

"Incredible but true," defendant says

# Stiff torch jail sentence sought

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The prosecution seeks a long jail term for Conrado Rodriguez, the Cuban exile who smashed down the John F. Kennedy Torch of Friendship with a rented truck Oct. 11.

"I am offended by anybody who wants to take violent action on the basis of personal or political beliefs," said prosecutor Abraham Laeser from the Dade state attorney's office.

"If he would have stood up in front of the torch for years with a sign, that's all right, but this act takes it out of the sphere of protest into almost the realm of terrorism."

Rodriguez, leader of the exile group Accion Sindical Independiente (Independent Labor Union Action), has been charged with two felonies — aggravated assault and malicious destruction of personal property (the truck). He was also charged with a misdemeanor, malicious destruction of public property.

Maximum penalty for the three charges is 11 years in jail and an \$11,000 fine (five years and \$5,000 for each of the felonies, and one year and \$1,000 for the misdemeanor). Laeser said he would

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ask "for a large amount of jail time," but he was not specific.

But Rodriguez, who knocked down the torch as a symbolic protest against coexistence with the Fidel Castro regime, said he understands the prosecutor is seeking a six-year jail term.

"It's incredible but true," Rodriguez said. "I mean, when you have drug traffickers and criminals in the streets . . ."

Rodriguez also branded as unjust and arbitrary a ruling last Thursday by County Judge C. P. Rubiera ordering Rodriguez' two companions in the torch incident, Israel Pino and Eduardo Macaya, to repay the City of Miami for the cost of rebuilding the torch.

Rubiera put the men on one's year probation on the misdemeanor charge, subject to their paying the city the sum of about \$5,000. If they don't pay, Pino and Macaya said, they will have to serve one year in jail.

"The person who knocked down the torch was I, not them," an outraged Rodriguez said. "We did it openly and I assumed the responsibility."

"We did not resist the police. We did not put any bombs. For some it would have been easier to put a bomb in the middle of the night."

While Rodriguez backed the truck into the torch in broad daylight, Pino and Macaya painted signs saying "Cuba Will Be Free" and "Accion Sindical Independiente." They also splashed with

red paint the bronze national seals of those countries who have taken a softer line toward Castro.

Eduardo Cantera, one of the lawyers for the three men, said that even if they did wrong, they had been motivated by the love of their country. The three men have since publicly apologized for the incident.

Cantera also disputed Laeser's contention that Rodriguez had almost run down a City of Miami parks employe who had tried to stop him from knocking down the torch.

"The facts indicate that aggravated assault did not take place," Cantera said.

Pino, meanwhile, said he doesn't have a cent to start paying the city back his share of the \$5,000. "We may have to resort to a fundraising campaign among the public," said Pino, who said he makes \$80 a week working for an insurance company.

Macaya, a Vietnam veteran and airline mechanic who makes about \$200 a week after taxes, said it won't be easy to raise the money in one year. "My wife just had a baby boy last month and I haven't even been able to pay the hospital yet," he said.