3-88

INVESTIGATION CONDUCTED :

:

BY THE :

:

ORGANIZED CRIME BUREAU :

:

SWORN STATEMENT OF SIDNEY B. FARLEY ✓

Taken before Gertrude Ann Reincke, R.P.R., Steno-Reporter and
Notary Public in and for the State of Florida at Large, at 1320
Northwest 14th Street, Miami, Dade County, Florida, on the 23rd
day of July, 1976, commencing at 4:40 p.m. and concluding at
5:05 p.m.

APPEARANCES:

JAMES FULLER, DETECTIVE
DADE COUNTY PUBLIC SAFETY DEPARTMENT
ORGANIZED CRIME BUREAU

JOSEPH BENITEZ, DETECTIVE
DADE COUNTY PUBLIC SAFETY DEPARTMENT
ORGANIZED CRIME BUREAU

I N D E X

<u>Witness</u>	<u>Page</u>
Sidney B. Farley	
By Detective Fuller	3, 6 7, 8 9, 11, 12
By Detective Benitez	5, 6 8, 11, 12

THEREUPON:

SIDNEY B. FARLEY

having first been duly sworn or affirmed and cautioned was examined and testified upon his oath as follows:

EXAMINATION

BY DETECTIVE FULLER:

Q Would you please state your name and age.
A Sidney B. Farley.
Q How old are you?
A Forth-four.
Q When were you born, Sidney?
A 1932.
Q What is your present address?
A Just moved there. I have to get, take out--
my license is downstairs--10754 Southwest 140th Street, Richmond
Heights.
Q Do you have a phone number there?
A Yes, 235-0621.
Q What is your type of employment?
A Meaning what?
Q What kind of job do you do?
A Blast.
Q Who do you work for?
A Troupe (sic) Brothers.
Q How long have you been employed by Troupe
Brothers?
A Twenty-three years.
Q And the position that you hold is a blaster with
explosives?
A Right.
Q You're certified by the State of Florida?
A Right.
Q Do you know how long you were certified?
A No.
Q Are you presently under the influence of
alcohol?
A No.
Q Are you presently under the influence of any
drugs?

A No.

Q Are you presently under the care of any medical doctor?

A No.

Q Okay. Are you aware of the reason why you are in this office today?

A Yes.

Q Are you here voluntarily? Are you here voluntarily?

A Yes.

Q Have any promises been made to you regarding the giving of a statement to us?

A What do you mean?

Q Has anybody made any promises to you so that you would talk to us?

A No.

Q Sidney, I will read to you a statement of rights. It means that you have certain rights. One of those rights is that you don't have to talk to me, if you do not want to and that you can have an attorney officiating.

I am going to read you these rights. I want you to answer after I read each one, explain too if you understand that right.

"You must understand these rights. You have the right to remain silent. You don't need to talk to me or answer any questions if you do not wish to do so."

Do you understand that?

A Yes.

Q "Should you talk to me, anything which you say in answer will be introduced into evidence in court against you."

Do you understand that?

A Yes. I do.

Q In other words, whatever you say to me, if it incriminates you in any way, it could be used in a court of law against you.

A Right.

Q "If you want an attorney to represent you at this time or at any time hereafter, you're entitled to an attorney." Do you understand that?

A Yes.

Q "If you cannot afford an attorney, one will be provided without charge for you." Do you understand that?

A Yes.

Q I am going to ask you several questions regarding

a specific case of dynamite which was disseminated or which was accounted for by yourself and some of which has proven to be not accounted for because it was in the hands of somebody else. That's what the specific investigation is about.

Do you understand that?

A Yes.

Q Are you willing to answer my questions?

A Yes, if I know them.

Q That's all I want.

Do you wish to answer these questions without the presence of an attorney at this time?

A Yes.

Q And this statement you're about to give me is the truth to the best of your knowledge?

A Right.

Q Sidney, I would like to draw your attention to October of 1974. Do you recall where you were working at the time?

A Yes, on the turnpike at Sweetwater.

Q You were working for Troupe Brothers at the time?

A Right.

Q What were you doing then?

A Blasting.

Q Do you remember the names of the fellow employees that you were working with at that time?

A Just only two.

Q Who are they?

A Samuel Thomas and Homer Gardner, I think it was.

Q Were you ever approached by any individuals wanting to buy dynamite from you at that time?

A No.

Q Do you know of anybody else that you worked with that were approached--

A Not that I know of.

Q --to buy dynamite?

Does the name Dwayne Williamson--

A He's the truck driver.

Q Do you recall the individuals that approached Dwayne Williamson wanting to buy dynamite?

A Not that I know of.

Q Do you remember any individuals mentioning to you have their having been approached by two individuals in order to buy dynamite?

A How do you say now?

Q Did anybody tell you that they were approached by somebody that wanted to buy dynamite?

A No.

Q I would like to read you a statement from Mr.

Williamson. I would like your response to this.

This is concerning alleged thefts or illegal buying of dynamite that occurred in October.

This is from a deposition taken at the State Attorney's Office by Mr. Williamson.

Question was asked:

"You didn't see them physically take the dynamite out of the truck?"

Mr. Williamson said:

"No. He threwed this. I knew they had as soon as they drove off. I went back and I thought there was dynamite missing. I said, 'Sid, I don't know but these guys took some dynamite out of the truck.' I told him. There was people around on the bridge. He said, 'I hope nobody didn't see. If they did see the, they'll close down the job.'

I told him that I felt if I had to tell the big boss or call the cops, I would. I took down their tag number"--

and it goes on from there. This is page six of the deposition given on February 19, 1976, at 9:05 a.m.. Present were Henry Adorno, Dwayne Williamson, Jim Filler and the reporter was Audrey Lubeck.

Do you want to respond to that? Do you recall anything like that happening?

A No.

EXAMINATION

BY DETECTIVE BENITEZ:

Q Do you remember anybody telling you that there was cases of dynamite missing from one of the trucks?

A I don't.

Q Have you ever had any problem with Mr. Williamson?

A No, never have. Me and him been good friends.

Q So, there was no reason for him to say this?

A Always tell a fellow, bunch of truck drivers what hauling rocks and stuff like that, anytime anybody comes close

by the truck, I warn them stay close by the truck--never tell.

Q So, he was probably complying with your instructions by staying close by the truck?

A It's possible.

Q You don't have any recollection of your own part of anybody even mentioning to you that there was any amount of dynamite or any amount of any type of explosive missing from any one truck?

A No. We observed the one truck over there, that he was taking care of the drill rigs.

EXAMINATION

BY DETECTIVE FULLER:

Q Samuel Thompson (sic).

A That's my loader man. He loads for me.

Q Did he ever approach you and said somebody had tried to buy dynamite from him?

A No.

DETECTIVE FULLER: Off the record.
(Discussion held off the record.)

EXAMINATION

BY DETECTIVE BENITEZ:

Q Sidney, are you aware of the fact that the information that you are giving us regarding the specific incident, if it shows not being true, you would be or could be prosecuted for Perjury?

A Yes.

Q You realize that is a crime in the State of Florida?

A Right.

Q You also realize that if you are knowledgeable of any of this activity taking place and you do not tell us about it, you could be prosecuted as an Accessory After the Fact. You know that is a crime, too?

A That's right.

Q If you know this has been taking place, you can be convicted and you will no longer be able to perform your duties

as a blaster?

A Right.

EXAMINATION

BY DETECTIVE FULLER:

Q I would like to read you another statement. This again is from the deposition of Sam Thompson taken on January 14th, 1976. Present is Janet Reno, James Fuller, Samuel Thompson and Jean Bowman.

The statement I am reading you was read by Miss Reno from F.B.I. reports. That is quote, unquote, starting at page 10:

This is Miss Reno:

"DePeralto is not the one who drove for Tupler. This is what he said to the F.B.I.:

'Sometime about mid-October, 1974, I went with Carlos Hernandez to pick up some dynamite from a one-eyed man of the black race with whom I was not acquainted. This black man was working with explosives on a road project in the vicinity of the new turnpike west of the Palmetto Expressway in Miami.'

Then he told Carlos what he was going to do with it, and it goes on:

'Both Carlos and I had previously gone to see the black man who worked with explosives at the same general area of the construction site on four or five occasions to get some dynamite.

However, this explosives man on these other occasions told us that he did not have enough to give us any. Finally, on about the sixth trip to see the explosives man, a dynamite truck arrived where Carlos and I, as well as the black man, were driving by an unidentified white male. The black male introduced Carlos and me to the driver. Carlos asked the man for some dynamite.

I cautioned Carlos not to tell the driver why we wanted the dynamite. The driver said something to Carlos I did not hear. Carlos motioned to me to go to the rear of the truck and get some dynamite. I went to the rear of the truck.

I saw cardboard 50-pound cases of dynamite. I opened one and examined the sticks of dynamite. I took one case of the dynamite and put it in Carlos' car and I drove'--"

Quote, unquote. This statement was given by Osmel Peralta ending on page 11.

EXAMINATION

BY DETECTIVE BENITEZ:

Q Do you recall anybody ever mentioning that specific case?

A No. I haven't
Excuse me. When I said the black man, Samuel Thompson, he is my loader man.

Q Do you remember him ever reporting this?

A No.

Q Do you remember ever being there when this occurred?

A No. I had to go to my machine every morning, be greasing up while they get the dynamite.

Q Do you remember what day this was when this occurred?

A No.

Q Did you ever hear anybody mention to somebody else any particular events of what he just read to you?

A No. I never have.

EXAMINATION

BY DETECTIVE FULLER:

Q All right. I would like to read another statement. I would like your response. Again, this again comes from the deposition taken in February of 1976. Present were Henry Adorno, Dwayne Williamson, James Fuller, reporter was Audrey Lubeck. This is from page five: All right. This is a response to a question:

"Then what happened?"

The answer is given by Dwayne Williamson:

"Sid started walking toward me. The boss, got on the drill rig standing by him. The other guy helping was away a couple of minutes, so I thought I better go back to the drill

rig in case these guys are stealing dynamite off of it. I was looking around to see where everybody was.

Sam was walking over toward it--not to be putting anything on Sam. Sam is kind of a sneaky, sly guy. He drinks on the job a lot, kind of a sly guy. They come out and turn Sam on,

They tried to bribe me with a reefer, and that first time they come on the job, they come on the job twice after this, but at the time I went back to the truck.

I got in the truck--sat in the cab. One of the guys was talking to Sid. He stayed there. The other two guys come back. The main guy is with Sam. He kept on saying, 'Let me get some dynamite from you.'

I said, 'I can't do that. Talk to Sam. What they do is their business.' He said, 'Come on now. We need it to blow up Castro.'

I said, 'I don't want to sell you no dynamite, because it's against the law. On top of that, I don't know you at all. You couldn't pay for it anyway.'

You know. He said, 'All right, man, that's cool. We'll just go on down.'

About that time, he throws \$5.00 in the window, don't say nothing. I kind of looked around, looked in the back of the truck. They was already in the car, getting in their car."

You don't recall that incident or do you?

A Some guys come out one day because they was working there. Every day truck drivers--I don't know. It was two or three.

Q What did they do when they came out there?

A Talk to Sam and Dwayne. I was getting the other row of hose. I was off the drill. I got back up on the drill.

Q What did they talk to Sam about?

A I don't know. See, the truck had to be 500 feet away from the drill. I never noticed what was going on.

Q This area, are only certain people inside?

A Anybody can come in.

Q Do you know these people?

A I know if I see them--the driver of the truck every day.

Q They were there legally?

A What do you mean?

Q If they had a reason to be there?

A Not that I know of.

Q Are you the supervisor of Williamson and these other people?

A Right

EXAMINATION

BY DETECTIVE FULLER:

Q Sid, what kind of dynamite were you using when you were working on the job in '74?

A I don't know. We changes so much, I really couldn't say to be sure but it was a Hercules (sic) brand.

Q What percentage would you mostly likely use on the cite?

A Mostly 40%. It all depends in the area we're drilling in--hit hard rock, we have to use something different.

Q Sid, do the truck drivers of the dynamite trucks, do they ever load any other dynamite or explosives off the truck?

A No.

Q What happens to the boxes after the dynamite is used?

A We burns them in the afternoon.

Q Is it possible that anything besides explosives is carried on the truck?

A Fire extinguisher, nothing else.

EXAMINATION

BY DETECTIVE BENITEZ:

Q Does the place where you store the dynamite remain locked after you use it?

A Supposed to be locked. I don't go there. They could leave it open. I wouldn't have no way of knowing that.

Q How would anybody get dynamite from there if it is locked?

A They would have to break in. See, the driver to have the keys--see, that's the first time. They didn't have that a long time ago.

Q How long ago?

A I don't know. I can't say.

Q Two years ago?

A Much longer than that.

Q Did it ever occur to you to ask these men what they were doing there?

A Several times.

Q What did they say?

A Scouting around, asking questions.

Q What would your job as supervisor then require you to do about their being there?

A I told Sam to keep them from coming around there, keep them from hanging around that truck.

Q What would be required of you to do as a supervisor if you found dynamite to be missing from the truck?

A The first time, I would tell my boss.

Q Then, what would you do?

That's as far as you go?

A That's as far as I go with it.

Q Can you explain in any way that you accounted for having accounted for a case of dynamite that was not used by you?

A No. I can't because I never notice how much even is on the truck or machine and nothing, only account for what I use in a day.

Q Can you account for the specific amount used in a day then? The particular case we are talking about, how would you be able to account for it if it was not used?

A Well, ain't no way. Thing is some of them cases come with 15 sticks but don't have but 12 sticks. Fifty pounds, that's how I count it.

Q How tight are the safety measures of the control of dynamite at the Troupe cite?

Is it easy to get dynamite from the storage center or from a truck without anybody else knowing it?

A Yes. It would be easy.

Q It would be easy?

A Not around the drilling, it wouldn't be easy. Going from one drill to the other or machine where the storage is.

If a person wanted, they could take as many cases as they wanted.

Q Is there anything that a supervisor could do to make sure that this doesn't happen?

A Ellen Champain (sic) come around. I guess that's what she do.

Q That would be their job?

A I guess so.

EXAMINATION

BY DETECTIVE FULLER:

Q Do you recall at any time in the fall of 1974 of a break-in at that cite or dynamite was stolen?
A Not ours. Right off from there, Sterling (sic).
Q In October?
A I believe so. I am not for sure. I believe that's when it was.

EXAMINATION

BY DETECTIVE BENITEZ:

Q Has anybody ever approached you to try to buy dynamite?
A Yes. On the job, didn't offer to buy. They said they needed 12 cases. I think somebody from this department--down there. They needed cases. That's the man that drives from there.
They had brought us a load. He had gone out to get a mechanic. At the same time, two guys came up in a yellow pick-up truck and called me, wanted to talk to me.
That's what he said, some guys said, I may be able to help us. I locked the gate--when he went out--I went to get my boss. He wasn't there.
The government inspectors was there. So, I brought him back up there.
Q Who?
A I guess somebody from this department.
Q What is the full name of your supervisor?
A Ellen Champain (sic).
Q Before that specific time, do you remember anybody else approaching you to buy?
A Never. Never.
Peoples ride by say, "Sid, throw me a case of dynamite out," jiving, just like playing going on.
Q The people that ask you to throw a case of dynamite, are they people that you know?
A Yes.
Q Do you know if any of these people are Cubans or Latins?

A Oh, no.

Q Do you recall a Latin male that was working for Tupler that might have approached you or Samuel Thompson for dynamite?

A No. Samuel is friends to all these guys. I never talk to anybody. I goes to work and I goes home and that's it. He always going to riding with him and drinking with them. I really don't know what he be doing.

Q Sidney, are you willing to appear before a Grand Jury and testify to what you have told us?

A Sure.

Q Is everything you told us, is it true to the best of your knowledge?

A That's right.

Q Are you willing to take a lie detector test?

A I am willing to take anything.
DETECTIVE BENITEZ: Thank you.


AND FURTHER WITNESS SAITH NOT

CERTIFICATE OF REPORTER

STATE OF FLORIDA)
) SS:
COUNTY OF DADE)

I HEREBY CERTIFY that I was authorized to and did report the foregoing testimony, and that the foregoing pages numbered 1 through 13, inclusive, represent and contain a full, true and complete transcription of my stenographic notes and report of same.

WITNESS my hand and official seal this the 15th day of September, 1976, Miami, Dade County, Florida.



Gertrude Ann Reincke, R.P.R.
Notary Public
State of Florida at Large

My Commission Expires:
August 1, 1979.

SENSITIVE

CASE NO: 3-88

DATE: September 17, 1976

Continuing investigation into the illegal diversion of dynamite which occurred in Dade County, Florida.

SYNOPSIS:

On Friday, 10 September 1976, this writer along with Det. H. Rapado interviewed OSMEL GRAVE DE PERALTA in the Dade County Jail.

DETAILS:

On Friday, 10 September 1976, this writer along with Det. H. Rapado interviewed OSMEL GRAVE DE PERALTA in reference to his possible testimony in a case involving the illegal diversion of dynamite.

Approximately one week prior to 10 September 1976, this writer had interviewed DE PERALTA at which time this writer advised DE PERALTA that it was unknown to this writer what was the status of the case.

On 10 September 1976 this writer, in the presence of Det. H. Rapado, advised DE PERALTA of the options he had in the case. DE PERALTA was advised that if he did not testify in court then the statement given by him to members of the FBI and this office would be used against him and charges would be filed against him. DE PERALTA was further advised that if he testified in front of the Dade County Grand Jury he would probably have to testify in state court.

DE PERALTA stated that he felt betrayed by this office and that he feared for his family's life if he testified in state court.

DE PERALTA further stated that at this time he could not make up his mind as to whether he would testify or not.

PREPARED BY:

R. J. Diaz / RA
R. J. DIAZ, Officer
Terrorist & Security Unit

APPROVED BY:

P. Janosky / RA
P. JANOSKY, Sergeant
Terrorist & Security Unit

REVIEWED BY:

G. R. Havens / RA
G. R. HAVENS, A/Supervisor
Tactical Investigation Section

RJD/do

3-88-30

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CASE NO: 3-88

SENSITIVE

DATE: August 27, 1976

Continuing investigation into the alleged illegal flow of explosives in Dade County, Florida.

SYNOPSIS:

The following is a summary of interview conducted by these writers with OSMEL GRAVE DEPERALTA at the Dade County Jail on 27 August 1976.


DETAILS:

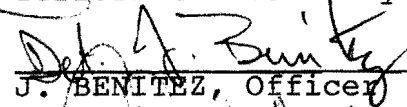
Mr. DEPERALTA was read his constitutional rights by these writers and advised he understood them completely.

The purpose for the interview of Mr. DEPERALTA was to trace the dynamite that had previously been taken from a Troup Bros. construction site in 1974. He stated that after he delivered it to FRANCISCO HERNANDEZ he never saw it again.

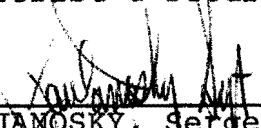
DEPERALTA expressed extreme fear for his life and his family and did not wish to testify in open court. He did state, however, that he would be willing to testify before a grand jury regarding the involvement of all participating parties in the theft and illegal dissemination of dynamite in 1974.

PREPARED BY:

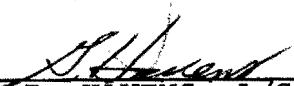

J. FULGER, Officer
Terrorist & Security Unit


J. BENITEZ, Officer
Terrorist & Security Unit

APPROVED BY:


P. JANOSKY, Sergeant
Terrorist & Security Unit

REVIEWED BY:


G. R. HAVENS, A/Supervisor
Tactical Investigation Section

JF/JB/do

3-88-29

Cad

CONFIDENTIAL

CASE NO: 3-88

DATE: July 10, 1976

Continuing investigation into the illegal dissemination of explosives attempted by an unidentified white male in Dade County.

SYNOPSIS:

The following report is a summary account of the scheduled meeting of an unidentified white male who attempted to set up an illegal sale of explosives to these writers on 8 July 1976.

DETAILS:

On Saturday, 10 July 1976, at approximately 11:30 a.m., these writers entered the prearranged location (8250 N. E. 4 Place #223) in order to wait for the unidentified white male as agreed by him and these writers on 8 July 1976.

While at the undercover location, all conversations were to be monitored by Det. D. Benitez and Det. I. Vazquez through an electronic audio surveillance device which had been installed under Det. Fuller's clothing.

After a waiting period of approximately one and one-half hours at the above location with negative results, it was determined that since the unidentified white male was not going to show up, the meeting should be canceled.

Upon departing from the prearranged meeting location, these writers proceeded to 82 Street and N. E. 2 Avenue in order to debrief the surveillance unit of these writers' intentions to call the meeting off as instructed to do by Sgt. P. Janosky on 9 July 1976.

No further information.

PREPARED BY:

Det. D. Benitez

J. BENITEZ, Officer
Terrorist & Security Unit

J. Fuller

J. FULLER, Officer
Terrorist & Security Unit

APPROVED BY:

P. Janosky Sgt.

P. JANOSKY, Sergeant
Terrorist & Security Unit

REVIEWED BY:

T. Lyons

T. LYONS, Supervisor
Tactical Investigation Section

JB/JF/do

3-88-28

CONFIDENTIAL

CASE NO: 3-88

DATE: July 9, 1976

Continuing investigation into the illegal dissemination of explosives attempted by an unidentified white male in Dade County.

SYNOPSIS:

The following report is a summary account of the meeting by these writers with an unidentified white male who attempted to set up an illegal sale of explosives to these writers on 8 July 1976.

DETAILS:

On 9 July 1976 at approximately 3:00 p.m., these writers, while at 8250 N. E. 4 Place, were contacted by a previously identified white male (TONY), who resides in apartment #222.

Subject TONY greeted these writers and advised that we should be careful with the unidentified white male these writers were going to transact business with. Subject TONY then departed on foot to the first floor of the apartment complex and proceeded on to N. E. 4 Place where he walked in a northbound direction from the apartment building.

Approximately fifteen minutes later, subject TONY, while on his way back into apartment #222, advised this writer (who was standing by the balcony of apartment #223), that the unidentified white male was at the public telephone booth located approximately 80 feet east of 4 Court & N. E. 83rd Street.

Immediately upon being advised of the location where the unidentified white male was, (both these writers proceeded to meet with the subject while Dets. D. Benitez and A. Larson monitored the conversation which ensued through an electronic audio surveillance device which had been installed under Det. Fuller's clothing.

Upon these writers' meeting the unidentified white male at the southeast corner of 83rd Street & N. E. 4th Court, the subject stated, "I don't know nothing" and shook his head in a negative manner after inquiries were made by these writers regarding the explosives the unidentified white male had alleged were available for sale as discussed on 8 July 1976.

The unidentified white male continued by saying, "I don't want to get involved, I found out I can get 20 years for this."

Upon this writer then inquiring about the previously made statement on 8 July 1976 wherein the subject advised that he and "SMOKEY" had a Cuban buyer of dynamite who wished to make a buy of such merchandise for 26 July 1976 in order to have available dynamite to "drill someone", the subject stated that he still had some left.

3-88-27 pg 1

July 9, 1976

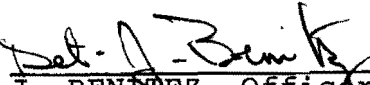
At this point these writers inquired where his "stuff" (dynamite) was. The white male subject responded by saying that "SMOKEY" had it.

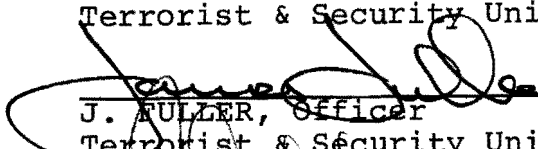
The unidentified white male then continued by asking what was he going to do with the explosives. These writers replied "sell it". The unidentified white male at this point stated, "I'll see what I can do."

At this point these writers stated we would be away for the evening. The unidentified white male agreed to meet these writers at 12:00 noon on the following day (10 July 1976) in order to carry out the transaction. The subject then departed.

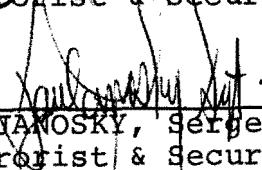
Investigation continues.

PREPARED BY:


J. BENITEZ, Officer
Terrorist & Security Unit


J. FULLER, Officer
Terrorist & Security Unit

APPROVED BY:


P. JANOSKY, Sergeant
Terrorist & Security Unit

REVIEWED BY:


T. LYONS, Supervisor
Tactical Investigation Section

JB/JF/do

SENSITIVE

CASE NO: 3-88

DATE: May 18, 1976

Investigation into the alleged theft of dynamite which occurred in October, 1974, in Dade County, Florida.

SYNOPSIS:

On Tuesday, March 2, 1976, this writer and Sgt. R. McGavock interviewed OSMEL GRAVE DE PERALTA in reference to the alleged theft of dynamite occurring in October, 1974, in Dade County, Florida.

DETAILS:

On Tuesday, March 2, 1976, Det. Diaz and Sgt. McGavock interviewed OSMEL GRAVE DE PERALTA at the Belle Glades Correctional Institute in Belle Glades, Florida, in reference to a statement that DE PERALTA had given earlier this year (1976) to FBI agents and officers of the Dade County Public Safety Department.

DE PERALTA furnished almost the same information he had previously given these officers in previous interviews. At this time DE PERALTA furnished these officers with the name of a third person that was with him (DE PERALTA) and CARLOS HERNANDEZ in mid-October, 1974, at the time they allegedly picked up some dynamite from a construction site in Dade County, Florida. The third person was identified by DE PERALTA as Cuban white male CECILIO GOMEZ, approximately 24 years old, who was arrested with DE PERALTA for a robbery in Hialeah in 1975, and who has recently been charged with Sale and Possession of Narcotics.

DE PERALTA also advised that everyone who was at the construction site when they allegedly obtained the dynamite was aware of the purpose of their presence there, which was to obtain dynamite.

Investigation continues.

PREPARED BY:

Raul J. Diaz
R. J. DIAZ, Officer
Terrorist & Security Unit

APPROVED BY:

R. McGavock
R. MCGAVOCK, Sergeant
Terrorist & Security Unit

REVIEWED BY:

T. Lyons
T. LYONS, Supervisor
Tactical Investigation Section

RJD/de

3-88-21

COO



METROPOLITAN DADE COUNTY · FLORIDA

1320 N.W. 14TH STREET
MIAMI, FLORIDA 33128

PUBLIC SAFETY DEPARTMENT

October 29, 1976

Dept. Offender & Rehabilitation
1311 Winewood Blvd.
Tallahassee, Fla.

Dear Sir:

Subject: DePERALTA, Osmel
W/M, 9-17-46

Enclosed please find our capias to act as a detainer on the above-named subject who we believe to be in your custody. Kindly notify this office when we may assume custody of this subject.

Added information: Subject in your custody. Please place our Magistrate warrant 76-27823-24-FM06 as a detainer.

If subject leaves your jurisdiction, please notify us as to the disposition of your hold.

Thanking you for your cooperation in this matter and assuring you of ours at all times.

Sincerely,

HOWARD G. NELSON, Lt.
Criminal Warrants Section

HN/cm
Enclosures

cc: Administrative Manager
State Attorney's Office

3-88-36p2

Dic. 2-76

Sr. Raúl Díaz:

Estimado amigo, la presente es para decirte que me han "Encusado" con el caso de la "Dinamita" que yo les dije en la declaración que hice.

Esta es para preguntarte ¿quién será de mi familia?, recuerda que una vez me dijiste que me obré del caso que ya lo habías resuelto, y resulta que van a acusar de ello.

Tu sabes cuales son los resultados en estos casos ya que te lo dije en mi último viaje a Miami, "Muerte al traidor" y en mi caso será mi familia la que pague las consecuencias.

Lo único que te pido es, que si puedes hablar con alguien en la corte o con la Fiscalía para que no haga pública la declaración que yo hice al F.B.I. Si la Fiscalía lo que quiere es condenar a alguien (sin tener en cuenta que esa información fue de buena voluntad) que me condene si quiere (que lo va hacer)

Ahora bien, serán responsables de la vida de mi familia los que intervengan en hacer pública mi declaración. 3-88-47 p-2 cont. →

Yo lo único que te pido es que me digas los tramites que pueda yo hacer para escribirle o hablar con alguien en el Gobierno para que mi caso tenga sea estudiado en toda las consecuencias que pueden traer.

Quiero que comprendas en la situación en que me encuentro, ya que hasta el Work Release que tenía para ahora me lo han congelado. Ahora sigo sin libertad, con otro caso y con el pensamiento de perder a mis dos (2) hijas y familia.

Quiero que si puedes me escribas urgentemente o venga a verme para saber lo que está pasando o pueda pasar.

Dime la verdad de lo que sea para saber a que atenerme. Pero quiero que recuerdes siempre que lo que quieren hacer conmigo es una injusticia, ya que tú eres mejor que nadie conoce del caso y sus motivos.

Sin más en espera de tu contesta o de tu visita

Atentamente tu amigo.

3-88-47 p3



Sr. Raul Diaz:

Dear Friend, this letter is to tell you that I have been "blamed" with the "dynamite" case that I told you about in the statement I made. I want to ask you, "what's going to happen to my family?" Remember you told me to forget about the whole thing that you had taken care of it, and now as a result I'm being blamed for it.

You know that the result is in cases like this, I told you on my last trip to Miami, "death to the traitor". In my case it would be my family that will pay the consequences.

The only thing I ask is that if you can talk to somebody in the courts or State Attorney's Office so that they don't publicize the statements that I gave the FBI. If all the State Attorney wants is to prosecute someone (without taking in consideration the fact that the information was voluntary) than let them prosecute me (which they will do).

Now you'll all be responsible for the lives of my family if the statements are publicized. The only thing I ask of you, is to tell me what action to take in order to speak or write somebody in the government so that my case will be reviewed as to its consequences.

I want you to understand my position, now even my work release program has been frozen. Now I'm without freedom, charged in something else, and thinking about my two daughters and family.

I want you to write me if you can, or come to see me so I can tell you what's happening and what can happen.

Tell me the truth about what's really happening so that I'll know what steps to take. But remember that what they're trying to do with me is an injustice, you better than anyone else know my case and motives.

Cordially your friend

3-88-47 p1

DADE COUNTY SHERIFF'S DEPARTMENT
1320 N. W. 14TH ST.

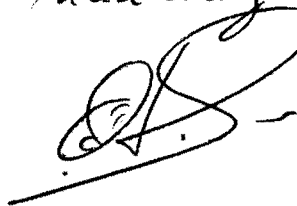
MIAMI - FLORIDA - 33125.

DEAR SIR:

I WAS TOLD BY MY CLASSIFICATION OFFICER, MR. R. PERKINS, OF YOUR ADVISE THAT YOUR AGENCY HAD PLACED A DETAINER AGAINST ME, OSMEL GRAVE DE PERALTA #045907, CHARGING ~~ME~~ OF POSSESSION AND TRANSPORTATION OF EXPLOSIVES WITH OUT A LICENSE - MAGISTRATE WARRANT # 76-27823-24-FM06-

I WOULD LIKE TO TALK TO A REPRESENTATIVE OR SPOKESMAN FROM YOUR AGENCY OR WHOEVER IS IN CHARGE OF THIS CASE. IT IS MOST IMPORTANT THAT YOU SEND SOMEBODY TO COME AND TALK TO ME ABOUT THIS CHARGE, AS SOON AS POSSIBLE.

Thanking you,



OSMEL G. DE PERALTA
GLADES CORRECTIONAL INST
045907 - D - 93
500 ORANGE AVE, CIRCLE
Belle Glade, Florida. 33430.

3-88

3-88-48 p#