

Mayor wants Tick-Talks explanation

Mia Her 13 col 5 28 Sept 82

By R.A. ZALDIVAR
Herald Staff Writer

Calling the Miami Police Department's defense of its ill-starred Operation Tick-Talks cocaine probe "petulant" and "arrogant," Mayor Maurice Ferre has asked for a public explanation from Chief Kenneth I. Harms.

Tick-Talks, a showcase investigation for the department, founded two weeks ago when Dade Circuit Judge Gerald Kogan ruled that a thousand hours of wiretap recordings on which the case rested were inadmissible as evidence.

Kogan found that the police and the State Attorney's Office ignored legal safeguards meant to limit the use of wiretaps to exceptional circumstances.

Reacting to Kogan's ruling, the Miami Police Department issued a brief statement defending its investigation as "a professional and thorough job."

Ferre said the statement angered him.

"Although I am not a lawyer, the long dissertation by Judge Kogan appears to be a strong indictment against the police department's procedures," Ferre wrote in a one-page memo to City Manager Howard V. Gary, who is Harms' boss.

"The terse statement issued by the Miami Police Department... is, at best, arrogant and self-serving," he added. "How can there be such a vast discrepancy between the opinion of Judge Kogan and a statement that [police] did a professional and thorough job?"

Continued Ferre: "Did we mishandle a case, yes or no? If yes, let us admit it, and correct the procedures so this will not happen again?"

The mayor also asked for figures on the cost of the lengthy investigation.

The Miami Police spokesman, Sgt. Jack Sullivan, said Monday that Harms had not read the Ferre memo. "Until [the chief] sees it and discusses it with the city

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Mayor asks probe of police handling of Tick-Talks case

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Miami Mayor Maurice Ferre has asked City Manager Howard Gary to determine whether the police department "mishandled" the Operation Tick-Talks drug investigation.

Ferre also asked Gary to report at the City Commission's October meeting what the investigation "cost the taxpayers of the city of Miami."

The mayor, in a memo, said he was making the request after reading press comments from police department spokesmen indicating that the department did a "professional and thorough" job handling the drug investigation.

Ferre said he was concerned about the comments, especially since Dade Circuit Court Judge Gerald Kogan criticized the department's use of wiretaps in the investigation.

On Sept. 17, Kogan threw out more than 1,000 hours of recorded conversations that was the chief evidence against 31 defendants in the case that took its name from an electronic bug in the home of suspected Miami drug trafficker Carlos Quesada.

Ferre describes police defense as 'arrogant'

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manager, there will be no comment," Sullivan said.

City Manager Gary was in Washington on city business Monday and could not be reached for comment.

If Ferre's request for an explanation is honored to the letter, Harms would be called on to give his side of the events next month at a meeting of the City Commission. Some of the chief's previous commission appearances have not gone smoothly.

Commissioners regularly assail his promotional policies and question his proposed expenditures. This spring, Commissioner Joe Carollo accused Harms of trying to usurp the commission's power and challenged the chief to get "his butt" into town and run for office.

Harms later released a memo that alleged a conspiracy to seek his removal, involving Carollo and Ferre. Both denied the charge.

Ferre denied his call for a review of Tick-Talks is politically motivated.

"I'm not out to get Harms," Ferre said.

Judge Kogan was especially critical of police and prosecutors on two points: that officers "deliberately" withheld unfavorable information on their key informant from the judge who authorized the wiretaps, and that officers ignored the law when they failed to tell the same judge of a previous wiretap on a target of the probe.

The State Attorney's Office will announce today whether it will appeal Kogan's ruling. But as things stand now, nine months of investigative work, 52 arrest warrants, 23 defendants, five pounds of cocaine and loads of publicity about the case have come to nought.

"I am deeply troubled and seriously concerned when after the criticism of Judge Kogan... the police department can only react with a petulant and arrogant statement," Ferre wrote.

Tick-talks hearing is longest in Dade court

By JOHN KATZENBACH
Herald Staff Writer

6-22-82 - 26

Arguments by opposing attorneys Monday in the celebrated Tick-Talks narcotics case wrapped up what has become known as the longest pretrial hearing in Dade Circuit Court history.

Judge Gerald Kogan is not expected to rule for several weeks on whether to prevent more than 1,000 hours of wiretap evidence collected in a six-month Miami Police Department probe from being presented to a jury. The 26 defendants, charged with trafficking in marijuana and cocaine and conspiracy, face trial Aug. 23.

The Tick-Talks case, named because one electronic listening device was placed in a wall clock, has now gone through an eight-week hearing on the manner the wiretaps were obtained and used. Testimony in the evidence-suppression hearing ended the first week in June. Kogan gave attorneys time to prepare legal memoranda for Monday's closing arguments.

Defense attorneys Kirk Munroe,

William Cagney and Douglas Williams said there are more than 30 legal deficiencies in the state's case, any one of which, they argued, should compel suppression.

"It's like a Great White Shark swimming into a bunch of seals and trying to decide which to gobble up first because they all look so fat and delicious," Williams said.

Defense attorneys contended that the state's key informant — ex-spy, admitted bomber-assassin and terrorist Ricardo (Monkey) Morales — was not a sufficiently credible witness on which to base the wiretap request. They also suggested that the police did not exhaust, as wiretap laws require, all other ways of probing the drug organization allegedly headed by onetime federal witness Carlos Quesada.

But assistant state attorneys Kieran Fallon and Joel Rosenblatt argued that the information provided by Morales was accurate. "Perhaps, he's not the most desirable person around, but his information was valid and justified," Fallon said.

Tick-Talks hearing testimony ends

Miami Herald 5-21-82-26

Testimony ended Thursday in the eight-week effort by defense attorneys to suppress 1,000 hours of wiretap evidence collected in the Miami Police Department's Operation Tick-Talks drug-smuggling probe.

Dade prosecutors completed their case in the pretrial suppression hearing with testimony by a state insurance claims adjuster and by James Regan, executive assistant to State Attorney Janet Reno. The two testified about the procedure used to establish bonds for the Miami officers who acted as special state attorney's investigators during the case that culminated last August with the arrests of more than 50 persons.

Attorneys for the 32 remaining defendants claim the bonding process was not properly completed. If so, the evidence collected in the eight-month investigation may be inadmissible.

Most of the eight-week hearing on a motion to suppress the evidence heard by Dade Circuit Judge Gerald Kogan has centered on key prosecution witness Ricardo (Monkey) Morales.

Defense attorneys claim the ex-spy and admitted terrorist, assassin and drug dealer is not a credible witness. Prosecutors say he told the truth about the narcotics rings he was associated with — information that resulted in the wiretaps.

Cop relieved of duty over drug-dealer link

5-14-82-40

By JOAN FLEISCHMAN
And JOHN KATZENBACH
Herald Staff Writers

A Miami police detective who served as a wiretap operator in the Operation Tick-Talks probe has been relieved of duty because of an alleged link to a suspected narcotics dealer, a Dade Circuit judge was told Thursday.

Judge Gerald Kogan, who is presiding over the Tick-Talks case, said Officer Raul Puig, 36, a long-time member of the department's sensitive Special Investigations Section (SIS), was seen "fraternizing" with Oscar Cantu, 54, a Miami man indicted in 1978 on federal narcotics charges.

Miami police, who were investigating Cantu at about the same time, used wiretaps in their probe. Those tape recordings, stored in a locked vault at police headquarters, were discovered this week to have been sabotaged, Kogan disclosed.

Kogan, who is hearing pretrial motions by defense attorneys to suppress 1,000 hours of wiretap evidence collected in the Tick-Talks case, discussed the matter in court after being briefed on Puig's status by Maj. Paul Oboz, head of SIS.

Cantu also was the subject of a Miami police investigation in which wiretaps were used, Judge Kogan said Maj. Oboz told him. The judge said he was told that the Miami police probe of Cantu was held in abeyance until the federal case against Cantu was concluded.

Cantu was convicted, and sentenced to 12 years in prison, Sam Smargon, the federal prosecutor, said. Cantu appealed the conviction, but last month the U.S. Eleventh Circuit Court of Appeals affirmed his conviction for conspiracy to possess with intent to distribute cocaine and marijuana, and use of a telephone in the furtherance of a conspiracy, Smargon said.

Miami police recently reopened their own Cantu investigation. This week, Kogan said, Oboz and another SIS officer retrieved the wiretap recordings from the vault where they had been stored since 1979.

Police discovered the tapes had been tampered with, Kogan said. The distortions rendered them "unusable in any prosecution," the judge said.

An investigation showed that someone had passed a magnet over the tapes, Kogan said. The tampering was done in the police locker where they were kept, he said.

The judge did not elaborate further. He promised to turn over an edited transcript of his in-chambers conversation with Oboz today.

No suspect has yet been linked to the tape-tampering.

Efforts to reach Puig Thursday were unsuccessful.

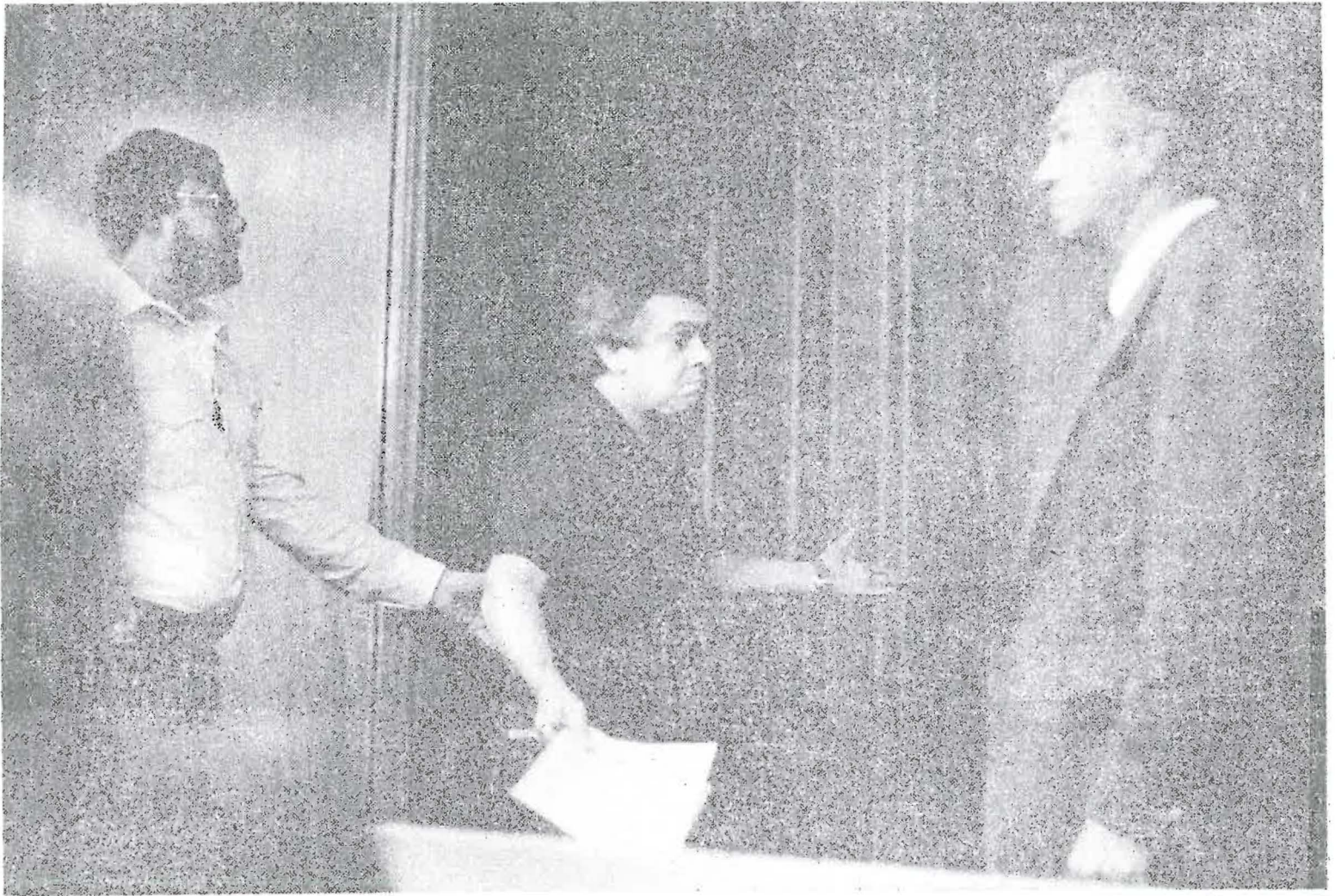
Puig has been with the police department since January 1974. He resigned in August 1980 to go into business with his family — a police spokesman said he didn't know what type of business — but was rehired in February 1981 and re-assigned to SIS, at an annual salary of \$24,710.

Most of Puig's career has been spent in that unit. His work has brought him numerous commendations, including one from a March 1978 drug bust in which 56 pounds of cocaine valued at \$32 million was seized, \$913,000 was confiscated and seven persons were arrested.

Puig's personnel file includes a December 1979 letter from Dade State Attorney Janet Reno to Miami Police Chief Kenneth Harms complimenting the officer's work in the Video-Canary sting operation.

Puig also was commended by Maj. Oboz for his work in the Tick-Talks case. He was a wiretap operator, monitoring conversations from four telephone wiretaps and two room transmitters.

No questions for the state's star witness.



MURRY SILL / Miami Herald Staff

Ricardo (Monkey) Morales, center, shrugs as he winds up another day in court in which his only words from the stand were: "Thank you, your honor."

Monkey Morales speaks no evil

By JOHN KATZENBACH 5-20-82-1D
Herald Staff Writer

After eight weeks of testimony about the state's key Operation Tick-Talks witness, about his credibility, reliability, his crimes and his sworn allegations of high-level police corruption, Ricardo (Monkey) Morales Wednesday finally was put on the witness stand.

No one asked him any questions.

Neither prosecutors (who called him to the stand), nor judge, nor defense attorneys asked any questions. After less than 10 minutes, patiently awaiting the first query while it was determined that there would be no questioning, Morales was excused. As he walked from the courtroom he turned to the defendants, the press and a variety of other spectators and offered an exaggerated shrug.

Throughout the effort by defense attorneys to suppress the evidence in the Tick-Talks case, hardly a minute has passed in Dade Circuit Judge Gerald Kogan's court

without the name of Ricardo Morales being spoken. Morales' appearance to testify about his crimes and his corruption allegations has been eagerly — and anxiously — anticipated.

Morales, a onetime CIA operative, admitted killer, terrorist bomber and occasional drug dealer would be brought into the courtroom under police escort, Judge Kogan announced. The courtroom would be searched. All spectators would be frisked.

Defense attorney Doug Williams, who has hammered at Morales' credibility for weeks, asked for still more precautions. "Your honor," he said. "I think Mr. Morales himself should be searched."

Kogan smiled and denied the request.

Morales, 42, is the informant whose word led Miami police into the wiretaps which produced some 1,000 hours of conversations about alleged narcotics transactions and resulted in the arrests of more than 50 persons. He is the essential state's witness in the huge

Tick-Talks case.

For the past eight weeks Kogan has been hearing the efforts by defense lawyers to suppress the wiretap evidence. They have claimed that Morales was an unreliable informant — and a worse criminal than any of the people swept up in the Tick-Talks arrests in August 1981.

Dade prosecutors have differed. They have insisted that Morales passed lie-detector tests. They have said he turned on his associates in the narcotics trade because of a shift in the smuggling enterprise from cocaine and marijuana to heroin, which offended his sense of morality.

Consequently, Morales has been more on trial in the suppression hearing than any of the 32 remaining defendants. A sense of expectation accompanied his entrance into the courtroom.

He warmly greeted defendants Frank Cas-

Please turn to MORALES / 14D

Key Tick-Talks witness talks only 4 little words in court

MORALES / From 1D

tro, Jose Marcos and Juan B. Fernandez — the men whose freedom he has put in jeopardy. They spoke quickly in Spanish and then shared a loud laugh. There was no apparent animosity between accuser and accused.

Morales' hair is now gray, and he is thickening around the middle. He wore Calvin Klein jeans and a green pullover sweater. He smiled broadly at the lawyers, shook hands all around, greeted detectives, prosecutors and mugged for the cameramen.

There was nothing to remind anyone of Morales' past as a freelance bomber for warring gambling interests in Miami's 1957 bloody "Bookie Wars" or of his training as a CIA agent. He once was a mercenary soldier in the Congo and has worked with the FBI and DEA. For a time, he was chief of counter espionage for the Venezuelan secret police.

In the past weeks it has surfaced that Morales, in addition to admitting to numerous crimes beyond the statute of limitations, admitting a murder he cannot be prosecuted for (because of the speedy trial rule), and admitting complicity in the 1976 bombing of Cubana Airlines jetliner that killed 73, has also alleged widespread top-level corruption in the Miami and Metro police departments. What would he say, in public, on the witness stand?

He readily raised his hand and swore to tell the truth.

And then the expected didn't materialize.

"As far as the state is concerned," said Assistant State Attorney Rina Cohan, "the matters of Mr. Morales' past are not legally relevant. The state's position is that he is credible.

"By calling him to the stand, we are, in effect, vouching for his cred-



Judge Gerald Kogan: No questions.

ibility. We have no questions," she said.

She then suggested Judge Kogan and the defense fire away.

"The court has no questions," Kogan said. "So why do we need Mr. Morales?"

A good question indeed. No one answered.

"Well," the judge continued, "the state has no questions. The court has no questions. The defense has no questions. Therefore, Mr. Morales is excused."

Morales uttered the only words he would speak on the witness stand: "Thank you, your honor."

He rose and exited. Court was recessed for the day. In all, less than 10 minutes devoted to the man who has been, in effect, the subject of

close to eight weeks of testimony in one of Dade's pre-trial hearings.

After the session, Cohan said, "It is our position that we consider the question of Mr. Morales' credibility to be legally irrelevant. We volunteered to produce Mr. Morales for the defense. They've been saying all these things about him. But they declined to question him. By calling him, we are vouching for his credibility. That's basic legal theory.

"There's nothing I can add," she said because the case is pending.

Defense attorneys Williams, Kirk Munroe, Benedict Kuehne and William Cagney en masse suggested that prosecutors went through the "charade" and "low theater" in "an effort to avoid embarrassment" because of what Morales would admit to on the stand.

They said they were legally precluded from cross-examining Morales when prosecutors asked no questions. The issue of which side called Morales to the stand is critical. The side calling him can ask only neutral questions — not aggressive efforts to make him contradict himself.

"It clearly indicated a lack of credibility on the part of the prosecutors. If she (Cohan) were prepared to vouch for his credibility, she would have asked questions," they said.

The Tick-Talks hearing is now expected to come to a swift conclusion. But a final ruling by Judge Kogan on the complicated legal issues that swirl around Morales and the 1,000 hours of wiretaps, is not expected for weeks.

State agent didn't believe informant

By JOHN KATZENBACH

Herald Staff Writer

5-18-82-1B

The Florida Department of Law Enforcement's top agent in South Florida testified Monday that before the Miami police undertook the narcotics probe that became known as Tick-Talks, his office was given a chance to run the operation — but refused because he believed informant Ricardo (Monkey) Morales was not reliable.

Rolando Bolanos, the FDLE's special agent in charge of South Florida operations, told Dade Circuit Judge Gerald Kogan that Metro-Dade police homicide Lt. Raul Diaz approached his office in November 1980 and suggested they use Morales as an informant for a wiretap investigation of the drug-smuggling ring allegedly headed by Carlos Quesada.

Diaz and Morales have known each other for 10 years. Defense attorneys for the 41 persons arrested in the Tick-Talks probe say Diaz actively tried to interest many South Florida law enforcement departments in using Morales as an informant. Diaz has denied the ac-

'Agents felt Mr. Morales would not meet the standards of a credible, reliable informant.'

FDLE agent Rolando Bolanos

cusation.

Morales' credibility is a key issue to the now eight-week-long motion to suppress some 1,000 hours of wiretap evidence collected in the Tick-Talks case. Defense attorneys are seeking to show that some agencies refused to deal with him because he was unreliable. They contend that taking him to the Miami Police Department and the Dade State Attorney's Office was a last resort.

Bolanos testified Monday that Diaz presented the operation to the FDLE as ready to go — not needing the three- to nine-month

process of exhausting other traditional investigative methods before filing a wiretap application with a judge. That "exhaustion" is critical under the law.

Bolanos, questioned by defense attorney William Cagney, said he and his squad discussed proceeding with the probe and with Morales — but too many objections were raised.

He said the primary objection was that it would tie up their limited resources for months.

But, he added: "The members of the squad brought it to my attention about his background. He is a controversial individual to work with."

The FDLE squad didn't believe Morales' story, Bolanos said. "These agents felt Mr. Morales would not meet the standards of a credible, reliable informant," he said.

Morales, 42, an ex-spy, admitted terrorist, bomber and assassin, has previously worked with the FBI, DEA, CIA and as head of counter-espionage for the Venezuelan secret police.

Police ignored drug figure's charges

5-14-82-1C

By JOHN KATZENBACH
Herald Staff Writer

The credibility of Ricardo (Monkey) Morales, the key state witness in a massive narcotics probe, came into further question Thursday in Dade Circuit Court when it was disclosed that Morales told police in 1978 and 1981 about alleged misconduct by high-ranking Metro-Dade and Miami officers, and neither force

undertook any probe of his accusations until this week.

At an unusual hearing Thursday, officers from both departments told Judge Gerald Kogan of when they learned of the allegations and what action they took.

At the end of the hearing, Kogan said: "It does not appear at this point that there are any pending investigations that Mr. Morales contributed to."

That conclusion may be critical to the seven-week-long effort by defense attorneys representing 41 people accused of narcotics smuggling in the state's Tick-Talks case. Morales is the informant on whom detectives and prosecutors based their request to Dade Circuit Judge Thomas Scott for wiretap authorization in January 1981.

Defense attorneys have claimed that Morales is a liar.

If they can show that police agencies had discounted or disproved previous allegations made by Morales, the defense argument would be strengthened, and Judge Kogan could be forced to suppress the more than 1,000 hours of wiretaps that are virtually the only evidence in the case.

Doubts about Morales' credibili-

Please turn to HEARING / 4C

State ordered to hand over intelligence data on police

5-12-82, 2B

By JOHN KATZENBACH
Herald Staff Writer

A Dade Circuit judge Tuesday ordered prosecutors to hand over raw police intelligence data to defense attorneys who want to know whether authorities ever pursued corruption allegations against two Metro-Dade policemen and a high-ranking Miami officer.

The accusations were made recently in a sworn deposition by Ricardo (Monkey) Morales Navarette, which was given to attorneys representing 41 persons charged in the state's massive Tick-Talks narcotics probe.

The three policemen were named in open court Tuesday by defense attorney Kirk Munroe. They are Metro police Lt. Raul Diaz, Metro Capt. Charles Black and Miami police Capt. Guillermo Zamora.

Zamora could not be reached for comment Tuesday. Black denied any wrongdoing: "I don't know where people dream this up," he said.

"I do not know what the allegations are," said Diaz. "But if there are any allegations against me, they should be referred to the internal review section of the Metro-Dade Police Department. And there should be an investigation."

Metro police Chief Bobby Jones last week

said no specific allegations had been presented to the department for review.

In ordering the files turned over to defense attorneys, Circuit Judge Gerald Kogan said Tuesday: "I want to know what has been investigated, what has been substantiated or not substantiated.

"I want to know if they did investigate or if they didn't investigate. I want to know everybody he's talking about."

Still under court seal is a 1978 statement Morales gave to detectives after he was arrested on marijuana-smuggling charges. Defense attorneys say they want to compare the statement Morales made then with his latest allegations.

Kogan is now in the seventh week of a defense effort to suppress the more than 1,000 hours of wiretap evidence gathered against the 41 defendants arrested last August in the case. The state's key witness is Morales, an ex-spy and terrorist, admitted murderer and drug dealer.

It was Morales' information to police that was the basis for their wiretap requests. If his credibility is shown to be questionable, the wiretaps might not be allowed before a jury. The case is currently scheduled for trial in August.

Drug dealer tried to bribe him, officer says

5-4-82-13

By JOHN KATZENBACH
Herald Staff Writer

An admitted drug dealer who was once a federal witness tried to bribe a Miami police detective with a \$12,000 gold Rolex watch, an expensive Walther P-38 automatic pistol, membership in a disco favored by high-rollers and the option to buy jewelry at bargain prices, the detective testified Monday.

Detective Diosdado Diaz told defense attorney Doug Williams that he met Carlos Quesada on several occasions and that Quesada, now a defendant in the state's massive Tick-Talks narcotics

Detective Diosdado Diaz testified that Carlos Quesada, a defendant in the Tick-Talks narcotics case, was trying 'to compromise' him.

case, was trying "to compromise" him.

"Mr. Quesada had made it known to you that he would provide anything of value that you wanted?" Williams asked.

"Yes, sir," Diaz responded.

The detective has been testifying in the pretrial efforts by attorneys defending the 41 persons

charged in the Tick-Talks case to have the more than 1,000 hours of wiretap evidence thrown out. For the past five weeks, Dade Circuit Judge Gerald Kogan has been holding a suppression hearing — much of it about the probe of the organization Quesada allegedly headed.

At issue has been the credibility

of the state's key witness: Ricardo (Monkey) Morales Navarette — spy, killer, terrorist and alleged drug dealer. Quesada and Morales were longtime associates, Diaz has said, but they had a falling-out that brought Morales to the police to inform on his ex-friend.

The reason for the falling-out: heroin, which Morales didn't want the ring to distribute, and a silencer-equipped Mach-10 sub-machine gun, Diaz told the court Monday. Morales himself is expected to testify later this week.

In testimony Friday, Diaz told

Please turn to TRIAL / 3B

Offer of bribe told at Tick-Talks trial

TRIAL / From 1B

how he developed both Morales and Quesada as informants — but said that Quesada was trying to manipulate the police against his drug-business rivals. The alleged payoffs were part of that attempted manipulation. Monday, Diaz told of meeting both Morales and Quesada at The Mutiny, a Coconut Grove nightclub. It was Halloween night 1980.

Diaz said that Morales was angry because he had loaned Quesada the Mach 10 — a favorite weapon in the narcotics trade. Morales wanted it back. According to defense attorney Williams, the 42-year-old CIA-trained espionage expert became "increasingly agitated" over Quesada's failure to return the weapon. Williams asked if Morales was "bordering on possessed, preoccupied" with the gun.

"There was a big argument over it," Diaz replied. "All of them were erratic, unpredictable."

"Wouldn't the most erratic and unpredictable be Mr. Morales?"

"I wouldn't say that," Diaz said.

Defense attorneys are trying to characterize Morales as an unreliable informant on whom police based the request for wiretaps on Quesada's home telephone and a wall bug planted in a clock. If they can show that the sworn affidavits provided to Judge Thomas Scott for the wiretaps were not credible, then Judge Kogan would be forced to suppress the evidence. Under Florida law, before police can obtain a wiretap, they must exhaust every other legitimate investigative tool. They must also base their request on accurate information.

Diaz insisted that Morales opposed Quesada's decision to take his organization into heroin smuggling. Diaz described how one attempt at a mid-ocean rendezvous went awry. He said that Quesada raised some \$700,000 to invest in the venture. He also said that Morales told him Quesada was trying to open a line of credit at the Sunshine State Bank to launder drug money.

Diaz said that Morales told him some of the money from narcotics deals was funneled into the cam-

paign chest of Manolo Reboso, who failed in his effort to gain Miami's mayoralty.

Morales also described a meeting at the Coral Gables Holiday Inn where a narcotics transaction was planned, Diaz said. That alleged meeting was a cornerstone of the wiretap request. But police were never able to corroborate any details of the meeting — or to confirm that the meeting actually took place, Diaz was forced to admit by attorney Williams.

"What could we do, call them [the alleged dealers] up?" Diaz protested. "We couldn't do anything."

The hearing is expected to continue for another two or three weeks. The 41 Tick-Talks defendants are scheduled for trial in late August — but that schedule depends on whether Kogan suppresses the wiretaps.