

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE DISTRICT OF CONNECTICUT

3 UNITED STATES OF AMERICA, )  
4 Plaintiff, )  
5 VS. ) H-85-50  
6 VICTOR GERENA, et al., )  
7 Defendants. )

8 February 17, 1987  
9 10:00 A.M.

10 BEFORE: HONORABLE T. EMMET CLARIE, U.S.D.J.  
11

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THE COURT: Would you call the  
role, Madam Clerk, please?

THE CLERK: Diane Polan?

MS. POLAN: Here.

THE CLERK: John Williams?

MR. WILLIAMS: Here.

THE CLERK: Jim Bergen? Absent,  
Your Honor.

Juan Acevedo?

MR. DEUTSCH: Your Honor, Mr.  
Acevedo missed his plane, and he asked me to  
stand in for him until he gets in today, and I  
will.

THE CLERK: Ron Kuby?

MR. DEUTSCH: I'm also standing in  
for Mr. Kuby.

THE CLERK: Mac Buckley? Absent  
Jacob Wieselmann? Absent. Michael Avery or Ellen  
Wade?

MS. WADE: Yes.

THE CLERK: Margaret Levy?

MS. LEVY: Here.

THE CLERK: Leonard Weinglass?

MR. DEUTSCH: I'm going to be  
standing in for Mr. Weinglass this morning as

1 well, Judge.

2 THE CLERK: Linda Backiel?

3 MS. BACKIEL: Here.

4 THE CLERK: Richard Reeve?

5 Michael Deutsch?

6 MR. DEUTSCH: Here.

7 THE CLERK: Harold Meyerson?

8 MR. ANGLADA-LOPEZ: Good morning,  
9 for Mr. Meyerson.

10 THE CLERK: William Kunstler?

11 MR. DEUTSCH: I'll be standing in  
12 for Mr. Kunstler as well.

13 THE CLERK: Roberto Maldonado?

14 MS. LEVY: Excuse me, I'll be  
15 standing in for Mr. Kuby.

16 MR. DABROWSKI: I thought Mr.  
17 Deutsch was standing in for Mr. Kuby?

18 MR. DEUTSCH: It's all right. Miss  
19 Levy, for the record, can stand in for Mr. Kuby.  
20 I have enough people I'm standing in for this  
21 morning.

22 THE CLERK: Antonio  
23 Camacho-Negron?

24 MS. BACKIEL: In Puerto Rico.

25 THE CLERK: Norman

1 Ramirez-Talavera?

2 MS. POLAN: He's in Puerto Rico  
3 pursuant to a waiver.

4 THE CLERK: Ivonne  
5 Melendez-Carrion?

6 MS. MELENDEZ-CARRION: Here.

7 THE CLERK: Elias Castro-Ramos?

8 MR. CASTRO-RAMOS: Here.

9 THE CLERK: Carlos Ayes-Suarez?  
10 Absent. Isaac Camacho-Negron? Absent.

11 Juan Segarra-Palmer?

12 MR. SEGARRA-PALMER: Good morning.

13 THE CLERK: Filiberto Ojeda-Rios?

14 MR. OJEDA-RIOS: Here.

15 THE CLERK: Jorge

16 Farinacci-Garcia?

17 MS. WADE: In Puerto Rico.

18 THE CLERK: Angel Diaz-Ruiz?

19 MS. LEVY: In Puerto Rico pursuant  
20 to a waiver.

21 THE CLERK: Orlando

22 Gonzalez-Claudio?

23 MR. DEUTSCH: He's in Puerto Rico  
24 pursuant to a waiver.

25 THE CLERK: Hilton Fernandez-

1 Diamante?

2 MR. WILLIAMS: In Puerto Rico.

3 THE CLERK: Luis Colon-Osorio?

4 MS. POLAN: Also in Puerto Rico  
5 pursuant to a waiver.

6 THE CLERK: Luz Berrios-Berrios?

7 MR. SEGARRA-PALMER: She's in  
8 Puerto Rico pursuant to a waiver.

9 THE CLERK: Roberto  
10 Maldonado-Rivera? Absent. And Paul Weinberg?  
11 Absent.

12 THE COURT: Do you have all counsel  
13 now recorded?

14 THE CLERK: Yes, Your Honor.

15 MR. REEVE: I'm sorry I was a few  
16 minutes late, Your Honor. I don't know if I'm  
17 recorded or not.

18 THE CLERK: Yes.

19 THE COURT: All right. Counsel  
20 ready to proceed?

21 MS. VAN KIRK: We are, Your Honor.  
22 The Government is going to call Jose Rodriguez to  
23 the stand on rebuttal of the statements.

24 MS. POLAN: Your Honor, excuse me.  
25 Good morning, Your Honor. My understanding with



1 Mr. Dabrowski yesterday is that we were going to  
2 start with Agent Williamson on the search. And I  
3 don't even have my notes with me about the  
4 statements. That was my understanding of what we  
5 are going to do today. We were going to finish  
6 the statements tomorrow.

7 MS. VAN KIRK: Okay. I wasn't  
8 aware of that.

9 THE COURT: Is there an agreement?

10 MR. DABROWSKI: No, Your Honor. I  
11 did say we would start with Agent Williamson on  
12 the Elias Castro-Ramos search. I said that, but  
13 we haven't completed this matter. I assumed we  
14 would complete this matter this morning.

15 MS. VAN KIRK: We still have Agent  
16 Fernandez, Your Honor. I really have no  
17 objection to that except if Mr. Williamson isn't  
18 here.

19 MR. DABROWSKI: He may be here. I  
20 just sent him upstairs on the assumption -- to  
21 check on another witness, Your Honor. I'm not  
22 sure that he's here. He'll be back within a few  
23 minutes, I'm sure.

24 THE COURT: If there is an  
25 agreement, let's live by it. If there isn't,

1 let's proceed.

2 MR. DABROWSKI: Your Honor, we were  
3 going to try and complete each matter as best we  
4 could. I don't think it really makes that much  
5 difference the way we proceed. There is no  
6 reason why we can't get Agent Rodriguez on and  
7 off. It's a very short matter, and it will bring  
8 to a conclusion --

9 THE COURT: What's he going to  
10 cover, so maybe if counsel knew she wouldn't have  
11 any objection. What's he going to cover?

12 MS. VAN KIRK: He's going to  
13 testify, Your Honor, in rebuttal to the testimony  
14 of Carmen Delores Silva, the defendant's wife,  
15 who testified last Friday, I believe.

16 MS. POLAN: Your Honor, I don't  
17 have any of my notes from that hearing with me  
18 because as Mr. Dabrowski spoke yesterday, he said  
19 that Agent Williamson, who is the search agent,  
20 is going to testify today. And we discussed  
21 whether he would take all day.

22 Ms. Van Kirk understands. I already  
23 discussed the fact that there is another agent  
24 from the statements hearing who is not going to  
25 be here until tomorrow. And it was my

1 understanding that hearing would conclude  
2 tomorrow so Agent Rodriguez could testify then.  
3 I just wasn't prepared for this because I wasn't  
4 aware that Agent Rodriguez was coming in.

5 THE COURT: If you had an  
6 agreement, let's proceed in accordance with what  
7 was agreed to. We'll excuse the witness  
8 temporarily. He can always be called back.

9 MR. DABROWSKI: The Government  
10 calls John Williamson.

11  
12  
13 JOHN WILLIAMSON

14  
15 THE CLERK: Please state your name  
16 and spell your last name for the record.

17 THE WITNESS: John Williamson,  
18 W I L L I A M S O N.

19 THE CLERK: Your address, please?

20 THE WITNESS: San Juan, Puerto Rico

21 THE CLERK: Thank you.  
22  
23  
24  
25

DIRECT EXAMINATION BY MR. DABROWSKI

1  
2  
3 Q. Agent Williamson, you are a special  
4 agent of the Federal Bureau of Investigation, is  
5 that correct?

6 A. Yes, it is.

7 Q. How long have you been with the F B I?

8 A. Since November 1977.

9 Q. You are currently assigned to the F B I  
10 office in Puerto Rico?

11 A. Yes, that's correct.

12 Q. How long have you been there in Puerto  
13 Rico?

14 A. Since July 1984.

15 Q. Now, can you tell us just a little bit  
16 about your educational background; have you been  
17 to college, where, and if so and beyond, tell us  
18 about it?

19 A. I graduated from the University of  
20 Rochester in 1972. I graduated from Albany Law  
21 School in 1976. I'm a member of the New York  
22 State Bar.

23 Q. When did you pass the Bar?

24 A. 1977.

25 Q. Do you speak Spanish?

1           A.    Yes, I do.

2           Q.    Could you describe your fluency or lack  
3 thereof, whichever is easier for you?

4           A.    I attended a five-month training  
5 program at the Foreign Service Institute as part  
6 of the Department of State in Roslyn, Virginia,  
7 in 1984. And they have a testing scale. And on  
8 the scale of one to five, I'm a level 3 Spanish  
9 speaker.

10          Q.    As part of your duties and  
11 responsibilities as an F B I agent in Puerto  
12 Rico, I assume you go out into what's called the  
13 field there, the streets in Puerto Rico?

14          A.    Yes, I do. And I conduct interviews in  
15 Spanish.

16          Q.    Could you describe your ability in  
17 reading Spanish as opposed to speaking it?

18          A.    I'm a level 3 reader also, which is --  
19 it's considered professional level, which means I  
20 can get by, you know, in all conversations. I  
21 can read it. There are vocabulary words,  
22 obviously, that I don't know, and I have to look  
23 up in the dictionary.

24          Q.    Now, in connection with this case,  
25 prior to your duties and responsibilities in

1 connection with the August 30th searches which  
2 occurred in this case, did you participate in the  
3 investigation which led to this indictment?

4 A. No, I did not.

5 Q. Did you participate in any physical  
6 surveillances of Elias Castro-Ramos in connection  
7 with this case?

8 A. No, I did not.

9 Q. Did you participate in any electronic  
10 surveillance of Elias Castro-Ramos, if such  
11 occurred, to your knowledge, in connection with  
12 this case?

13 A. No, sir.

14 Q. Are you aware of or did you prepare at  
15 any time a psychological profile of or in  
16 connection with Elias Castro-Ramos?

17 A. No, I did not prepare one, and I'm not  
18 aware of any.

19 Q. Now, directing your attention to August  
20 30th of 1985, did you participate in a search of  
21 the residence of Elias Castro-Ramos, one of the  
22 defendants in this case?

23 A. Yes, I did.

24 Q. Were you, in fact, the search team  
25 leader?

1 A. Yes, I was.

2 Q. Would you describe to the court the  
3 duties and responsibilities of a search team  
4 leader?

5 A. The search team leader was designated  
6 to be in charge of the search team. And we had  
7 the responsibility to coordinate all movements of  
8 the team, the preparation of the team, the  
9 assignments of each team member during the  
10 search. And I was in charge of all the -- for my  
11 team, all the preparation prior to the search.

12 Q. When did you first learn or when were  
13 you first made a search team leader in connection  
14 with the search of the residence of Elias Castro?

15 A. I don't remember the exact date but it  
16 was within a month of the search.

17 Q. So that would be during the month of  
18 August of 1985?

19 A. Yes, as I recall.

20 Q. Do you recall how it came about that  
21 you became the leader of that search team?

22 A. No, I don't.

23 Q. Now, as part of your duties and  
24 responsibilities as a search team leader, were  
25 you required to brief the other members of your

1 team?

2 A. Yes, I was.

3 Q. Could you first tell us who those other  
4 members were; and if they had particular duties  
5 and responsibilities, what those were?

6 A. Okay. The team consisted of four  
7 members. Myself, I was the search team leader.  
8 And we had Agent Dan Reilly. He was the  
9 photographer, he was in charge of the taking  
10 photographs at the searches.

11 We had Agent Jim Lyons. He was our  
12 explosives expert. His responsibility was prior  
13 to the search commencing, he was to clear the  
14 area of any booby traps or explosives. And we  
15 relied on him during the search for advice on  
16 whether an item was an explosive device and if we  
17 had concern for our safety during the search.

18 And there was Agent Caldwell. John  
19 Caldwell was in charge of the sketch of the  
20 residence during the search.

21 Q. Let's go back to Agent Reilly. He was  
22 the photographer?

23 A. Yes.

24 Q. Now, how did Agent Reilly, if you know,  
25 become the photographer; was he chosen by you,



1 were you given him -- how did Agent Reilly become  
2 the photographer?

3 A. He was not chosen by me. He's not  
4 assigned to the San Juan Division. He's assigned  
5 to another division of the F B I. He has a long  
6 history of photographic experience.

7 Q. So he, in effect, came to you assigned  
8 by someone else?

9 A. Yes.

10 Q. Do you know who it was that made those  
11 assignments?

12 A. No, I don't.

13 Q. Now, could you just tell us whether or  
14 not there was any briefing with regard to Agent  
15 Reilly, between Agent Reilly and yourself as to  
16 what he would be doing in connection with this  
17 search?

18 A. Yes, there was. I briefed each of the  
19 team members separately and in groups numerous  
20 times. From the time they arrived in Puerto  
21 Rico, they were immediately notified that they  
22 were part of my team. And I was their only  
23 contact for the duration of their stay in Puerto  
24 Rico, as far as the searches were concerned.

25 Q. Now, Agent Reilly as the photographic

1 expert, is it fair to say that you didn't brief  
2 him with regard to how he should go about the  
3 particulars of taking the photographs?

4 A. Right. We had some guidelines as to  
5 the order of when photographs would be taken. I  
6 briefed him on those guidelines. But actually  
7 how to take the photographs, he had his own gear,  
8 and he was well versed in photography.

9 Q. What lens to use, et cetera; that was  
10 within his discretion?

11 A. Exactly.

12 Q. What were the guidelines that you gave  
13 him?

14 A. Well, initially, after the bomb search  
15 was -- we had a bomb sweep made of the residence  
16 to clear it for booby traps and any explosive  
17 devices that would risk the person that was  
18 searching. He was to photograph the premises  
19 both inside and outside prior to the search.

20 Once that -- those photographs were  
21 taken, the other photographs he would take were  
22 any items of significant evidentiary value that  
23 were found. He would photograph those at the  
24 time. And then when the search was completed, he  
25 would take another set of photographs of the

1 residence to show the state of the residence  
2 before we exited.

3 Q. So in other words, I gather that the  
4 first thing that was to occur would be Agent  
5 Lyons, that is the explosives expert, would  
6 determine whether or not there were explosives in  
7 the residence. And if so, he would take  
8 appropriate action?

9 A. Yes.

10 Q. Then Agent Reilly would begin his  
11 photographing process?

12 A. Yes.

13 Q. And where would Agent Caldwell come in,  
14 the sketch agent?

15 A. He -- he was able to do his sketch  
16 along with Agent Reilly. As I recall, he  
17 assisted Agent Reilly in maintaining a  
18 photographic log as Reilly took the photographs.  
19 And it was during that time that he was able to  
20 make a sketch of the residence.

21 Q. Now, in connection with these briefings  
22 of these individuals, did you discuss with them  
23 an affidavit and the search warrant itself in  
24 connection with this residence?

25 A. Yes, I did. And they were each

1 instructed to read the affidavit, which I  
2 provided to them to read.

3 Q. Did you, in fact, read the affidavit  
4 prior to the execution of the warrant?

5 A. Yes, I did.

6 Q. When did you get that affidavit?

7 A. It was within -- I don't recall the  
8 exact date, but it was within a week of August  
9 30th.

10 Q. So several days and as long as a week  
11 before the execution of the warrant, you received  
12 a copy of the affidavit?

13 A. Yes, that's correct.

14 Q. Now, was that affidavit at that time  
15 signed; in other words, had it been signed and  
16 authorized by a United States magistrate?

17 A. No, sir.

18 Q. So you were given a copy of the  
19 affidavit that was going to be presented to the  
20 magistrate?

21 A. That's correct.

22 Q. You read that affidavit?

23 A. Yes, I did.

24 Q. What did you do with regard to that  
25 affidavit and the other search team members?

1           A.    I took my copy of the affidavit to one  
2 of our briefing sessions. And each agent was  
3 given the affidavit to read in my presence.

4           Q.    Did, in fact, it appear that they did  
5 read that affidavit?

6           A.    Yes, sir.

7           Q.    Now, there were other teams associated  
8 with this search or with this location,  
9 specifically an arrest team and a security team,  
10 is that correct?

11          A.    That's correct.

12          Q.    Now, do you know whether or not --  
13 well, did you give the search warrant affidavit  
14 to the arrest team members?

15          A.    No, I did not.

16          Q.    Did you give the search team affidavit  
17 to the security team members?

18          A.    I did not give the affidavit itself,  
19 no.

20          Q.    Was it as part of your duties and  
21 responsibilities as the search team leader --  
22 were you supposed to brief the arrest team or  
23 speak with the arrest team in connection with  
24 their responsibilities?

25          A.    I met with the arrest team leader,

1 Frank Flores, because as part of the arrest, our  
2 search team assisted in the arrest of Mr.  
3 Castro-Ramos. So I was present for part of the  
4 planning of the arrest.

5 Q. Now, so in other words, as far as you  
6 know, only Agent Reilly, Lyons, Caldwell and  
7 yourself as members of the search team were  
8 required to and did, in fact, read the affidavit?

9 A. Yes, sir.

10 Q. During these discussions with those  
11 agents, did you discuss with them the kinds of  
12 evidence or the type of evidence that they would  
13 be permitted to seize at the residence of Elias  
14 Castro-Ramos in the event the magistrate actually  
15 did authorize that warrant?

16 A. Yes, we did. There was a two-page  
17 addendum that each of them read. And we  
18 discussed that addendum which listed the  
19 particular items that we could seize.

20 Q. What did you discuss?

21 A. We discussed the procedures that we  
22 would follow in seizing each individual item of  
23 evidence. I described to the team members that I  
24 would be assigning them specific locations within  
25 the residence. And that as they located each

1 piece of evidence which they thought would fall  
2 within the warrant, that they were to identify  
3 that piece of evidence to me. And then I would  
4 make the final determination whether that fit  
5 within the warrant.

6 MR. DABROWSKI: Your Honor, the  
7 Court has a copy, has part of the copy, filed in  
8 the records of this case, of the search warrant  
9 and written affidavit. I have another complete  
10 copy, and it's sixty-seven pages long. Rather  
11 than file that, I would propose simply that I  
12 file the two-page addendum, that it would be  
13 sufficient for my purposes.

14 If counsel wants an extra copy of the  
15 warrant filed, I'll do that. But I don't think  
16 it's necessary to file an additional sixty-seven  
17 page document with the Court -- not an  
18 additional, it would be a duplicate of what's  
19 already on file.

20 MS. POLAN: I just want to clarify  
21 with the Clerk, Your Honor, that the search  
22 warrant affidavit is in the file somewhere  
23 because I'm not clear about that. I have no  
24 objection to what Mr. Dabrowski is saying if it  
25 is on file. But I'm not totally convinced of

1 that.

2 THE CLERK: It is.

3 THE COURT: I believe it is on  
4 file. Is that right, Madam Clerk?

5 THE CLERK: Yes, Your Honor.

6 THE COURT: The Clerk reassures me.

7 Q. (BY MR. DABROWSKI) I show you  
8 Government Exhibit 23 for identification.

9 (Handing)

10 Would you examine that document and  
11 tell us if you recognize it?

12 A. Yes, sir. That's the addendum that we  
13 used in conducting the search of Mr.  
14 Castro-Ramos' house.

15 Q. Now, tell us in terms first of the  
16 briefing sessions -- well, first in terms of  
17 briefing sessions, how did you utilize that  
18 document, those two pages, in briefing the  
19 agents that were members of your search team as  
20 to what items they could or should not seize in  
21 connection with the search?

22 A. Well, during the briefing session this  
23 document was essential. This listed particular  
24 items that we could seize during the searches.  
25 And the team members were made aware of that.



1           These were the items that could be seized.

2           Q.    Explain in a little more detail why you  
3           considered that document essential?

4           A.    Well, this listed the individual items  
5           that could be seized, and it's a very extensive  
6           list.  Therefore -- well, it's almost impossible  
7           for anyone to memorize this list.  This was going  
8           to be our guide for conducting the search, this  
9           two-page addendum.

10          Q.    Now, did you, in fact, remove those two  
11          pages from the warrant itself?

12          A.    Yes, I did.

13          Q.    For what purpose?

14          A.    For my own use during the search as the  
15          search team leader.  In fact, during the  
16          execution of the warrant, I kept this with me on  
17          the table that I was using for writing out the  
18          inventory.  And at various times throughout the  
19          execution of the warrant, I needed to refer to  
20          this list to see if a particular item fell within  
21          the warrant.

22          Q.    This list is -- this particular exhibit  
23          consisting of two pages which you removed from  
24          the warrant itself and kept right in front of you  
25          during the search?

1 A. Yes, sir.

2 Q. All right. Let's go back first to the  
3 briefing session. I assume there came a time  
4 when you were notified that the search was going  
5 to take place?

6 A. Yes, sir.

7 Q. And when did that happen, and how did  
8 it happen?

9 A. The final notification came on the  
10 morning of August 30th. I received notification  
11 about 2:30 in the morning.

12 Q. How did you receive that?

13 A. I received a telephone call from  
14 Special Agent Clow at my residence.

15 Q. Do you recall what Agent Clow told you?

16 A. He told me that -- I don't recall the  
17 specific words. But he told me that it was a go  
18 for August 30th, for that morning, and to go  
19 ahead and pick up my team members, and to respond  
20 to the predesignated location.

21 Q. So Agent Clow called you, said it was a  
22 go. And then did you, in turn, call the rest of  
23 the search team?

24 A. Yes, I did.

25 Q. You assembled at a predetermined

1 location?

2 A. Yes, sir.

3 Q. Generally what time did you assemble at  
4 this location?

5 A. I don't recall exactly the time. It  
6 was before 5:00 in the morning.

7 Q. Just generally, what happened when your  
8 team came together at that location?

9 A. We were given a short general briefing  
10 again. It was an extension of the continual  
11 briefings that I had been giving the team members  
12 up until that point. We went over our plan once  
13 again for arrest and the search. And then we  
14 proceeded to an area near Mr. Castro-Ramos'  
15 residence.

16 Q. When you say, "We", are you referring  
17 to the arrest team, the security team and the  
18 search team?

19 A. Yes, sir. The search team, they were  
20 all in my vehicle. I drove them to the location.

21 Q. All right. And again, so the record  
22 will be clear, they are Agents Reilly, Lyons,  
23 Caldwell and yourself?

24 A. Yes, sir.

25 Q. Now, what time did you arrive in the

1 vicinity of the residence of Elias Castro-Ramos?

2 A. I don't recall the exact time. But it  
3 would have been, as I recall, at least a half  
4 hour prior to the arrest.

5 Q. What did you do at that point?

6 A. Well, we met with the security and the  
7 arrest team members. And then we positioned  
8 ourselves in our vehicles at locations around Mr.  
9 Castro-Ramos' residence, in preparation for the  
10 arrest.

11 Q. Now, at 5:00 in the morning, do you  
12 know whether or not the warrant had actually been  
13 signed by the magistrate?

14 A. At five a.m., no, I did not know.

15 Q. Did there come a time when you were  
16 told that the warrant had been signed?

17 A. Yes, sir.

18 Q. When was that; who told you, and tell  
19 us what that person said?

20 A. I received notification over the bureau  
21 radio in the vehicle that the search warrants had  
22 been signed.

23 Q. Now, at that particular time, I assume  
24 you did not have the copy -- you could not have  
25 had a copy of the warrant that the magistrate

1 actually signed?

2 A. No, I did not.

3 Q. Could you just generally describe to us  
4 how it was that you gained entry in the  
5 residence; tell us what happened in connection  
6 with the arrest and the search as far as you were  
7 concerned?

8 THE COURT: Can we ascertain the  
9 time when he received that notification that it  
10 had been signed?

11 Q. (BY MR. DABROWSKI) Do you recall what  
12 time you had been notified that the warrant had  
13 actually been signed?

14 A. I don't recall the exact time, Your  
15 Honor. It was prior to the arrest. The  
16 notification went out to all teams.

17 Q. Tell us how you went about executing  
18 the warrant; first, how did you gain entry to the  
19 residence of Elias Castro-Ramos?

20 A. Entry was gained during the arrest of  
21 Mr. Castro-Ramos. Myself and Agent Reilly  
22 covered the back of Mr. Castro-Ramos' house.  
23 Agent Lyons was in the -- in my automobile  
24 monitoring the radio. And the other agents were  
25 in the front of the residence.

1                   After knocking and announcing they had  
2 an arrest warrant and a search warrant for Mr.  
3 Castro-Ramos, entrance to his residence was  
4 subsequently obtained by forcing his door through  
5 use of a sledgehammer.

6           Q.    Were you able to hear and observe  
7 things while at the back of the residence?

8           A.    I could not hear -- I could hear a  
9 discussion in loud voices. I could not hear the  
10 exact words, no, sir.

11          Q.    Now, in connection with the actual  
12 search itself, there came a time when you went  
13 inside the residence?

14          A.    Yes, that's correct.

15          Q.    Tell us how that happened, where you  
16 went?

17          A.    After the arrest of Mr. Castro-Ramos, I  
18 proceeded to the front of the residence. And at  
19 that time he was handcuffed. Shortly thereafter,  
20 he was placed in a bureau vehicle and transported  
21 from the scene. At that point once the -- as I  
22 recall there were two minor children in the house  
23 that had to be taken care of.

24                   Once the residence was free of any  
25 other individuals, then we proceeded with our

1 bomb expert, Mr. Lyons, and he made the sweep of  
2 the house. Mr. Reilly, Agent Reilly took the  
3 photographs. And then we entered and eventually  
4 proceeded with the search.

5 Q. Now, would you just -- first generally  
6 describe how the search was conducted; where were  
7 you located, and what did you do?

8 A. I was in an area which was off of the  
9 kitchen. It was a dining area that was one room,  
10 a dining, living area. There was a table where I  
11 located myself. I had inventory papers, a copy  
12 of this addendum.

13 And I would assign the agents to  
14 proceed to individual rooms in the residence,  
15 search those and when they located an item of  
16 evidence, to bring it to me. I would determine  
17 if that item fell within the scope of the  
18 warrant. And if it did, then we would initial a  
19 label which we placed on the bag containing the  
20 item of evidence. And then I logged it in on the  
21 inventory form.

22 Q. Government Exhibit 27, the two-page  
23 addendum, that was located on the table?

24 A. Yes, sir.

25 Q. And --

1 MS. POLAN: Excuse me, Your Honor.  
2 Mr. Dabrowski referred to that before as  
3 Government Exhibit 23, and I'd just like to know  
4 which it is.

5 MR. DABROWSKI: It's Government  
6 Exhibit 23.

7 THE WITNESS: Yes, sir. It was on  
8 the table during the search. And as items of  
9 evidence were brought to me at various times, I  
10 had to refer to this addendum.

11 Q. (BY MR. DABROWSKI) Now, who were the  
12 agents that were bringing the items to you?

13 A. There were the members of the search  
14 team: Agents Lyons, Caldwell and Reilly. In  
15 addition, one of the security team members, Agent  
16 Homero Rivera, he also was used to collect  
17 evidence.

18 THE COURT: Would you repeat that  
19 name?

20 THE WITNESS: Homero, H O M E R O,  
21 Rivera, R I V E R A.

22 THE COURT: His station was which  
23 -- what was his position?

24 THE WITNESS: He was part of the  
25 security team.



1 THE COURT: Security team.

2 THE WITNESS: But our plan prior to  
3 the search was that if the security team members  
4 were not fully occupied keeping the location  
5 secure, that they could be used as evidence  
6 gatherers, which he was.

7 And prior to his being used, he was --  
8 he read the addendum of the search warrant so he  
9 knew what he could search for.

10 Q. (BY MR. DABROWSKI) Who is the person,  
11 if there was one person, who made the decision as  
12 to whether or not to seize any particular item?

13 A. I did.

14 Q. How did you make that decision?

15 A. Based upon my knowledge of the warrant  
16 and the addendum. And as I say, on many  
17 occasions, I had to refer back to the addendum.  
18 And also we discussed it among ourselves, certain  
19 pieces of evidence, whether to seize them or not.

20 Q. So if Agent Reilly found a piece of  
21 item -- a piece of evidence or an item that he  
22 was interested in, he would bring that item to  
23 you?

24 A. That's correct.

25 Q. And you would then make the

1 determination as to whether or not to seize, that  
2 is, take possession of that item pursuant to this  
3 warrant?

4 A. Yes, sir.

5 Q. Was there any instance during this  
6 particular search when that didn't happen; that  
7 is, when someone else made the decision to seize  
8 the evidence?

9 A. No, never.

10 Q. Was there anyone other than Homero  
11 Rivera and the other three agents who actually  
12 participated in bringing items to you for this  
13 decision?

14 A. No.

15 Q. Did you, yourself, participate in the  
16 search in the sense that you actually go in and  
17 search a room; or were you simply coordinating it  
18 at this table?

19 A. I was coordinating it at the table;  
20 however, on those occasions where there was no  
21 evidence for me to log in or to make decisions  
22 about, I would get up from the table, go to the  
23 individual rooms to see how the search was  
24 proceeding.

25 Q. Now, did there come a time when a

1 quantity of -- well, excuse me.

2 Was the wife of Elias Castro present in  
3 the residence at the time of the search?

4 A. Yes, sir.

5 Q. Was she present at all times?

6 A. No. She would leave the residence, go  
7 out to the front of the house to talk with  
8 friends or a female that identified herself as  
9 her attorney.

10 Q. Was that female who identified herself  
11 as an attorney, was that individual permitted to  
12 enter the premises?

13 A. No, she was not.

14 Q. Did you have a conversation with either  
15 the attorney or the wife of Elias Castro-Ramos  
16 concerning the search warrant itself, the signed  
17 copy?

18 A. Yes, sir.

19 Q. Of the search warrant. Tell us about  
20 that conversation?

21 A. Well, the only conversation I recall  
22 with the attorney was, upon leaving the  
23 residence, she was given a copy of the inventory  
24 and requested to sign the inventory which she  
25 refused. With Mr. Castro-Ramos' wife, there were

1 various conversations throughout the execution of  
2 the search warrant.

3 Q. Was the attorney and Elias  
4 Castro-Ramos' wife given a copy of the warrant  
5 once it arrived?

6 A. Yes, they were.

7 Q. Did you have a conversation with the  
8 attorney --

9 THE COURT: Excuse me, what time  
10 was that?

11 THE WITNESS: I don't recall, Your  
12 Honor. On my search log I noted the time that we  
13 sent Agent Homero Rivera to pick up the warrant.

14 THE COURT: When was that?

15 THE WITNESS: I'd have to review  
16 the search log. I believe it was around 8:30.

17 THE COURT: It may be in for  
18 identification, the log.

19 Q. (BY MR. DABROWSKI) Showing you  
20 Government Exhibits 24 A and 24 B, would you  
21 identify those?

22 A. Yes. Twenty-four A is the search 302  
23 which I prepared subsequent to the search at Mr.  
24 Castro-Ramos' residence on August 30, 1985. And  
25 24 B is the search log that I prepared on August

1 30, 1985.

2 MR. DABROWSKI: Your Honor, I would  
3 move for the full admission of Government  
4 Exhibits 23, which is the addendum, 24 A and  
5 24 B.

6 THE COURT: Without objection, full  
7 exhibit.

8  
9 (Government's Exhibit 23  
10 offered and marked into  
11 evidence)

12 (Government's Exhibit 24A  
13 offered and marked into  
14 evidence)

15 (Government's Exhibit 24B  
16 offered and marked into  
17 evidence)

18 Q. (BY MR. DABROWSKI) That's the search  
19 log you testified about or a copy of it, is that  
20 correct?

21 A. Yes, sir.

22 Q. From looking at that document, can you  
23 tell us what time that the warrant itself arrived  
24 or approximately what time?

25 A. Well, this shows that at 7:30 a.m.

Agent Homero Rivera left to pick up the original  
warrant. But I did not write down at what time

1 the warrant arrived.

2 Q. Agent Williamson, this search log is in  
3 your handwriting, is that correct?

4 A. Yes, it is.

5 Q. Could you just, so that it will be  
6 intelligible to us, take us down and very briefly  
7 explain these entries?

8 A. Okay. Well, at the top of the log,  
9 that's the file number of the case and the  
10 identification of the location where the search  
11 was conducted. At 6:55 a.m., that's the first  
12 entry, that's the arrest.

13 And I wrote down the subject's wife and  
14 two children were present, that the subject was  
15 notified that there was an arrest and a search  
16 warrant. At 7:00 a.m., the subject was  
17 transported, a bomb sweep was started and the  
18 search. At 7:15 a.m. the photos and the sketch  
19 were commenced of the residence. And at 7:30 the  
20 agent left to -- Agent Homero Rivera left to pick  
21 up the original warrant.

22 At 7:50, an automobile with license  
23 plate 23 A 270 arrived at the house with a Puerto  
24 Rican male and female of whom we took  
25 photographs. They met with Mr. Castro-Ramos'

1 wife. That vehicle departed at 8:00 a.m. Then  
2 the actual search for items pursuant to the  
3 warrant started at 8:30 a.m.

4 At 9:45 a.m., a briefcase was located  
5 containing money, masks, a ledger, keys,  
6 notebook, phone numbers, names and addresses and  
7 some revolutionary-type documents. And at 10:45  
8 a.m., the money which was located in that  
9 briefcase was counted as \$863. At 12:55 p.m.,  
10 Castro-Ramos' wife and her attorney reviewed the  
11 documents and refused to sign the documents.

12 Q. Those documents, that was the  
13 inventory?

14 A. Yes, sir.

15 THE COURT: Had you completed at  
16 that time, 12:55?

17 THE WITNESS: Yes, we had.

18 Then at 1:06 p.m., we were clear of the  
19 residence. And we arrived at our evidence  
20 control center at 1:48 p.m.

21 Q. (BY MR. DABROWSKI) At 10:45 a.m. there  
22 is an entry on the log, that says money counted.  
23 It's \$863?

24 A. Yes, sir.

25 Q. Could you tell us first of all, did you

1 have a discussion with the attorney about whether  
2 or not to seize that money?

3 A. Not that I recall.

4 Q. Did you have a discussion with Elias  
5 Castro's wife concerning whether or not you  
6 should seize that money?

7 A. We had a lengthy discussion among team  
8 members which included myself calling the command  
9 post at our office on two separate occasions  
10 concerning the money.

11 Q. Did you make that call at the request  
12 or insistance of the attorney?

13 A. No, sir.

14 Q. The addendum, Government Exhibit 23,  
15 speaks in terms of seizing money in amounts over  
16 a thousand dollars, is that correct?

17 A. That's correct.

18 Q. This was clearly an amount under one  
19 thousand dollars?

20 A. That's correct.

21 Q. Did you seize that money?

22 A. No, we did not.

23 Q. Could you tell us what went into the  
24 decision-making process that ultimately resulted  
25 in your decision not to seize that money?





1 photographs, of specific items that were located  
2 within the briefcase. And Government's Exhibit  
3 22, this is not the briefcase, this was a hand  
4 basket that contained two wigs, two  
5 walkie-talkies, some plastic gloves and some gun  
6 cleaning brushes.

7 Q. Did you have a conversation with Elias  
8 Castro's wife, first -- when you first entered  
9 concerning whether or not you would find items of  
10 evidentiary value in that house?

11 A. Yes, I did. We had several  
12 discussions.

13 Q. What was -- what did she say?

14 A. Well, throughout the first part of the  
15 search, she repeated on several occasions that  
16 she could not understand why we were searching  
17 the residence, that we would not find any  
18 evidence within the residence.

19 Q. Did there come a time when the material  
20 depicted in these photographs was in effect laid  
21 out in the living room in her presence?

22 A. Yes, sir.

23 Q. At that particular time, for example,  
24 in connection with the money, you were trying to  
25 make a determination as to whether or not to

1 actually seize it, is that correct?

2 A. Yes, sir. I -- at that point I recall  
3 specifically that I asked Mr. Castro-Ramos' wife,  
4 after we found this briefcase with the evidence  
5 inside it, what she thought of what we had found  
6 because she had said that we wouldn't find  
7 anything. And at that point she stopped talking  
8 to us.

9 Q. Did she have any -- was there any other  
10 kind of a reaction from her?

11 A. It was -- her silence was quite a  
12 reaction. She sat down in a chair, turned her  
13 eyes up towards the ceiling and refused to say  
14 anything more to us.

15 Q. She didn't explain to you that some of  
16 these items may, in fact, for example, have come  
17 from the grandparents or belonged to the  
18 children?

19 A. No, she said absolutely nothing about  
20 the items.

21 Q. Now, are you certain that you don't  
22 recall a conversation with the attorney about  
23 whether or not you should seize this money?

24 A. No, sir. I don't recall that  
25 conversation. The attorney was outside of the

1 residence, and I was inside the residence.

2 Q. When you were making the phone calls,  
3 and I gather you made several phone calls in  
4 connection with the money?

5 A. Yes, sir.

6 Q. Was she able to hear you; was she in a  
7 position to hear you or see you during the time  
8 you were making those phone calls?

9 A. Are you referring to the attorney?

10 Q. Yes. I'm sorry, yes.

11 A. She may have been able to see me  
12 through the door, through the front door which  
13 was maintained opened through all of the search.  
14 But I don't know.

15 THE COURT: Were phone calls made  
16 on the house telephone or made on your own  
17 telephone?

18 THE WITNESS: On a house telephone,  
19 Your Honor.

20 Q. (BY MR. DABROWSKI) Showing you  
21 Government Exhibit 25 for identification --  
22 actually I believe without objection, I can move  
23 that for a full exhibit.

24 MS. POLAN: No objection.

25 THE COURT: Full exhibit.

1  
2 (Government's Exhibit 25  
3 offered and marked into  
4 evidence)

5 MR. DABROWSKI: Your Honor, I would  
6 also note for the record -- let me -- I'll ask  
7 the agent.

8 Q. (BY MR. DABROWSKI) Agent Williamson,  
9 is that a copy of the inventory?

10 A. Yes, sir.

11 MR. DABROWSKI: Your Honor, for the  
12 record, the Government is making a full exhibit  
13 at this time of a copy of the inventory. The  
14 defense intends to introduce in their portion of  
15 the case, without objection from the Government,  
16 a copy of a subinventory, which is more  
17 particularized in nature. So that the Court will  
18 not be confused, this is the inventory. There  
19 will also be a subinventory, a more  
20 particularized inventory utilized in connection  
21 with the defense.

22 Q. (BY MR. DABROWSKI) Agent Williamson,  
23 this is the document that was prepared at the  
24 residence in your presence, is that correct?

25 A. Yes.

1 Q. Could you tell us what it is and  
2 explain it to us?

3 A. This is the evidence inventory that I  
4 prepared at Mr. Castro-Ramos' house during the  
5 search. On each page it's broken down into  
6 columns. We gave each item seized an item  
7 number, and I described the items seized.

8 I gave a description of the place where  
9 the item was found and I put the initials of the  
10 searching agent that located the item of  
11 evidence. And there is a remarks column where we  
12 could put in any specific remarks that I thought  
13 were appropriate.

14 Q. Page 1 refers to room area number, and  
15 it says, "Carport"?

16 A. Yes, sir.

17 Q. Under the item description, it says,  
18 "Nothing taken." I presume that nothing was  
19 seized from the carport?

20 A. That's correct.

21 Q. Similarly from bedroom B, which is page  
22 2, nothing was taken; I assume that nothing was  
23 taken from bedroom B?

24 A. That's correct.

25 Q. Now, on page 3, the room or area that

1 was searched was bedroom C, is that correct?

2 A. That's correct.

3 Q. Now, under the column, Item  
4 Description, that is a description of the item  
5 that was seized?

6 A. Yes, sir.

7 Q. And who made that entry?

8 A. I did.

9 Q. In fact, did your signature appear on  
10 that page as well as the other pages from here on  
11 after?

12 A. Yes, sir. My signature appears on each  
13 page.

14 Q. The place found, the first entry would  
15 be closet. Now, you yourself did not -- could  
16 you tell from this form who seized the first  
17 item, C 11 from the closet?

18 A. Yes, sir. The initials D A R appear  
19 under the initials. And that's Agent Dan Reilly.

20 Q. That's the photographer?

21 A. Yes, sir.

22 Q. Who is now participating in the search?

23 A. That's right.

24 Q. Now, how do you know that he found that  
25 item in the closet?

1 A. He told me.

2 Q. So the entry under "Place Found" is in  
3 your handwriting based upon information you  
4 received from the agent who brought the item to  
5 you?

6 A. That's correct.

7 Q. And that agent, that agent's initials  
8 are placed there by "Agent" in that column by  
9 you, is that correct?

10 A. Yes, sir, that's my handwriting.

11 Q. Is there any entry on this page 3 that  
12 was not made by you?

13 A. No, sir.

14 Q. The entries in this Evidence Inventory  
15 Form were made by you based upon personal  
16 knowledge or based upon information you received  
17 from the agents that were there participating in  
18 the search?

19 A. That's true.

20 Q. D A R is Agent Reilly, is that correct?

21 A. Yes, sir.

22 Q. All right. J H R is who?

23 A. That's Agent Homero Rivera.

24 Q. And J D C?

25 A. That's agent John Caldwell.



1 Q. J L?

2 A. That's agent James Lyons.

3 Q. Now, you previously examined this  
4 Evidence Inventory Form?

5 A. Yes, I have.

6 Q. Is it fair to say that only those four  
7 agents brought items of evidence to you which  
8 were seized?

9 A. That's correct.

10 Q. During the course of the execution of  
11 this search warrant, did you have occasion to  
12 make a decision as to whether or not to seize  
13 books?

14 A. Yes, sir.

15 Q. In fact, were some books brought to you  
16 by the other agents?

17 A. Yes, sir.

18 Q. Did you seize those items?

19 A. I recall seizing pamphlets and  
20 photocopied papers. I don't recall actual  
21 hardcover books being seized.

22 Q. Do you recall whether or not the agents  
23 actually picked up and looked at hardcover books?

24 A. Yes, sir, they did.

25 Q. For example, was there a book by Lenin

1 at that residence, if you recall?

2 A. I don't recall.

3 Q. Do you know whether you seized a book  
4 by Lenin from that residence?

5 A. I don't recall seizing a book by Lenin.

6 Q. You did seize some pamphlets?

7 A. Yes, sir.

8 Q. Did you make a determination regardless  
9 of whether or not you can recall a book, the  
10 specific title or author of a book, did you make  
11 a determination not to take certain books?

12 A. Yes, sir.

13 Q. All right. And you similarly -- excuse  
14 me -- you also made a decision to seize certain  
15 pamphlets?

16 A. Yes, sir.

17 Q. What is it that caused to you seize  
18 pamphlets; and what is it that caused you not to  
19 seize books?

20 MS. POLAN: Your Honor, I have to  
21 object to books. There were so many written  
22 materials seized. I think Mr. Dabrowski should  
23 be more specific as to what pamphlet he is  
24 referring to. They seized hundreds and hundreds  
25 of written documents. I have no idea what he's

1 referring to. And I'm not sure the agent does,  
2 but I certainly don't. If he's referring to a  
3 particular political pamphlet or a photocopy of a  
4 book, I'd like to know what.

5 THE COURT: You'll have the chance  
6 to cross examine him, but you're talking in  
7 generalities now.

8 MR. DABROWSKI: I'll withdraw the  
9 question.

10 THE COURT: Under what authority  
11 did you take it into your custody. When you  
12 looked at a pamphlet, under what authority did  
13 you take it into your custody. Then we'll get  
14 the point.

15 MR. DABROWSKI: I'll rephrase the  
16 question.

17 Q. (BY MR. DABROWSKI) What, Agent  
18 Williamson, what did you use to determine whether  
19 or not to seize a particular item, whether it was  
20 a book, a pamphlet or whatever?

21 A. I used the two-page addendum from the  
22 search warrant.

23 Q. And tell us exactly how you used that?

24 A. Well, as each item of evidence was  
25 brought to me, and I'll say more so in the

1 beginning than as the search progressed, I would  
2 refer to this addendum to see whether that  
3 specific piece of evidence was listed on the  
4 addendum. And if it were, then we would seize  
5 it. If the document or book did not fall within  
6 the addendum, we did not seize it.

7 And at various times if one of the  
8 agents had a question, I would have a discussion  
9 with that agent whether it fell within the  
10 addendum. And I'd make my decision based upon  
11 that discussion and how I read the addendum.

12 Q. Agent Williamson, directing your  
13 attention to Government Exhibit 23, that is the  
14 addendum. I gather, then, you will not admit  
15 that those paragraphs did not aid you in  
16 determining -- did not aid you in determining  
17 what to seize and not to seize?

18 A. No, sir. These were essential in  
19 that -- this addendum was essential in my making  
20 my decisions as to what to seize and what not to  
21 seize.

22 Q. Did you consider your authority to be  
23 unlimited; that is, that you could take anything  
24 you wanted to?

25 A. No, sir. My understanding was that I

1 could only take what was particularly described  
2 in the warrant.

3 Q. Did you at any time abandon the  
4 warrant, abandon that addendum and seize items  
5 simply by instinct?

6 A. No, sir.

7 Q. Had you, in fact, reviewed, not only  
8 yourself but with other agents, in detail, the  
9 affidavit and the addendum which was signed by  
10 Magistrate Arenas on that morning?

11 A. That's correct.

12 Q. In fact, did there come a time when  
13 that warrant itself was brought back to the  
14 residence by Agent Homero Rivera and, in fact, a  
15 copy of that was given to Mr. Castro-Ramos' wife?

16 A. That's correct.

17 MR. DABROWSKI: I have nothing  
18 further, Your Honor.

19 MS. POLAN: Good morning, Your  
20 Honor.

21 Your Honor, I think it might make  
22 things easier for the Court. I have extra copies  
23 of the addendum and the subinventory which I have  
24 for the Court, and I've mentioned it to Mr.  
25 Dabrowski.

1 THE COURT: I think I have a copy  
2 here of the inventory.

3 MS. POLAN: The inventory I'm going  
4 to use is a lot more detailed, the subinventory.  
5 And I have a copy of the addendum for the Court  
6 as well. Perhaps they should be marked as  
7 Court's exhibits?

8 THE COURT: Very well. What's the  
9 difference between the two so I'll know  
10 immediately?

11 MS. POLAN: Well, I can have the  
12 agent testify but --

13 THE COURT: No, you tell me in your  
14 own words first.

15 MS. POLAN: The subinventory lists  
16 what was actually taken. That inventory you have  
17 will have a category. It will say, "C 11, brown  
18 file with revolutionary materials." On this  
19 subinventory, it lists everything that was in  
20 C 11.

21 THE COURT: This is --

22 MS. POLAN: This is a more complete  
23 document.

24 THE COURT: This is a subinventory  
25 so-called, right?

1 MS. POLAN: Yes. There is a  
2 detailed list of what was taken out of the house  
3 that was --

4 THE COURT: You're going to mark  
5 that as what?

6 MS. POLAN: I can make that either  
7 a defendants' exhibit or Court's exhibit. But I  
8 have a copy, extra copy for the Court. Let's  
9 make it a defendants' exhibit.

10 THE INTERPRETER: Your Honor, may  
11 the interpreters have a copy also, please.

12 MS. POLAN: I don't have another  
13 copy.

14 THE INTERPRETER: Could we please  
15 request that from now on an extra copy be made  
16 for the interpreters of any document that's going  
17 to be referred to in court.

18 THE COURT: Maybe we have one here.

19 (Handing)

20 THE INTERPRETER: Thank you very  
21 much.

22 MS. POLAN: Your Honor, I have  
23 also -- I have a copy of the addendum for the  
24 Court. That's already in evidence so perhaps I  
25 could just give it to Your Honor.

1 (Handing)

2 THE COURT: Thank you.

3 MS. POLAN: The third thing I have,  
4 Your Honor, this is -- I don't know if you want  
5 this marked. This is the three pages of the  
6 Government's exhibit list that has to do with  
7 exhibits taken -- that are on the exhibit list  
8 that are from Mr. Castro's house. I've shown  
9 this to Mr. Dabrowski. Just so the Court will  
10 have it, these are the things from Mr. Castro's  
11 house that the Government does intend to  
12 introduce at trial.

13 (Handing)

14 THE COURT: All right.

15 MS. POLAN: This is the  
16 subinventory, Your Honor.

17 (Handing)

18 MS. POLAN: What's that marking?

19 THE CLERK: Forty-two.

20 MS. POLAN: The subinventory is  
21 marked Defendant's 42 for identification.

22 MS. POLAN: Your Honor, Mr.  
23 Dabrowski has indicated he has no objection to  
24 making that document a full exhibit, that  
25 subinventory.



1  
2 (Defendant's Exhibit 42  
3 offered and marked into  
4 evidence)  
5

6 CROSS EXAMINATION BY MS. POLAN  
7

8 Q. Now, Agent Williamson, I think you  
9 testified that you've been in Puerto Rico,  
10 assigned to Puerto Rico since July of 1984?

11 A. That's correct.

12 Q. And you testified also that you were  
13 not involved in the investigation of the  
14 Macheteros prior to August 30th of 1985?

15 A. That's correct.

16 Q. Were you assigned to some kind of  
17 terrorism squad in San Juan?

18 A. No, I was not.

19 Q. What was your assignment in San Juan?

20 A. Prior to August 30th, I worked  
21 organized crime.

22 Q. All right. I think you testified that  
23 prior to your assignment as the search team  
24 leader for this arrest, you had no prior  
25 involvement in the investigation of Elias Castro?

1 A. That's correct.

2 Q. And so it would be fair to say you had  
3 no knowledge about Mr. Castro?

4 A. That is correct.

5 Q. Did you have any information about him  
6 prior to your assignment as the search team  
7 leader?

8 A. No, I did not.

9 Q. Did you know who he was?

10 A. No, I did not.

11 Q. I think you testified that sometime  
12 in -- approximately a month before August 30th,  
13 you were given this assignment?

14 A. That's correct.

15 Q. And is that the same time that the  
16 other members of your team got their assignments?

17 A. I think I was probably notified prior  
18 to their receiving notification.

19 Q. All right. And you testified on direct  
20 examination that you briefed each one of the  
21 search team members separately and in groups?

22 A. That's correct.

23 Q. Several times?

24 A. That's correct.

25 Q. All right. And you said that was after

1 they arrived. And I take that to mean they all  
2 came to San Juan from somewhere else?

3 A. That's correct.

4 Q. None of them were assigned to San Juan?

5 A. That's correct.

6 Q. Can you tell me approximately in what  
7 period of time those briefings took place?

8 A. Those briefings took place  
9 approximately over a two-week period.

10 Q. Prior to August 30th?

11 A. That's correct.

12 Q. So between the 15th and the 30th?

13 A. I can't tell you exactly if it was the  
14 15th but --

15 Q. More or less?

16 A. Approximately a two-week period.

17 Q. Can you just generally tell me what it  
18 is you did -- well, question withdrawn.

19 The first time you met with the search  
20 team, was that individual meetings or a  
21 collective meeting?

22 A. The first time I met with the team  
23 members is when I transported some of the members  
24 when they flew into Puerto Rico to where they  
25 were staying. I don't recall exactly which

1 members those were.

2 Q. So you had a conversation in the car?

3 A. That's correct.

4 Q. At that time did you discuss  
5 the -- question withdrawn.

6 At that time did you have the search  
7 warrant affidavit in your possession?

8 A. No, I did not.

9 Q. All right. So at that discussion in  
10 the car, you didn't discuss the affidavit, the  
11 allegations in the affidavit with them?

12 A. That's correct.

13 Q. All right. What did you discuss with  
14 them?

15 A. I think at that point, at the very  
16 beginning of this approximate two-week period,  
17 those were very general discussions of what would  
18 happen, what our responsibilities would be as a  
19 search team.

20 Q. And is it fair to say that those  
21 discussions had nothing to do with the  
22 particulars of this investigation or this search  
23 in terms of what was being sought in the search?

24 A. I don't recall the specifics of those  
25 discussions. They were very general at the

1 beginning of the two-week period.

2 Q. You didn't have the affidavit, the  
3 proposed affidavit at that time?

4 A. No, I did not.

5 Q. And you didn't have the addendum at  
6 that time, did you?

7 A. No, I did not.

8 Q. All right. What was the next time you  
9 recall having any kind of briefing with the  
10 search team members?

11 A. During the period from the time that I  
12 picked up the search team members until August  
13 30th, I had continual meetings. I don't recall  
14 exactly how many, but those would be on an almost  
15 daily basis. Because I was their contact with  
16 the San Juan F B I office and with this case and  
17 with their assignments.

18 Q. So all of the information they received  
19 came from you?

20 A. That's correct, from me and from the  
21 documents that I provided them to read.

22 Q. Now, you said in your direct testimony  
23 that there came a time when you were provided  
24 with a copy of the proposed affidavit for the  
25 search warrant?

1 A. That's correct.

2 Q. And at that point the affidavit had not  
3 been signed?

4 A. That's correct.

5 Q. All right. Can you tell me  
6 approximately when that was when you received the  
7 affidavit?

8 A. I don't know exactly when that was but  
9 it was within the week prior to the August 30th  
10 search.

11 Q. All right. And you testified on direct  
12 examination that you took that affidavit to one  
13 of the briefing sessions?

14 A. That's correct.

15 Q. What did you -- how did that --  
16 question withdrawn.

17 Did you have copies of the affidavit or  
18 just one copy?

19 A. I had one copy.

20 Q. All right. So you read it to the other  
21 agents?

22 A. No, each one of them read it.

23 Q. So they each sat down and read a  
24 sixty-nine page affidavit in your presence?

25 A. That's correct.

1 Q. About how long did it take each of them  
2 to read it?

3 A. I don't recall. Our sessions would  
4 last several hours.

5 Q. So you sat in a room while somebody  
6 read the affidavit to himself?

7 A. That's correct.

8 Q. All right. Then what happened after he  
9 would read it to himself?

10 A. We would discuss what our duties were  
11 and how we were planning to proceed with the  
12 search, among other things.

13 Q. Now, at that time did you also have  
14 this Addendum 2?

15 A. I don't recall.

16 Q. Now, other than that one time where you  
17 had each of the agents read the affidavit, were  
18 they ever provided with copies of the affidavit?

19 A. Their own copies? I don't recall.

20 Q. So it's your best recollection that you  
21 brought it to a briefing session approximately a  
22 week before August 30th, they each read it once,  
23 and you had some discussion about it?

24 A. There were several of these briefing  
25 sessions. I don't recall whether they all read

1 the affidavit at that first session when I  
2 brought the affidavit. Each one of them was  
3 required to read it. And they read it in my  
4 presence.

5 Q. On one occasion each?

6 A. At least once.

7 Q. All right. But as far as you know, you  
8 didn't provide them with copies to take with  
9 them?

10 A. As far as I recall. I don't remember.

11 Q. Your best recollection is that you  
12 didn't have Addendum 2 at that time?

13 A. No. I don't remember whether I had it  
14 or not at those initial briefing sessions. I had  
15 it several days prior to the search. And at  
16 least at one of those occasions prior to the  
17 search, we would have discussed the addendums.

18 Q. Now, do you specifically remember  
19 having a briefing session where you discussed the  
20 addendum?

21 A. Yes, I do.

22 Q. Do you remember any of the discussions  
23 that took place about it?

24 A. Well, we discussed what items we could  
25 seize.



1 Q. Did any of the agents ask you any  
2 questions?

3 A. Yes, they did.

4 Q. Do you recall what they asked you  
5 about?

6 A. I recall specifically that bank  
7 statements were one of the questions that came  
8 up.

9 Q. What was the question?

10 A. The question was whether, if we located  
11 bank statements that appeared to be personal  
12 checkbooks and bank records, whether we can seize  
13 those.

14 Q. What was your response?

15 A. That, yes, we could.

16 Q. It was your understanding from Addendum  
17 2 that this warrant authorized you to take any  
18 bank records you found in Mr. Castro's house?

19 A. That's correct.

20 Q. You didn't believe that the warrant  
21 itself contained any limitation on the bank  
22 statements you could take?

23 A. That's correct.

24 Q. It's correct, is it not, that your  
25 understanding of this Addendum 2 was that there

1 was no time limitation with respect to the dates  
2 appearing on any bank statements?

3 A. The records --

4 Q. Its just a yes or no question. Could  
5 it be read back, Your Honor?

6  
7 (Record read as requested)

8  
9 THE WITNESS: No, that's not  
10 correct.

11 Q. (BY MS. POLAN) What was your  
12 understanding from the warrant?

13 A. I think if we had found some ancient  
14 bank records, we would not have seized those.

15 Q. What's your definition of ancient?

16 A. I guess -- well, I can't define that,  
17 but I guess if they were extremely old and had no  
18 possible relevance to this case, I would not have  
19 seized them.

20 Q. Is that because the warrant contained a  
21 limitation with respect to the time period or was  
22 that a limitation that you would have imposed  
23 yourself?

24 A. I think based upon, at the time, my  
25 knowledge of Mr. Castro-Ramos' participation in a

1 terrorist group, my knowledge of reading the  
2 affidavit and the fact that these items listed in  
3 the addendum are based upon the fact that they  
4 had contained evidence of specific crimes which  
5 are listed in the addendum.

6 Q. So based on your knowledge of the  
7 investigation, would you have permitted the  
8 seizure of a bank statement from 1969?

9 A. I don't -- I don't know whether I would  
10 have or not. The fact is that issue did not  
11 specifically arise during -- the fact whether or  
12 not to seize a bank statement because of its  
13 age -- that issue did not arise during the  
14 search of Mr. Castro-Ramos' residence.

15 Q. But when one of the search team agents  
16 asked you about bank statements, you told them  
17 that the warrant authorized you to take any bank  
18 statements, is that correct?

19 A. As I recall.

20 Q. All right.

21 THE COURT: Just so that it will be  
22 clear to me, whatever bank statements there were,  
23 I haven't examined them. Do you know now how far  
24 back they did go? Was it 1980, 1977, if you  
25 know?

1 THE WITNESS: I don't know, Your  
2 Honor.

3 THE COURT: All right.

4 Q. (BY MS. POLAN) Do you remember any  
5 other questions any of the agents asked about  
6 this Addendum 2 when you discussed it?

7 A. I recall the -- there was quite a bit  
8 of concern about explosive devices.

9 Q. About whether they could be seized?

10 A. About whether they would be found at  
11 Mr. Castro-Ramos' residence.

12 Q. That has nothing to do with the  
13 question of what could be seized?

14 A. Well, it was explosives.

15 MR. DABROWSKI: I'll object to the  
16 question as being irrelevant, Your Honor. The  
17 whole line of inquiry is irrelevant. What  
18 happened at that briefing did have, in fact,  
19 nothing to do with the ultimate question to be  
20 resolved; that was, what was seized and was the  
21 seizure overly broad.

22 THE COURT: What was the measure,  
23 that was the question. Can we stay within a  
24 peripheral of --

25 MS. POLAN: Yes. I think if Agent

1 Williamson believes there is or isn't a  
2 limitation with respect to any particular thing  
3 in the warrant, that would help the Court in  
4 making its ultimate determinations in this matter  
5 about this warrant.

6 THE COURT: Simple question. Was  
7 he -- was it unlimited in time, as far as the  
8 documents were concerned?

9 THE WITNESS: Your Honor, as far as  
10 the documents were concerned, I did not consider  
11 myself limited in time.

12 MS. POLAN: Fine.

13 THE COURT: All right.

14 Q. (BY MS. POLAN) Now, other than  
15 questions about the possible presence of  
16 explosives, did the agents ask you any other  
17 questions about what could be seized when you  
18 discussed Addendum 2?

19 A. Yes, they did. But I don't recall the  
20 specific questions.

21 Q. Do you remember the specific categories  
22 they asked you about?

23 A. I think we discussed almost every  
24 category or we discussed every category.

25 Q. Now, that was a discussion you had with

1 the agents sometime within the week before the  
2 search?

3 A. That's correct.

4 Q. Were there any other discussions  
5 between you and them about Addendum 2 or the  
6 search warrant affidavit?

7 A. On the morning of August 30th we  
8 reviewed the addendum again prior to the search.

9 Q. Where and when did you do that?

10 A. That would have been at the -- we had a  
11 predesignated location where we proceeded to.

12 Q. Was that a general briefing session for  
13 a large number of agents who were going to be  
14 involved in the various arrests and searches?

15 A. Yes, it was.

16 Q. How long did that general session last?

17 A. I don't recall.

18 Q. It's your testimony that at that time  
19 you discussed Addendum 2 with the members of your  
20 search team?

21 A. Yes, we did.

22 Q. All right. Were they given copies of  
23 it?

24 A. I think they read the copy that I had.

25 Q. But you had the only copy when you went

1 to execute the search warrant?

2 A. As I recall.

3 Q. It is correct, is it not, that the  
4 search warrant itself was not in your possession  
5 at the time you actually executed it?

6 A. The original warrant? The original  
7 warrant was not in my possession at the beginning  
8 of the search.

9 Q. You -- well, do you recall what time  
10 you actually executed the search?

11 A. I'd have to refer to the log.

12 Q. Well, do you have Government Exhibit  
13 24 B?

14 A. Yes, I do.

15 Q. It doesn't say what time you executed  
16 the search warrant, does it?

17 A. At 8:30 a.m. the actual search started.

18 MS. POLAN: Excuse me, Your Honor.

19 MR. DABROWSKI: Excuse me, Your  
20 Honor. She's just taken my copy.

21 MS. POLAN: I'm having it marked  
22 for identification. I apologize.

23 MR. DABROWSKI: Mark your own copy.

24 MS. POLAN: Your Honor, Mr.  
25 Dabrowski doesn't want to give me his copy of the

1 search warrant. So I would ask the Clerk if she  
2 could find the original that's in the files. I  
3 just want to ask the agent as to the time he put  
4 on the warrant, that he executed it. And Mr.  
5 Dabrowski doesn't want to let me show it to him  
6 for that purpose.

7 MR. DABROWSKI: Your Honor, that's  
8 not the reason that I just want to --

9 THE COURT: Let's not quibble over  
10 nothing. There are many important things here.  
11 Let's not waste time on things like that.

12 Q. (BY MS. POLAN) Agent Williamson,  
13 showing you Defendant's Exhibit 43 for  
14 identification, which I believe is the search  
15 warrant, and directing your attention to the  
16 second page, can you tell me what time you wrote  
17 on that that you executed the search warrant?

18 A. 6:55 a.m.

19 Q. That's correct, is it not; that's the  
20 right time?

21 A. That's the time that I wrote on there.

22 Q. That you executed the search warrant.  
23 Were you telling the truth?

24 THE COURT: Careful now,  
25 counsellor. The one I have says 6:55 a.m.



1 MS. POLAN: Your Honor, this is the  
2 agent himself. That's his handwritten notes when  
3 he came in the house. This is what he put on the  
4 warrant on the return.

5 Q. (BY MS. POLAN) That's your  
6 handwriting, is it not?

7 A. It appears to be, yes.

8 MS. POLAN: I would offer this.  
9 Any objection?

10 MR. DABROWSKI: I have no  
11 objection, Your Honor.

12  
13 (Defendant's Exhibit 43  
14 offered and marked into  
15 evidence)

16 THE COURT: Who served the arrest  
17 warrant?

18 THE WITNESS: Agent -- the agents  
19 that arrested Castro-Ramos announced both that  
20 they had a warrant for his arrest and to search  
21 his premises.

22 THE COURT: Your search commenced  
23 when?

24 THE WITNESS: Your Honor, I put on  
25 my search log that the actual search for items,

1 when the agents actually started going to the  
2 rooms and looking for items, was at 8:30 in the  
3 morning. We were at the residence at -- 6:55  
4 a.m. is when the, as far as my log is concerned,  
5 that's when we announced to Mr. Castro-Ramos that  
6 there was a warrant for his arrest and to search  
7 his residence.

8 THE COURT: But the search, you  
9 claim on this memo, didn't start until 8:30 a.m.,  
10 is that it?

11 THE WITNESS: Yes, Your Honor. By  
12 the log. That's what I mean when I say the  
13 search started. Prior to that time we had  
14 already photographed the scene, we had been in  
15 the residence sweeping for explosive devices. We  
16 were in charge of the residence at that point.

17 THE COURT: That's clear.

18 MS. POLAN: If the Court would like  
19 to -- that's the exhibit with the return.

20 (Handing)

21 Q. (BY MS. POLAN) So when you filed that  
22 return, in the place where it said the time that  
23 the search warrant was executed, you put down  
24 6:55?

25 A. That's correct.

1 Q. It's correct, is it not, that you were  
2 in control of the premises from that time?

3 A. That is correct.

4 Q. And it's also correct that in the  
5 course of the bomb sweep, that Agent Lyons looked  
6 at different things, didn't he?

7 A. Before items --

8 Q. He looked at items, he examined things  
9 during his bomb search, didn't he?

10 A. I assume that he did. I don't know. I  
11 was outside of the residence.

12 Q. So it's not really correct to say that  
13 there was no search going on until 8:30; that's  
14 the time when you started picking up things and  
15 started bringing them to the table?

16 A. That's when we started searching for  
17 items within the purview of the warrant.

18 Q. But the agents were in the house from  
19 6:55; and some of them were looking at things, is  
20 that correct?

21 A. There were some agents in the house  
22 prior to 8:30, yes.

23 Q. Were they looking at things in the  
24 house?

25 A. They were not searching for items

1 pursuant to the warrant prior to that time.

2 Q. What were they doing between 6:55 and  
3 8:30?

4 A. Well, specifically at the time that  
5 entrance was gained through force by breaking  
6 down the door, initially it was to arrest Mr.  
7 Castro-Ramos.

8 Q. My question, Agent Williamson, is what  
9 were the search agents doing for an hour and a  
10 half between 6:55 and 8:30?

11 A. I'm trying to explain.

12 Q. The search agents?

13 A. The search agents? Some of the search  
14 agents -- all of the search agents became part of  
15 the arrest team until agent -- until Mr.  
16 Castro-Ramos was arrested. Until the house was  
17 secured, the search could not actually proceed.

18 So there was a delay while Mr.  
19 Castro-Ramos was placed into the bureau vehicle,  
20 while Mr. Castro-Ramos' wife and children were  
21 taken out of the residence. And then --

22 Q. According to your log, it took five  
23 minutes before Mr. Castro was taken out of the  
24 house, is that right; it says 7:00?

25 A. That's correct.

1 Q. It says "Bomb sweep starts and search  
2 at 7:00"; isn't that what your notes say?

3 A. That's correct.

4 Q. All right. Then it says at 7:15 there  
5 was a photo and a sketch?

6 A. That's the shorthand for the  
7 photographer started photographing the residence  
8 room by room inside and outside of the house.  
9 And the sketch was taken of the residence.

10 Q. Do you know how long it took Agent  
11 Caldwell to make the sketch?

12 A. No, I don't.

13 Q. Did it take him more than ten minutes?

14 A. In addition the --

15 Q. It's a question: Did it take him more  
16 than ten minutes to make the sketch?

17 A. I don't know.

18 Q. You don't know. Do you know how long  
19 it took Agent Reilly to take the photographs?

20 A. I don't know exactly.

21 Q. Fine. Can you tell me what -- question  
22 withdrawn.

23 At 7:30 you said you sent Agent Rivera  
24 to go get the original warrant?

25 A. That's correct.

1 Q. And that's the signed search warrant?

2 A. That's correct.

3 Q. All right. You testified on direct  
4 examination that you don't know what time it was  
5 that he returned?

6 A. That's correct also.

7 Q. I notice that you didn't put down in  
8 your log what time he returned with the warrant?

9 A. Correct.

10 Q. Is that because you didn't think it was  
11 important when the warrant got there?

12 A. I don't know why I did not write that  
13 down.

14 Q. Well, what was your intention in making  
15 this log?

16 A. To keep a record of certain events that  
17 happened during the search.

18 Q. Was it your intention to keep a record  
19 of important events?

20 A. Certain of the important events, yes.

21 Q. You didn't think it was important what  
22 time the search warrant actually arrived?

23 A. I don't recall why I did not write that  
24 down.

25 Q. It must not have been as important as

1 photographing and taking the license plate down  
2 of somebody who came to the house, right?

3 MR. DABROWSKI: Objection, Your  
4 Honor. She's being argumentative with the  
5 witness.

6 THE COURT: It is -- just ask the  
7 question.

8 Q. (BY MS. POLAN) Can you tell me why  
9 you wrote down on your log that at 7:50 a.m. a  
10 Puerto Rican male and female arrived, and their  
11 license plate was written down, and they were  
12 photographed; can you tell me why you put that  
13 down on your log?

14 MR. DABROWSKI: Your Honor, the  
15 sole issue is overbreadth of the search warrant.  
16 This question is completely irrelevant to that  
17 issue.

18 MS. POLAN: Your Honor, I think  
19 it's certainly a proper cross examination with  
20 respect to what this log is worth in the Court's,  
21 you know, in the Court's review of the log, what  
22 he chooses to put on it, what he chooses to leave  
23 off of it.

24 MR. DABROWSKI: What Ms. Polan  
25 thinks is relevant is also irrelevant, Your

1 Honor. Neither her statements nor the area she's  
2 inquiring into have any relevance whatsoever on  
3 this issue.

4 THE COURT: Well, it gets down,  
5 really, to an argument. In other words, if you  
6 put down this trivia, why didn't you put down  
7 when the warrant came. And let him answer it if  
8 he can. If he can't, say, "I don't know why. I  
9 was so busy, I didn't get to it", or -- I don't  
10 know what he's going to say. I don't know how  
11 it's going to help one way or the other.

12 THE WITNESS: Your Honor, at the  
13 time that that vehicle arrived and the  
14 individuals were meeting with Mr. Castro-Ramos'  
15 wife, myself and the other agents were extremely  
16 concerned for our own safety. And we didn't know  
17 if these were other members of the terrorist  
18 organization that were coming to attack us.

19 Q. (BY MS. POLAN) What did you do with  
20 that license plate number; did you phone it in?

21 A. I don't recall.

22 Q. Is that also the reason that you  
23 photographed all of the neighbors who came to  
24 observe the search?

25 A. I did not photograph anybody.



1 Q. Well, did you instruct Agent Reilly to  
2 take photographs of the people who were standing  
3 outside the house during the search?

4 A. I instructed Agent Reilly to take a  
5 photograph of the -- that vehicle that arrived at  
6 7:50 a.m.

7 Q. Do you know why he would have taken  
8 photographs of other people who were outside the  
9 house during --

10 THE COURT: How is that going to  
11 help the Court in any way? We could go through  
12 this, all the trivia of all of this. It isn't  
13 going to help me to make the decision you're  
14 looking for. Why don't you get to the meat of  
15 it.

16 Q. (BY MS. POLAN) Now, Agent Williamson,  
17 you don't remember what time the warrant came?

18 A. No, I do not.

19 Q. Now, were you on the premises when  
20 Agent Lyons did this bomb sweep?

21 A. No, I was not.

22 Q. Where were you?

23 A. Outside of the residence.

24 Q. Was anybody else inside with him?

25 A. No.

1 Q. How long did it last?

2 A. I don't recall.

3 Q. Now, you said that you were already at  
4 Mr. Castro's residence when you got a radio  
5 message that the warrants had been signed, is  
6 that correct?

7 A. I don't recall stating that.

8 Q. Well, I believe you testified you had  
9 gotten some radio message in the car?

10 A. Right. We were notified while the team  
11 was in the automobile that the warrants had been  
12 signed.

13 Q. So that was somewhere between when you  
14 left the briefing session and when you arrived at  
15 Mr. Castro's house?

16 A. That's correct.

17 Q. So that would probably be between 5:30  
18 and 6:30 in the morning?

19 A. I don't recall the exact time. It was  
20 sometime prior to arresting Mr. Castro-Ramos.

21 Q. At the briefing session itself, were  
22 you told whether or not there were signed search  
23 warrants that morning?

24 A. I don't recall.

25 THE COURT: It's now 11:30. Recess.

1  
2 (Recess)

3 \*\*\*\*\*  
4

5 Q. (BY MS. POLAN) Agent Williamson, I  
6 think we were talking about the time between when  
7 you executed the search warrant at 6:55 a.m. and  
8 when you put on your log that "8:30, search  
9 starts for items". Can you tell me what the  
10 difference is, as you understand it, between a  
11 search and a seizure?

12 MR. DABROWSKI: Objection, Your  
13 Honor. That's a question of law for the Court to  
14 decide. It doesn't --

15 MS. POLAN: He's a lawyer.

16 THE COURT: Point well taken.  
17 Sustained. Let's get to the facts.

18 Q. (BY MS. POLAN) Agent Williamson, is it  
19 your testimony that the agents in the house did  
20 not examine anything in the house between 6:55  
21 and 8:30 a.m.; is that your testimony?

22 A. I think my testimony was the agents  
23 were not looking for items pursuant to the  
24 warrant until 8:30 in the morning.

25 Q. What were they doing is what I'm trying

1 to find out?

2 A. They were securing the residence,  
3 making sure that it was secure as far as bombs  
4 and booby traps. That was the first step.

5 And the next step was for an agent to  
6 go in, one agent to photograph each of the rooms  
7 prior to any items being seized or the search  
8 being conducted and also a sketch to be made  
9 prior to our search for evidence.

10 Q. It's your testimony that that process  
11 took an hour and a half?

12 A. I don't think I've ever testified as to  
13 the time that took. But on my log I see that the  
14 search started at 8:30.

15 Q. Well, what's your best recollection of  
16 how long those things took that you just  
17 described?

18 A. It took quite awhile.

19 Q. Did it take an hour and a half?

20 A. On the log I see that the bomb sweep  
21 started at 7:00 a.m. The photographs began at  
22 7:15 a.m. which would indicate that the residence  
23 was safe for the photographer to proceed.

24 Q. So that means the bomb sweep was over  
25 at 7:15; is that what you mean when you say it

1 was safe?

2 A. That's what it would indicate to me.

3 Q. All right. So is it your testimony  
4 that the photographing and sketching process took  
5 an hour and fifteen minutes?

6 A. To the best of my knowledge, that's how  
7 long it took.

8 Q. All right. And what was -- what were  
9 the other agents doing who were in the house  
10 while that process was going on?

11 A. As I recall, during this time there was  
12 a problem with individuals gathering in front of  
13 the residence. And we had somewhat of a security  
14 problem. During that time I radioed to our  
15 command post to have a marked police car come to  
16 the scene at the residence. That we were  
17 again -- we were becoming concerned with the  
18 security of the agents.

19 Q. Was that what all the agents were doing  
20 while the photographing was going on?

21 A. As I recall, prior to the search, we  
22 also carried in the equipment that we were going  
23 to use for the search. But as to the other  
24 specific duties, I don't recall.

25 Q. So you also testified on direct

1 examination that Homero Rivera was involved in  
2 the search although he was not a member of the  
3 search team?

4 A. That's correct.

5 Q. He was not at any of your previous  
6 briefings where you had discussed the warrant  
7 affidavit, is that correct?

8 A. That's correct. He would have been at  
9 security briefings.

10 Q. So he was not at the discussion where  
11 you discussed the content of the affidavit?

12 A. He was -- the only time --

13 Q. It's just a yes or no question. Was he  
14 at the briefing where you discussed the affidavit  
15 or not?

16 A. Which briefing?

17 Q. Any briefing where you discussed the  
18 search warrant affidavit where you had the agents  
19 read it and you sat there?

20 A. No, not the affidavit.

21 Q. And he was not at any of the briefings  
22 you had before August 30th where you discussed  
23 Addendum 2 with the search team members?

24 A. That's correct.

25 Q. You did testify that he read the

1 addendum?

2 A. That's correct.

3 Q. Was that on the morning of August 30th?

4 A. That's correct. That was at the  
5 residence.

6 Q. Did you have a discussion with him  
7 about it?

8 A. No, I didn't. I don't recall.

9 Q. Did he have any questions?

10 A. I don't recall that either.

11 Q. Now, you also testified that a woman  
12 who identified herself as an attorney came to the  
13 house and she was not permitted to enter?

14 A. That's correct.

15 Q. Why was that?

16 A. That was my decision that the only  
17 person that would be permitted in the residence  
18 during the search would be Mr. Castro-Ramos'  
19 wife.

20 Q. Was that based on some instructions you  
21 had been given?

22 A. I don't recall if I had been given  
23 specific instructions to that effect.

24 Q. Is that an F B I policy?

25 A. As far as I know, yes.

1 Q. Now, you testified about the search and  
2 seizure of some -- question withdrawn.

3 You testified that at some point some  
4 money was found in a briefcase?

5 A. Yes, that's correct.

6 Q. And you also testified that you called  
7 in to headquarters about that money?

8 A. Yes, I did.

9 Q. Could you tell me what generally your  
10 conversation with headquarters was?

11 A. Well, the -- we discussed whether or  
12 not we could seize the money.

13 Q. Now, directing your attention to  
14 Exhibit 23, the addendum which I think you have  
15 there in front of you, was there anything unclear  
16 about that language in the warrant with respect  
17 to the amount of money you could seize?

18 A. The discussion that we -- well --

19 Q. My question is: Is there anything  
20 unclear in the language of the warrant?

21 A. No.

22 Q. It's pretty clear, is it not, that it  
23 just says, "Sums of money in excess of a thousand  
24 dollars and money with serial numbers that match  
25 those in the National Crime Information Center



1 computer"?

2 A. That's correct.

3 Q. So when you called in, were you given a  
4 list of any serial numbers to check this money  
5 against?

6 A. No. I called in the serial numbers.

7 Q. Did someone then tell you that those  
8 weren't the serial numbers they were looking for?

9 A. Yes. They told me they were not the  
10 serial numbers.

11 Q. So it was your understanding that  
12 somebody at the F B I office had a list of  
13 particular serial numbers that they were  
14 interested in?

15 A. That's correct.

16 Q. Do you know if those serial numbers had  
17 to do with money from the Wells Fargo robbery?

18 A. Which serial numbers?

19 Q. Well, the serial numbers that you were  
20 asking about or being told about?

21 A. It was my understanding from the  
22 warrant they were entered in the our N C I C  
23 computer.

24 Q. So it was your understanding that there  
25 were serial numbers of money from the Wells Fargo

1 robbery in the computer; and that when you called  
2 in, they checked the money at Mr. Castro's house  
3 against those serial numbers?

4 A. That was my understanding that there  
5 were -- I don't know if it was specifically from  
6 the Wells Fargo robbery. But I know that there  
7 were numbers entered into the computer that would  
8 be checked against numbers that I called in.

9 Q. Now, you decided after these  
10 conversations not to seize the money; why was it  
11 photographed?

12 A. The first conversation I had with our  
13 headquarters -- we called in the serial numbers.  
14 After discussing it some more with the members of  
15 the team, it was still our opinion, and mine  
16 also, that we should seize the money.

17 Q. Okay. Can you tell me what that  
18 opinion of yours was based on?

19 A. Okay. The -- we considered that  
20 perhaps this money was, specifically, contraband  
21 or evidence of a crime, although it did not fall  
22 specifically within the warrant.

23 Q. What crime did you believe it was  
24 evidence of?

25 A. Well, looking at the way that the money

1 was found. It was my opinion the way that it was  
2 bundled and wrapped in a ledger that appeared to  
3 have code names of terrorist members, and that it  
4 was in this satchel with goods and other evidence  
5 of the terrorist organization, that it was  
6 evidence of a crime; however, after discussing  
7 that with our headquarters, we made the decision  
8 not to seize the money.

9 Q. So you believed at the time that you  
10 could take that money, even though it was less  
11 than the thousand dollars?

12 A. That's what the discussion entailed,  
13 whether or not we could take this, even though it  
14 was not within the scope of the warrant.

15 Q. Now, you were just referring to things,  
16 ledgers the money was wrapped in and hoods.  
17 Directing your attention to Government Exhibit  
18 20, can you tell me on the picture where are the  
19 hoods that you just referred to?

20 A. There is a black --

21 Q. That's a handkerchief, isn't it, with  
22 two holes in it?

23 A. Two eye holes.

24 Q. It's a black handkerchief with two  
25 holes; without characterizing what they are, it's

1 a black handkerchief with two holes in it, is  
2 that right?

3 A. I don't know if it's a handkerchief.  
4 It's a black piece of cloth with two holes in it.

5 Q. Is there anything else you're referring  
6 to as hoods in your testimony?

7 A. There is a red tee shirt with two holes  
8 cut in it. And there is stitching across the  
9 middle of the tee shirt which would have -- that  
10 ran across --

11 THE COURT: Let him finish his  
12 answer, whatever it is.

13 THE WITNESS: And across the --  
14 between the two holes which would make it fit  
15 over an individual's head as a hood.

16 Q. (BY MS. POLAN) That's a child's  
17 tee shirt, isn't it?

18 A. That I don't recall.

19 Q. Well, directing your attention to  
20 Government Exhibit 19, doesn't that red tee shirt  
21 say twelve months on it in the label for the  
22 size?

23 A. Yes, it does.

24 Q. So you testified about hoods. What you  
25 mean is a black handkerchief or piece of cloth

1 with two holes in it and an infant's tee shirt,  
2 is that correct; I just want the record to be  
3 clear?

4 A. I'm referring to the black cloth with  
5 the two holes in it, the red infant's tee shirt  
6 with holes cut in it and with stitching about  
7 three quarter of the way up the tee shirt in a  
8 manner to close off the top of it and with some  
9 stitching between the two holes.

10 Q. And so it's your testimony here that  
11 because \$863 was found in the same location with  
12 those items and some financial ledgers, that you  
13 believed you had authority to take it until  
14 someone at headquarters told you the contrary?

15 A. And then there were some other  
16 documents that we thought were pertinent also.

17 Q. So it's your testimony that because of  
18 the location of the money and what was near it,  
19 you believed you could take it under this  
20 warrant?

21 A. No, not under the warrant. But as a  
22 piece of evidence of a crime in plain view, not  
23 within the scope of the warrant.

24 Q. Wasn't this money found inside of a  
25 briefcase on top of a closet?

1 A. It was inside the briefcase.

2 Q. Do you know where the briefcase was?

3 A. I'd have to refer to the inventory.

4 Q. Well, why don't you do that.

5 A. This case was found in the upper  
6 right-hand area of a closet in bedroom C.

7 Q. So it was on the top shelf of a closet  
8 inside of a briefcase, this money?

9 A. Yes.

10 Q. Were there any other instances during  
11 this search where you believed you could seize  
12 items that were outside the scope of the warrant?

13 A. Not that I recall.

14 Q. Now, other than this occasion on which  
15 the search team members were given the affidavit  
16 to read and the discussion you had with them  
17 about Addendum 2, was there any occasion prior to  
18 the search when you had any discussion about the  
19 particular crimes for which evidence was sought  
20 under this warrant?

21 A. The discussion -- yes.

22 Q. And what discussion; what was that  
23 discussion?

24 A. The discussion -- it was an ongoing  
25 process. The meetings from the time that the

1 team members arrived in Puerto Rico to the time  
2 of the search. And during that time there were  
3 various occasions when the crimes were discussed  
4 that the terrorist group had committed.

5 Q. And did you ever give them any  
6 instructions that they could only examine items  
7 that had some evidentiary value with respect to  
8 any of the enumerated crimes?

9 A. I told them that they could only  
10 examine -- they could only seize items that were  
11 specifically enumerated in the warrant.

12 Q. Now, I'm not talking about what they  
13 could seize right now; I'm talking about what you  
14 told them they could examine, read, look at. Did  
15 you give them any kind of instructions limiting  
16 what they could actually look at, while they were  
17 in the apartment -- the house, excuse me?

18 A. I don't recall any limits, no.

19 Q. All right. Well, with respect to books  
20 and excerpts from books and pamphlets, did you  
21 give the agents any instructions as to what they  
22 were allowed to read?

23 A. They were looking for documents or  
24 books that were specifically enumerated in the  
25 warrant.

1 Q. Well, did you give them any  
2 instructions as to whether they were permitted to  
3 read an entire article or not, if they found a  
4 photocopy of an article?

5 A. The -- I don't recall giving them  
6 instructions like that.

7 Q. You don't remember ever telling them  
8 that they had to be particularly careful in their  
9 examination of books?

10 A. Particularly careful? The --

11 Q. I just want to know what you told them?

12 A. The main discussion concerning books  
13 was the fact that the other agents, three of the  
14 other agents searching did not speak Spanish.

15 Q. So how were they going to examine books  
16 and documents that they found that were in  
17 Spanish?

18 A. If they could not tell from the face of  
19 the document that it fell within the warrant,  
20 they would have to let a Spanish speaker review  
21 the document.

22 Q. All right. Now, can you tell me, in  
23 your view, with respect to a book or an article,  
24 how they would know if it fell within the scope  
25 of the warrant from looking at it; what would be



1 the signal to them?

2 A. Either the title of the article and the  
3 first few pages or flipping through the article.

4 Q. So if the title of the article or book  
5 had the word "Revolution" in it, it would be  
6 subject to their examination in your view?

7 A. Is your question whether they would  
8 continue to read it if it had said "Revolution"  
9 on the title? They probably would.

10 Q. What other things about the title would  
11 indicate to them whether they should keep  
12 reading?

13 A. Well, if it included some words that  
14 were specifically from the addendum.

15 Q. Can you tell me what kind of words in  
16 the title that would be from the addendum?

17 A. The second page of the addendum, third  
18 paragraph refers to training manuals, instructing  
19 individuals in the use of, among other things,  
20 firearms, incendiary devices, intelligence and  
21 counterintelligence techniques, clandestine  
22 operated procedures.

23 If some of those words appeared in the  
24 title of an article, that would certainly be of  
25 assistance to the agents in determining whether

1 that article or pamphlet was within the scope of  
2 this warrant.

3 Q. All right. Any other kinds of words in  
4 the title that would give the agents a signal  
5 that they could continue reading that document?

6 A. I think it's based on -- it's a  
7 practical application based on each agent's  
8 knowledge of this addendum, and what he felt was  
9 relevant when he read whatever the document was.

10 Q. So it was up to the agent to decide  
11 whether it was covered by Addendum 2 when he  
12 started reading a document?

13 A. He would review the document. The  
14 final determination was always made by me.

15 Q. All right. Now, can you tell me, if  
16 you know, how these English speaking agents were  
17 able to review these books and articles and  
18 pamphlets to determine whether they were relevant  
19 to Addendum 2?

20 A. I don't know.

21 Q. Well, did they ask you what they should  
22 do?

23 A. Where they came upon pamphlets and  
24 articles that they could not read, they will  
25 allow one of the Spanish speaking agents to read

1 them.

2 Q. Was that Agent Rivera?

3 A. Homero Rivera or myself.

4 Q. So either you or Agent Rivera would  
5 read the books and the pamphlets to decide if  
6 they were subject to seizure?

7 A. If we were going to seize an item,  
8 prior to seizing it, one of us would have to at  
9 least look at those documents and pamphlets.

10 Q. From your recollection of that search,  
11 did the English speaking agents there have any  
12 idea what they were reading when they came upon a  
13 Spanish language book or pamphlet?

14 A. Some words -- yes. Some words in  
15 Spanish are so similar to English that that would  
16 at least give them a clue that a document may fall  
17 within the scope of the warrant.

18 Q. Now, did you give the agents any  
19 specific instructions with respect to the  
20 language in the warrant that authorized the  
21 seizure of telephone numbers; that's in the  
22 fourth paragraph?

23 A. I don't recall any specific  
24 instructions concerning telephone numbers.

25 Q. All right. Did you believe that that

1 language, that that search for telephone numbers,  
2 was limited in any way?

3 A. No.

4 Q. So it was your understanding that that  
5 warrant allowed you to seize any and all  
6 telephone numbers that you found?

7 A. Yes.

8 Q. And you so instructed the searching  
9 agents?

10 A. I don't recall any discussion or  
11 instructions concerning telephone numbers with  
12 the other agents.

13 Q. But you didn't give them any kind of  
14 limiting instructions?

15 A. I don't recall discussing telephone  
16 numbers with the agents.

17 Q. How about distribution lists; that's in  
18 the second line of the fourth paragraph. Do you  
19 believe that that contained any limitation?

20 A. I don't recall any discussions on  
21 distribution lists either.

22 Q. Did you understand there to be any  
23 limitation on what kinds of distribution lists  
24 could be seized?

25 A. That -- I don't recall what my

1 understanding was on August 30th.

2 Q. What's your understanding now?

3 A. I would say no.

4 Q. So it was your -- you believe now as  
5 you look at Addendum 2 that this warrant  
6 authorized you to take any kind of distribution  
7 list that was in Mr. Castro's house?

8 A. I would say that that whole paragraph  
9 is read as one sentence.

10 Q. That whole paragraph is one sentence.

11 Well, you've just lost me. Can you  
12 explain to me what you mean by that?

13 A. I mean there are a number of items  
14 listed. And then at the end of the sentence it  
15 says, "Evidence of the crimes which facts are  
16 cited in the accompanying affidavit made out".

17 Q. So it's your testimony that that last  
18 phrase in that fourth paragraph modifies  
19 everything that goes before, not just the words  
20 that go before it?

21 A. I said that's part of the sentence. I  
22 don't see that -- as far as making a  
23 determination as whether distribution lists could  
24 be seized, I don't see that as a limiting factor.

25 Q. You don't. So we're talking now about

1 the last two lines of paragraph 4 which are,  
2 "Evidence of the crimes which facts are cited in  
3 the accompanying affidavit make out"?

4 A. Right.

5 Q. You did not understand that at the time  
6 as limiting the kind of distribution lists that  
7 could be taken?

8 A. No.

9 Q. All right. And let me ask you the same  
10 question about membership lists, which are on the  
11 fifth line of that same paragraph. Did you  
12 believe there was any limitation with respect to  
13 the kinds of membership lists that could be  
14 taken?

15 A. As I say, right now I don't see that  
16 that would limit it. I don't recall what my  
17 state of mind was at the time but --

18 Q. Well, do you remember telling the  
19 searching agents anything which would have  
20 limited either the kind of distribution lists or  
21 kind of membership lists that they could examine  
22 and take?

23 A. I recall rejecting certain evidence if  
24 it seemed like it had nothing to do with the  
25 crimes that were being investigated.

1 Q. What do you recall rejecting in the way  
2 of distribution lists and membership lists?

3 A. I recall that there were some records  
4 concerning Mr. Castro-Ramos' teaching. We did  
5 not seize some of those records.

6 Q. Were they membership lists or  
7 distribution lists?

8 A. I don't recall specifically.

9 Q. There is no authorization in this  
10 warrant to take materials that have to do with  
11 Mr. Castro's teaching, is there?

12 A. I think the answer would be yes.

13 Q. And what language is that?

14 A. I think -- well, there is various  
15 language. The records pertaining to travel of  
16 Machetero members, and as Mr. Castro-Ramos is a  
17 member of the Machetero terrorist group, if those  
18 records were in the teaching records showing his  
19 travel, we could seize those records.

20 Q. Any other language in the warrant that  
21 permitted you to seize teaching records?

22 A. If there were any financial records we  
23 would have seized those.

24 Q. But what if they were just records that  
25 had to do with his teaching; would they have been

1 seizeable within this warrant?

2 A. I think if there were identification  
3 records concerning Mr. Castro-Ramos, those also  
4 would have been seized.

5 Q. What about documents about his  
6 teaching; were they authorized in the warrant?

7 THE COURT: About his what?

8 MS. POLAN: About his teaching,  
9 that's what we were talking about, as a teacher.

10 Q. (BY MS. POLAN) I'm asking you, is  
11 there any other language that would authorize you  
12 to take records about his teaching?

13 A. I think it would depend on the specific  
14 document whether it would fall within --  
15 somewhere within Addendum 2.

16 Q. So it would have to fall within the  
17 language of Addendum 2 and some other language in  
18 order for you to be able to seize it, is that  
19 correct?

20 A. Any document that we seized.

21 Q. Now, did you give the agents on the  
22 search team any particular instructions with  
23 respect to the newspaper articles and magazine  
24 clippings that they were entitled to examine?

25 A. I don't recall the specific



1 instructions.

2 Q. All right. Well, directing your  
3 attention to the part of the warrant that talks  
4 about newspaper clippings which is also in  
5 paragraph 4, it's in the middle of the paragraph.  
6 And I believe it says "Newspaper and magazine  
7 clippings related to the Macheteros and other  
8 terrorist groups"?

9 A. Yes.

10 Q. Can you tell me what your understanding  
11 was of what that allowed you to take?

12 A. If we're referring just to that  
13 specific statement there, that would be newspaper  
14 and magazine clippings related to the -- it would  
15 have something to do with the Macheteros or other  
16 terrorist groups.

17 Q. So was it your understanding that you  
18 were not allowed to take all newspaper clippings?

19 A. That's correct.

20 Q. And how did you make the determination  
21 with respect to a particular newspaper article if  
22 it had to do with another terrorist group?

23 A. By reading part of the article.

24 Q. So you would read the article and then  
25 decide whether it had to do with a terrorist

1 group?

2 A. As far as this part of the addendum is  
3 concerned, yes.

4 Q. All right. At the time you conducted  
5 this search, did you consider the Puerto Rican  
6 Socialist party a terrorist group?

7 A. I don't recall.

8 Q. Well, what was the working definition  
9 of terrorist group that you were using for the  
10 purpose of the seizure of newspaper and magazine  
11 clippings?

12 A. Again, it was a practical application  
13 based on our -- based on my knowledge of what a  
14 terrorist is and what was within the addendum.

15 Q. Well, that's not giving me any kind of  
16 explanation. What was the basis on which you  
17 decided whether something was a newspaper article  
18 about a terrorist group?

19 A. At that time -- I don't know what  
20 specific standards I was using at the time  
21 concerning --

22 Q. Did you have any standards at the time?

23 MR. DABROWSKI: Your Honor, this is  
24 like asking someone to define obscenity. It's a  
25 function of the particular document that was

1 before the agent at a particular time, and it was  
2 a judgement he made. Asking two years later to  
3 define terrorism and then to have to turn on it,  
4 just makes no sense whatsoever.

5 We've gone on long enough. I think we  
6 should start focusing in on the issue, that is,  
7 was a particular item or items taken that were  
8 not called for --

9 THE COURT: It seems to me the only  
10 way the Court is going to be helped -- you've got  
11 your list here. Go down through, say, "Look,  
12 these are things you took, right?"

13 "Yes."

14 "All right. Let's take such-and-such  
15 an item. Where is that within the provisions of  
16 this addendum?"

17 "I can't find that one."

18 "Well, you shouldn't have taken it  
19 then, should you?"

20 Then you come down, number two, and  
21 then proceed. Then you're getting somewhere.

22 MR. DABROWSKI: And limit that only  
23 to the question of items --

24 THE COURT: We can talk and  
25 philosophize here for the rest of the day. And I

1 won't be any better equipped at the end of the  
2 day than I am right now or than I was this  
3 morning. Let's put that it way.

4 MS. POLAN: Your Honor, I intend to  
5 do exactly what you just suggested. But it's  
6 also important for the Court's determination of  
7 whether this was an overbroad warrant if the  
8 agent can't tell us what that category was,  
9 "Newspaper articles related to terrorist groups",  
10 because the word has no definition. Then that  
11 speaks to the generalness of the warrant.

12 THE COURT: If he took in  
13 clippings, I don't know. I haven't seen them.  
14 If he took this clipping and you have them, say,  
15 "Look, this is what you took, you signed for  
16 them, right. Now, where is that within the  
17 provisions?"

18 This is about some political matter  
19 down in Puerto Rico involving what, I don't know,  
20 because I haven't seen it. But make him tell  
21 you. If he can't, say, "Why did you take it?"

22 MS. POLAN: Well, Your Honor --

23 THE COURT: I'll leave that to you.  
24 I'm just calling it to your attention.

25 MS. POLAN: There are two issues.

1 That's one, whether the items were outside the  
2 scope of the warrant. The other issue is whether  
3 the warrant gave them enough guidance that they  
4 could figure out what they could take and what  
5 they could not take.

6 And I didn't draft this addendum and  
7 Mr. Dabrowski, you know, complains about the  
8 language, terrorism. I share his complaints that  
9 it is so general and so broad, no one could know  
10 what it meant.

11 So I think there is two different  
12 inquiries here: Whether an item was outside the  
13 scope of the warrant; or whether the warrant was  
14 so vague that they didn't know what was in it or  
15 what was out of it. And there are two separate  
16 questions I think the Court has to answer here.

17 And I think his understanding of what  
18 he was allowed to take within that category, just  
19 like within the bank statements, is a relevant  
20 question. And you know, if he doesn't know what  
21 it means, then we should know that.

22 THE COURT: It will help the Court  
23 if you particularize. Generalities don't help a  
24 bit.

25 Q. (BY MS. POLAN) Now, Agent Williamson,

1 directing your attention to -- also again to  
2 paragraph 4, there is a phrase there that  
3 authorized to you seize literature regarding  
4 international terrorism and links to other  
5 self-proclaimed terrorist groups. Do you see  
6 that?

7 A. Yes.

8 Q. Can you tell me what you believe that  
9 language authorized you to take?

10 MR. DABROWSKI: Objection, Your  
11 Honor. It's not a question of belief. It's a  
12 question of what he actually seized and whether  
13 or not the particular item that was seized falls  
14 within or outside the scope of that language.

15 THE COURT: I suppose counsel can  
16 ask it. But the only trouble is it isn't going  
17 to help the Court, because it's going to be in  
18 general, like, maybe none of those items were  
19 taken. I don't know.

20 But when we get to things he did take,  
21 "By what authority did you take this? By what  
22 authority did you approve the taking of this  
23 particular -- seizure of this particular item?"

24 Then he's got to explain it to you.  
25 Take the next one.

1 But you do it your way. I'm listening.

2 MS. POLAN: Your Honor --

3 MR. DABROWSKI: The Government is  
4 objecting to it being done this way. Number one,  
5 it wastes time. Number two, it's irrelevant to  
6 the question in a --

7 THE COURT: It is a waste of time  
8 as far as the Court is concerned. But I'll leave  
9 it up to you. Proceed.

10 MS. POLAN. Could you read back the  
11 question?

12

13 (Record read as requested)

14

15 THE WITNESS: Again, I think it  
16 would depend on each document. I'd have to look  
17 at the document and if -- and make a  
18 determination of it, whether in my own belief it  
19 fell within the scope of this warrant, and what  
20 my definition at the time was of international  
21 terrorism.

22 Q. (BY MS. POLAN) Now, you said that you  
23 read and write Spanish, is that correct?

24 A. That's correct.

25 Q. Were you able to read and understand

1 the contents of all of the Spanish language  
2 documents that were brought to you by the  
3 searching agents?

4 A. No.

5 Q. You weren't?

6 A. Not entirely.

7 Q. So what would you do when you didn't  
8 understand a document?

9 A. When I say I did not understand, I did  
10 not read the entire documents.

11 Q. But you made the decision on whether  
12 the items should be seized?

13 A. Yes.

14 Q. All right. Now, with respect to items  
15 that were examined but they were not seized, was  
16 it also your decision that a certain item would  
17 not be seized?

18 A. Not always.

19 Q. Okay. Did other agents make the  
20 decision after reading a document that it  
21 wouldn't be seized?

22 A. Yes.

23 Q. The document would be read in some part  
24 before any decision was made?

25 A. Yes.



1 Q. Now, when you, generally speaking, when  
2 you examined a particular item that someone had  
3 brought to you, for example a typed article of  
4 some sort, how did you determine whether or not  
5 it had evidentiary value?

6 A. As I said before, what would assist me  
7 would be, number one, the title. And if I could  
8 not determine by the title, then I'd have to read  
9 the -- part of the content of the material.

10 Q. Well, for example, if you saw a  
11 document and the title of it was "State and  
12 Revolution", would such a document have  
13 evidentiary value?

14 A. It might or it might not.

15 Q. Well, can you tell me what it would  
16 have evidentiary value of, what crime?

17 A. I'd have to see the particular  
18 document.

19 Q. Well, if there was a document that had  
20 a title on it that said, "The State and  
21 Revolution", can you tell me which of the crimes  
22 on the second page of Addendum 2 it might have  
23 evidentiary value to?

24 A. My determination was based on whether  
25 that document would fall specifically within

1 Addendum 2.

2 Q. So that was regardless of whether it  
3 had evidentiary value to any of the enumerated  
4 crimes here?

5 A. It is my understanding that those  
6 specific items that were listed in Addendum 2 did  
7 have evidentiary value for the crimes listed at  
8 the end of the addendum.

9 Q. So you didn't use that last paragraph  
10 on the addendum to help you make the decisions as  
11 to what would be seized?

12 A. Yes, I did. At the time that we made  
13 the search of Mr. Castro-Ramos' house, I was  
14 familiar with those sections of Title 18, United  
15 States Code.

16 Q. Well, what I'm asking you is if you  
17 made a decision that a document entitled, "State  
18 and Revolution" had evidentiary value, can you  
19 tell me what crime on the second page here it had  
20 evidentiary value to?

21 A. What --

22 MR. DABROWSKI: Objection, Your  
23 Honor. This is apparently a hypothetical. We're  
24 not talking about a document that was seized in  
25 this case. If we are, she should produce it, and

1 we can talk about it. Otherwise we can sit here  
2 forever and talk about it.

3 THE COURT: We could go on for a  
4 week just doing nothing.

5 MS. POLAN: I hope not, Your Honor.

6 THE COURT: I won't be any better  
7 equipped to make a decision from this  
8 presentation than I did before. That's -- the  
9 preface is to help the judge make a decision.  
10 When everybody goes home, he has to make a  
11 decision.

12 MS. POLAN: What I'm trying to find  
13 out is if this agent believed that the title of  
14 an article itself gave it some evidentiary value,  
15 and if so, to what crime.

16 THE COURT: But you get into a  
17 philosophic discussion, Counsellor, which could  
18 go on endlessly. And I don't want to frustrate  
19 your purpose, but it has to be helpful to the  
20 Court. Otherwise, it's purposeless.

21 MR. DABROWSKI: Your Honor, on a  
22 number of occasions you have, I believe,  
23 exhibited a slight sense of frustration with the  
24 pace that we're moving on in connection with our  
25 presentation to you of our scheduling of these

1 various matters. The way the Government  
2 schedules these matters is to take them one at a  
3 time, schedule them seriatim and assign to them a  
4 certain number of days.

5 We do that on the basis of our  
6 knowledge as to what you will permit in terms of  
7 cross examination. And in effect what's  
8 happening here is, if you are going to permit  
9 this kind of wide ranging cross examination --  
10 which the Government strongly urges you not to do  
11 -- if you are going to permit that, we are going  
12 to be here for a week. We are going to be here  
13 for several weeks on each of these matters. And  
14 we are going to have a schedule that projects  
15 well into the summer and beyond.

16 There are numerous searches to go  
17 through. There are numerous statements to go  
18 through. There is substantial electronic  
19 surveillance. There are a number of electronic  
20 surveillance motions that need to be attended to.  
21 In order to get to them in a timely fashion, we  
22 urge the Court to force the issue here. Make  
23 sure that the parties --

24 THE COURT: In a civil case, I'd  
25 have no problem. I'd say, "Ms. Polan, you have

1 an hour and a half. Present your case. And when  
2 you've -- whatever you got, put it in in that  
3 time. If you don't, your time is up. Bang, your  
4 time is up."

5 But in a criminal case, one has to be  
6 more careful because there must be more leeway.  
7 But I don't want to go overboard either and waste  
8 the Court's time and all the other attorneys'  
9 time, too. Because I just want counsel to be  
10 mindful of that. If we get to the heart of this,  
11 it will help the Court make a decision. That's  
12 why I'm here. If it won't, it's purposeless.  
13 Let's leave the philosophy about the abstract and  
14 get down to the specifics.

15 MR. DABROWSKI: The Court ought to  
16 be more sensitive in a criminal case. But you  
17 can set time limits. The Court of Appeals does  
18 in hearing criminal appeals. Other courts do,  
19 and if you should do that or if you should set  
20 limitations, the only requirement is that they be  
21 reasonable. What we have here are unreasonable  
22 inquiries that are being made. Although the  
23 Government is urging --

24 THE COURT: I'm going along with  
25 this procedure until I find that I have to set

1 time limits on particular counsel or on a  
2 particular presentation. And if that time comes,  
3 then I will do it and let the Court of Appeals  
4 review it, if it ever gets there. Let them  
5 review it, see if the Court was reasonable.  
6 That's the only way I can do it.

7 Proceed.

8 Q. (BY MS. POLAN) Agent Williamson,  
9 showing you Defendant's Exhibit 47 for  
10 identification, this is item L 17 C 112 D 1. Do  
11 you have that item?

12 A. The original of it?

13 Q. Yes?

14 A. I'd have to look for it.

15 MS. POLAN: Your Honor, I asked Mr.  
16 Dabrowski to make all these items available so  
17 they could be put into evidence. So I assume he  
18 has them here. I want the documents he seized to  
19 go into evidence, not my copies.

20 MR. DABROWSKI: Your Honor, the  
21 particular documents that are on the Government's  
22 exhibit list are in the possession of Ms. Polan.  
23 The non-relevant material was brought in here and  
24 is in the courtroom, was brought here by Agent  
25 Williamson. There are a couple of exceptions.

1 There was some material, including, for example,  
2 the masks, which are being sent up by the F B I  
3 lab and may be in the possession of Agent Reilly.  
4 But the particular item she wants, I don't know  
5 what it is.

6 THE COURT: Do you have it; is it  
7 available?

8 MS. POLAN: I asked Mr. Dabrowski  
9 if he would supply Agent Williamson with the box.

10 MR. DABROWSKI: There is a box. In  
11 fact, there are two boxes.

12 MS. POLAN: He's got to make them  
13 available to his witness.

14 THE COURT: Do you need to step  
15 down and get that box, Agent Williamson?

16 THE WITNESS: Your Honor, there are  
17 two boxes with the items of non-relevant  
18 evidence, and I'd have to look through those to  
19 get at that item.

20 MS. POLAN: Your Honor, so the  
21 Court --

22 THE COURT: Is there a specific  
23 document you want him to find?

24 MS. POLAN: Yes, this document to  
25 begin with.

1 THE COURT: What is that document?

2 MS. POLAN: This is Defendant's  
3 Exhibit 47 for identification. It's a photocopy  
4 of part of a book entitled -- I'm translating,  
5 Your Honor. It's by Lenin called, "The State and  
6 Revolution". And it's item L 17 C 11-2 D 1. I  
7 think that's how the agent will find it because  
8 he's got them marked by the inventory numbers.

9 THE COURT: This is your copy.

10 MR. DABROWSKI: Is there a problem  
11 using the copy, Your Honor?

12 THE COURT: Instead of rummaging  
13 through the box to find it, is there any  
14 objection to having it marked as a full exhibit?

15 MR. DABROWSKI: No objection, Your  
16 Honor. It was already marked for identification.

17 MS. POLAN: There are certain  
18 things -- I don't have the document. All they  
19 gave me is the face sheet for -- I can't read it.  
20 I would like to see what this looks like, the  
21 original of it. There are certain things that my  
22 copies are fine.

23 THE COURT: Will you find the  
24 original for her, please?

25 MS. POLAN: I don't know what this



1 one looks like. There are certain --

2 THE COURT: Will it take you long  
3 to find it?

4 THE WITNESS: I don't know, Your  
5 Honor.

6 THE COURT: Make an effort, we'll  
7 try one, see how long it takes. Otherwise we'll  
8 proceed with the copies.

9 MS. POLAN: Your Honor, for the  
10 record, I told Mr. Dabrowski yesterday on the  
11 phone this is what I wanted. I wanted these  
12 items available for evidence, and he said --

13 THE COURT: The specific exhibit?

14 MS. POLAN: Not every one. I had  
15 given him a letter about some of them last week.  
16 But my understanding is that the agent would have  
17 these in sequential order, and he could reach for  
18 them in a folder.

19 MR. DABROWSKI: Your Honor, Ms.  
20 Polan called me on the phone and asked me if I,  
21 in effect, would take dictation from her several  
22 days ago and take down a long list of items. I  
23 told her I would not. She then did hand deliver  
24 to me at the last session of court a list of  
25 documents. And then she gave me a supplemental

1 list of documents. Her understanding that these  
2 would be placed in sequential order for her is  
3 her own understanding.

4 MS. POLAN: That's my --

5 THE COURT: Let's not talk about  
6 it. It's a waste of time. It makes a lot of  
7 copy, and it has to be paid for.

8 MS. POLAN: Your Honor, all I'm  
9 trying to express to the Court is I didn't  
10 realize their evidence was not in any kind of  
11 order, and it would be this difficult to find  
12 something.

13 MR. DABROWSKI: Your Honor, I would  
14 suggest this is what we do. Proceed by way of  
15 examination using this particular examination.  
16 And then over the lunch break, I'll make all  
17 those exhibits available to Ms. Polan. She can  
18 go through them and she can't have them. But she  
19 can at least segregate and identify those  
20 originals she wants to use.

21 MS. POLAN: I have no problem with  
22 that, Your Honor.

23 THE COURT: All right. The witness  
24 will resume the stand.

25 Q. (BY MS. POLAN) Now, Agent Williamson,

1 referring you to Defendant's Exhibit 47 for  
2 identification, is that an item that you seized  
3 during the search at Mr. Castro's house?

4 A. It appears to be on our subinventory.

5 MS. POLAN: Your Honor, I would  
6 like to offer this, subject to if I want to  
7 substitute the original.

8 THE COURT: It may be marked  
9 without objection as a full exhibit.

10  
11 (Defendant's Exhibit 47  
12 offered and marked into  
13 evidence)

14 THE COURT: The identification  
15 Madam Clerk?

16 THE CLERK: Number 47, Your Honor.

17 Q. (BY MS. POLAN) Now, Agent Williamson,  
18 was I correct in my reading of the title of that  
19 book?

20 A. Yes.

21 Q. And it does say in Spanish, it says,  
22 "El Estado y La Revolucion?"

23 A. Yes.

24 Q. That means "The State and Revolution"?

25 A. Yes.

1 Q. That's by Lenin, is it not?

2 A. That's correct.

3 Q. This document is forty-three pages  
4 long, is it not?

5 A. That's correct.

6 Q. It appears to be a photocopy of  
7 forty-three pages of a book, doesn't it?

8 A. Yes, it does.

9 Q. Can you tell me why you seized it?

10 A. I don't recall.

11 Q. Well, can you look at Addendum 2, and  
12 tell me if there is any language in Addendum 2  
13 that authorizes that seizure?

14 A. Looking at Addendum 2 and at my  
15 inventory, C 11, that was my description of the  
16 items when I seized them which was a large brown  
17 folder with revolutionary materials.

18 Q. Well, let me ask you this Agent  
19 Williamson: When you seized item C 11, a large  
20 brown folder about revolutionary materials, had  
21 you looked through the particular items in it  
22 before you seized it?

23 A. Yes.

24 Q. So you were aware that that document  
25 was in the folder before it was seized?

1           A.    I don't recall if I read every single  
2 document within the folder.

3           Q.    So could it be the case that certain  
4 items were seized without having been examined?

5           A.    Without having been examined by me,  
6 that's correct.

7           Q.    All right. Well, when you made that  
8 description of C 11, "Large brown folder with  
9 revolutionary materials", those are your words,  
10 aren't they?

11          A.    Yes.

12          Q:    What did you base that description on?

13          A.    C 11 was one of those instances where a  
14 number of documents were seized together. When I  
15 looked through the documents, if it appeared to  
16 me that all of the documents in a group, such as  
17 this folder C 11, were specifically listed on  
18 Addendum 2 so that they could be seized, I would  
19 **seize** the entire folder rather than taking items  
20 out.

21                   THE COURT: The number on your list  
22 is what?

23                   THE WITNESS: C 11.

24                   THE COURT: C 11?

25                   THE WITNESS: Yes. On page 3 of

1 the inventory.

2 Q. (BY MS. POLAN) So is it your testimony  
3 that certain items in this brown folder C 11 were  
4 seized without having been examined individually?

5 A. Yes. My testimony is that the folder  
6 itself may have had significance; that occurred  
7 on several occasions.

8 Q. What do you mean by the folder itself?

9 A. I don't recall specifically on C 11 but  
10 for example what we discussed --

11 Q. Let's just talk about C 11. Can you  
12 tell me what you mean by the folder itself would  
13 have had significance?

14 A. If there were numerous documents in  
15 there concerning the Machetero terrorist  
16 organization and other documents concerning the  
17 group and it appeared that this folder, the  
18 majority of those documents were placed in that  
19 folder for that purpose, we would have seized the  
20 folder.

21 Q. So your testimony is if C 11 was a  
22 brown accordion folder and there were documents  
23 in there that you believed pertained to the  
24 Macheteros, you believed you were authorized to  
25 take the rest of the documents in that folder as

1 well?

2 A. My testimony is that I don't recall  
3 reading every document in that -- in C 11 and  
4 that this may have been one of those occasions  
5 where, based on a reading of several of the  
6 documents, I thought that they were all within  
7 the purview of the warrant.

8 Q. So if you read several items in C 11  
9 and you believe those items were within the scope  
10 of the warrant, you believed you were authorized  
11 to take the rest of the items in the folder, is  
12 that correct?

13 A. That's correct with -- may I add that  
14 it's a combination of my reading of the items in  
15 there and the agent who located the documents.

16 Q. Well, it's true, is it not, that C 11  
17 was found by Dan Reilly?

18 A. That's correct.

19 Q. Who you testified doesn't read Spanish?

20 A. That's correct.

21 Q. So he wouldn't have known what these  
22 documents were about, would he?

23 A. As I stated before, there are certain  
24 instances where a non-Spanish speaker can  
25 identify documents.

1           Q.    But it is your testimony, isn't it,  
2 that you were the person who made the ultimate  
3 decision as to what would be seized?

4           A.    That's correct.

5           Q.    It's also your testimony that if C 11  
6 contained twenty odd items that you were  
7 justified in taking certain of those items  
8 regardless of their content if a large majority  
9 of the documents in that file were within the  
10 warrant?

11          A.    My testimony is that that's what I did.

12          Q.    That is what you did. Did anybody give  
13 you instructions prior to the search about what  
14 you were authorized to take?

15          A.    Yes.

16          Q.    Who was that?

17          A.    We had, in addition to my meetings with  
18 the agents on my team, we also had team leader  
19 meetings.

20          Q.    Did anybody give you instructions as to  
21 what you were authorized to take?

22          A.    Yes.

23          Q.    Who was that?

24          A.    Well, at those meetings we had our  
25 legal advisor, principal legal advisor for the



1 office.

2 Q. Who was that?

3 A. Larry Likar at the time.

4 THE COURT: Larry who?

5 THE WITNESS: Likar, L I K A R.

6 Q. (BY MS. POLAN) Did he attend the  
7 meetings of the search team leaders?

8 A. Some of them, yes.

9 Q. Was Addendum 2 discussed with him?

10 A. I don't recall specifically what was  
11 discussed.

12 Q. Do you ever remember being instructed  
13 yourself by the legal advisor or anyone else who  
14 was your superior that you were authorized to  
15 take every document in a folder because certain  
16 documents were within the scope of the warrant?

17 A. No.

18 Q. Did you ever receive any training as an  
19 F B I agent that that was permissible?

20 A. I'm also a legal advisor.

21 Q. My question is did you ever receive any  
22 training as an F B I agent that that was  
23 permissible?

24 A. I would say yes.

25 Q. So you were trained as an F B I agent

1 that if you came upon a folder that contained a  
2 number of documents and that if certain of the  
3 documents were within the scope of the warrant  
4 you were entitled to take the rest of them; is  
5 that your testimony?

6 A. No. My testimony is that there are  
7 certain cases where the fact that certain items,  
8 not restricted to just documents, are found  
9 together may itself have significance.

10 Q. I'm talking about documents now. Did  
11 you ever receive any training that permitted you  
12 to take certain documents that were in a folder  
13 with other documents because those other  
14 documents were within the scope of the warrant?

15 A. No, I don't recall any specific  
16 training to that effect.

17 Q. With respect to the item on your  
18 inventory that's called C 11, it's your testimony  
19 today that there were a number of items seized  
20 from within that folder?

21 A. That's correct.

22 Q. That were not within the scope of the  
23 warrant?

24 A. No, that's not my testimony.

25 Q. Well, is it your testimony that this

1 document falls within the scope of the warrant,  
2 the one we've been looking at, "The State and  
3 Revolution"?

4 A. If you're asking me why I seized that  
5 document, I don't know. I don't recall my -- why  
6 I seized that document. It appears that it has  
7 -- may have some theories of international  
8 terrorism in it.

9 Q. So your testimony is that this part of  
10 a book by Lenin is connected to international  
11 terrorism?

12 A. I don't know.

13 Q. You don't know. Did you know then?

14 A. I may have.

15 Q. Well, could you look at it and tell me  
16 if you believe it does?

17 A. It does not appear to.

18 Q. Do you know who Lenin was?

19 A. Yes.

20 Q. Is he alive?

21 A. No.

22 Q. Now, showing you what's been marked  
23 Defendant's Exhibit 48 for identification, which  
24 is also marked as L 17 C 11-1 A, does that -- was  
25 that document seized from Mr. Castro's house?

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(Handing)

A. It appears to -- it has our subinventory numbers on it.

Q. From that subinventory number, that was also taken out of the folder marked C 11, was it not?

A. That's correct.

Q. Is it correct from that exhibit there are five -- there are six copies of the same paper?

A. That's correct.

Q. And they're marked sequentially C 11 1 A, 1 B, 1 C, 1 D, 1 E and -- so there are five copies of same thing?

A. That's correct.

MS. POLAN: I'd offer this as a full exhibit.

MR. DABROWSKI: No objection.

THE COURT: Full exhibit. May I see that, please?

MS. POLAN: Yes, Your Honor.

(Handing)

MS. POLAN: Your Honor, I don't have a translation for you because the Government didn't give me one.

1 MR. DABROWSKI: Your Honor, I  
2 thought the Court paid for the translation of all  
3 these documents by the defense.

4 MS. POLAN: It's a non-relevant  
5 document.

6 THE COURT: Do you have a  
7 translation?

8 MS. POLAN: I don't think so. No.  
9 It's a non-relevant document, Your Honor. But I  
10 could get you a copy of it in English, I believe.

11 MR. DABROWSKI: It's my  
12 understanding -- I was under the assumption that  
13 the Court had authorized a complete translation  
14 of the documents for both relevant and  
15 non-relevant pieces of evidence.

16 Q. (BY MS. POLAN) Directing your  
17 attention --

18 MR. DABROWSKI: Is that the case,  
19 Your Honor?

20 THE COURT: That's my  
21 understanding, yes.

22 MR. DABROWSKI: It seems to me we  
23 ought to have the translation provided.

24 THE COURT: I'll leave it up to  
25 counsel to provide it.

1 Q. (BY MS. POLAN) Directing your  
2 attention to Defendant's Exhibit 48, can you tell  
3 me what this is?

4 (Handing)

5 A. They seem to be little sayings or  
6 paragraphs written by an author, Pedro  
7 Albizu-Campos.

8 Q. Do you know who Pedro Albizu-Campos  
9 was?

10 A. No, I don't.

11 Q. Can you tell me why you seized that  
12 document?

13 A. I don't recall. I can tell you why we  
14 probably seized it today.

15 Q. Well, can you read the document?

16 A. The --

17 Q. Can you read it to yourself?

18 A. Yes.

19 Q. It's a quotation?

20 A. Yes, it's a -- it's a general statement  
21 of philosophy about life.

22 Q. A general statement of philosophy about  
23 life. It's correct, is it not, that that exhibit  
24 appears to be a photocopy of something from a  
25 book or a pamphlet; it's a photocopy of some

1 printed material, something that was printed  
2 somewhere?

3 A. Yes. There are five photocopies.

4 Q. Right. Now, can you tell me why you  
5 seized all five of them?

6 A. My -- that this could be a  
7 distribution. As I recall there were a number of  
8 individuals in Mr. Castro-Ramos' cell who he  
9 distributed various documents to.

10 Q. So your testimony is that you seized  
11 these five documents of statements of philosophy  
12 about life because you believed that was a  
13 distribution list?

14 A. My testimony is that I don't recall why  
15 I seized this particular document. That may be  
16 the reason why I seized all five copies of it.

17 Q. So it's your testimony that the phrase  
18 in the warrant that authorized the seizure of  
19 distribution lists would authorize the seizure of  
20 those five copies of that statement of  
21 philosophy?

22 A. As I testified before, this was part of  
23 a group of documents which made up C 11 which we  
24 seized in total. I made a determination at the  
25 time on August 30th, 1985, to seize that entire

1 group of documents.

2 Q. So it really did not matter what a  
3 particular document was; if it was inside C 11  
4 you took it?

5 A. In this case I took everything in that  
6 folder.

7 Q. Regardless of whether the particular  
8 item was authorized in the warrant, is that  
9 correct?

10 A. On August 30th my determination was  
11 that everything in that folder could be seized  
12 under the warrant.

13 Q. Including these five copies of the  
14 statement of philosophy by Pedro Albizu-Campos?

15 A. That's correct.

16 Q. Now, Agent Williamson, is it the case  
17 that you didn't have time to read or examine the  
18 items in C 11 to determine if even one of them  
19 should be seized?

20 A. I don't recall whether I read every  
21 item in there or not.

22 Q. Well, were you under some time  
23 pressure; is that why you didn't do it?

24 A. I don't recall a time pressure other  
25 than that there were voluminous documents in Mr.



1 Castro-Ramos' residence.

2 Q. And so if you found something like C 11  
3 that contained some documents you believed were  
4 Macheteros documents, then your decision was just  
5 to take the whole folder?

6 A. As I testified before, I would look  
7 through the documents. But I can't testify as to  
8 whether I read each individual document or not.

9 Q. And it is fair to say, is it not, that  
10 you didn't make an individualized determination  
11 with respect to each of the items within C 11?

12 A. I repeat my testimony again. I don't  
13 recall whether or not I read each of these  
14 documents.

15 Q. All right. Now, directing your  
16 attention to Defendant's Exhibit 49 for  
17 identification which is also marked C 11-2 F 1  
18 through 41, can you identify that document?

19 (Handing)

20 A. Yes. Again, this appears to have our  
21 subinventory number on it, C 11-2 F.

22 Q. So that was taken Mr. From Castro's  
23 house?

24 A. Yes.

25 MS. POLAN: I would offer this.

1 MR. DABROWSKI: No objection.

2 THE COURT: Full exhibit. It's now  
3 1:00, Counsellor. How long will you take this  
4 afternoon?

5 MS. POLAN: I think I'm going to  
6 take most of the afternoon, Your Honor.

7  
8 (Defendant's Exhibit 48  
9 offered and marked into  
10 evidence)

11 THE COURT: Did counsel both plan  
12 on her having the whole afternoon today?

13 MR. DABROWSKI: If she's going to  
14 go through individual items, item by item, yes,  
15 Your Honor. Can I point out right now so we can  
16 all think about it over the lunch, a very  
17 practical problem here. What we have there is  
18 the C 11 item that was seized is part of a brown  
19 folder. Taken from that folder are the  
20 Government's trial exhibits which are segregated  
21 out and numbered sequentially as the Court has  
22 ordered.

23 Missing from this folder, might -- in  
24 this case it might not be the case -- there might  
25 be a document relevant to another matter that

1 might be at the F B I lab. To reconstruct this  
2 is going to be time consuming. And number two,  
3 to file all these original exhibits as part of  
4 the records is going to impose upon the Clerk an  
5 extremely cumbersome process.

6 So I think we should all, over the  
7 course of the lunch, address a procedure whereby  
8 we can satisfy everyone's need for the record and  
9 statement and eliminate the burden on the Court  
10 in keeping track of what will be the Government's  
11 exhibits not only in this case but in perhaps  
12 others.

13 THE COURT: Well, if you've got a  
14 copy, the simplest thing would be to offer the  
15 copy and have the Clerk make copies for you of  
16 those you thought relevant to have copies made  
17 of, it seems to me. But I'll leave that up to  
18 you.

19 MS. POLAN: Your Honor, I just want  
20 to say before we leave that the defendants didn't  
21 conduct these searches and they didn't take  
22 everything out of these houses. It's the F B I  
23 who did this.

24 And I think the Court is entitled to  
25 understand what the Government actually took out

1 of these defendants' houses and make a  
2 determination of the legality of these searches.  
3 That's why we're here. If it's too much work to  
4 produce these documents, maybe they shouldn't  
5 have taken all these documents to begin with.

6 MR. DABROWSKI: That's not the  
7 objection, Your Honor. The documents are right  
8 here in the Court and some of them are in my hand  
9 right now. I understood that defense counsel had  
10 asked and obtained permission from the Government  
11 to file with the Court a detailed subinventory  
12 which particularizes these items. And all I'm  
13 doing is raising -- directing everyone's  
14 attention to the fact that there may be an easier  
15 way to do this.

16 THE COURT: See if you can work out  
17 an easier and quicker way to do this. That's my  
18 suggestion, if it's possible to do so.

19 MR. DABROWSKI: For example, the  
20 subinventory. I think if you want a subinventory  
21 of the C 11 items, list them.

22 THE COURT: Theoretically, in other  
23 words -- I can see this possibility. In other  
24 words, theoretically, you could take whatever  
25 numbered items there may be, suppose there is

1 600. And you went through the 600 one by one.  
2 We might as well be here for a week going through  
3 them.

4 MS. POLAN: I don't intend to do  
5 that, Your Honor.

6 THE COURT: It would be an awful  
7 waste of time.

8 MR. DABROWSKI: For example, Your  
9 Honor, if there were a hundred items in this  
10 envelope, I'm sure Ms. Polan will select out  
11 those that she'll want to direct your attention  
12 to. The Government selected out its exhibits.  
13 We can direct the Court's attention to it. Then  
14 it's simple. The agent testified he examined the  
15 folder generally, determined that there were  
16 items there he felt ought to be seized. He took  
17 the entire folder.

18 THE COURT: That's a question the  
19 Court has to decide, whether there is sort of an  
20 overkill here on -- of the search.

21 MS. POLAN: That is the question,  
22 Your Honor. I'm glad that we agree on that.

23 THE COURT: Counsellor, you had  
24 something to add before we recess?

25 MR. RUBY: Yes, Judge. I have a

1 bail matter pending that will probably take about  
2 five minutes. If I could have five minutes at  
3 the beginning of the session at 2:00, it would  
4 give your clerk an opportunity to pull the motion  
5 for you.

6 THE COURT: What bail matter is  
7 that?

8 MR. KUBY: With respect to Luis  
9 Alfredo Colon-Osorio, I've proposed two  
10 modifications of his bail conditions; one of  
11 which the Government has agreed to, the other of  
12 which there is some opposition.

13 THE COURT: Well, talk with Mr.  
14 Dabrowski during noontime. Maybe you can come to  
15 an agreement.

16 MR. KUBY: We've tried that  
17 already.

18 THE COURT: I will take it up at  
19 2:00.

20 MR. KUBY: Thank you.

21 \*\*\*\*\*

22

23

24

(Luncheon recess)

25

1 THE COURT: Good afternoon,  
2 Counsellor.

3 MR. KUBY: I promised my  
4 colleague, Ms. Polan, I would keep to five  
5 minutes or under. And I'll endeavor to do that.

6 We filed a Motion to Amend Luis  
7 Colon-Osorio's bail in two respects. With one we  
8 do have agreement and have secured agreement.  
9 And that is the provision permitting Mr.  
10 Colon-Osorio to occasionally spend nights with  
11 his mother at his mother's residence -- which has  
12 been the residence posted for bond -- under the  
13 same conditions as he currently spends the  
14 evening at his own residence, observance of the  
15 nine p.m., six a.m. curfew, et cetera and  
16 adequate notice through Pretrial Service.

17 Where we have been unable to reach  
18 agreement is with respect to defendant's desire  
19 to engage in the Constitutionally-protected  
20 activity of attending meetings, participating in  
21 meetings of the Caguas Chapter of the Committee  
22 of Families and Friends of Those Arrested on  
23 August 30th, 1985 which is a nationwide  
24 organization with chapters in many cities  
25 throughout Puerto Rico.

1           The Government has agreed to permit him  
2 to attend one meeting until midnight, but they  
3 refuse to consent to weekly meetings. Simply  
4 stated, Judge, given the restrictions that we  
5 have suggested, that he provide the address of  
6 where he's going to be, provide proper notice to  
7 Pretrial Services and proceeds by the most direct  
8 route to his home at the conclusion of these  
9 meetings, I would think monitoring it is as  
10 simple there as it would be in any other place.  
11 I don't think Pretrial Services has any  
12 objection. And I would be happy --

13           THE COURT: Have you talked with  
14 them?

15           MR. KUBY: He indicated he spoke  
16 with them. They would have no objection if the  
17 Court has no objection. But I have not spoken  
18 directly with Pretrial Services, no, Judge.

19           And it is a Constitutionally-protected  
20 activity. It's a very important activity to the  
21 defendant, to the defense and to the country.  
22 And I'd urge you to consider it. I'd be happy to  
23 supply any additional information that the Court  
24 might need. But the meetings are held in one  
25 place at this professor's house. I think the



1 defendant is as easy to monitor there as he is at  
2 Calle Esmeralda number 50.

3 THE COURT: Why couldn't they move  
4 them up an hour?

5 MR. KUBY: I think that would be a  
6 good idea. He has put in a bid to have the  
7 meetings changed to his residence where he could  
8 stay as long as he wants, and he has to stay  
9 until six a.m. But at this point that has not  
10 been possible to do. We are hoping to accomplish  
11 that in the next few weeks.

12 MR. DABROWSKI: Mr. Kuby accurately  
13 stated the Government's position, Your Honor. We  
14 object to a modification of the bond to permit  
15 Mr. Colon-Osorio to stay out until midnight at  
16 least once a week. We do object to that.  
17 Otherwise, Mr. Kuby did correctly state the  
18 Government's position.

19 THE COURT: Suppose it were limited  
20 to ten o'clock, and they moved their meeting up  
21 from seven to -- wouldn't that accomplish the  
22 same purpose?

23 MR. DABROWSKI: I gather that  
24 what's developing here is the possibility that  
25 the meetings will be moved to Mr. Colon-Osorio's

1 house.

2 THE COURT: I simply asked that  
3 question. I don't know whether they want to meet  
4 at seven rather than eight but it's an easy  
5 solution to a problem.

6 MR. DABROWSKI: Change the times,  
7 change the location of the meeting and they're  
8 within or they would be within the conditions of  
9 his bond. In fact, if that's what's going to  
10 occur -- I did tell Mr. Kuby if this were one  
11 instance, that is if this were to occur on one  
12 time and for the specific purpose --

13 THE COURT: Each Tuesday night?

14 MR. DABROWSKI: Well, no. If, for  
15 example, this next Tuesday there was a meeting at  
16 a specific time for a specific purpose, I would  
17 not object to that. And did not object to the  
18 one meeting. What Mr. Kuby seeks here is a  
19 modification of the bond that's applicable to  
20 every Tuesday night. We just find that  
21 unacceptable.

22 MR. KUBY: Judge, of course it's in  
23 everybody's interest to try to get the  
24 organization to change the time and location of  
25 its meeting. And I'm -- I hope we can do that in

1 a month or month and a half to come. But the  
2 basic point is, Judge, you know, right now  
3 they're meeting at this place and at this time.  
4 And he would desire and, in fact, I think has a  
5 right to participate in these meetings.

6 And to the extent that it can be  
7 accommodated within the strict supervision that  
8 the Court has imposed, and I believe it can, the  
9 Government hasn't really offered any reason why  
10 they object except they don't like the idea. I  
11 just don't think that's sufficient.

12 THE COURT: All right. Thank you.

13 Ms. Polan, can we finish by 4:00?

14 MS. POLAN: I don't know, Your  
15 Honor.

16 THE COURT: Do your best.

17 MS. POLAN: I'm going to try my  
18 best.

19 Your Honor, during the lunch break we  
20 have looked in the boxes of documents, the  
21 originals, and we have found some of, although  
22 not all of the items. And I -- there may be some  
23 of the these documents -- I would like the Court  
24 to see the document rather than the Xerox. But I  
25 want to ask the agent to look at this first

1 before I do that.

2 Mr. Dabrowski and I have agreed that  
3 after the Court has looked at these originals,  
4 then at some point the Government may substitute  
5 a copy in a translation. But what I want is for  
6 the Court to be able to see what was seized.

7 MR. DABROWSKI: Your Honor, what we  
8 have proposed is this: First of all, there is a  
9 real need to maintain tight control over the --  
10 this evidence. Whether it's relevant to the case  
11 or whether it has been deemed not relevant to  
12 this case. In that regard, it is essential that  
13 we, that is the United States, and specifically  
14 the F B I, maintain custody of these documents as  
15 a general matter.

16 What I was going to propose is that we  
17 can use the subinventory as a particularized  
18 method of itemizing these documents. In addition  
19 we will have, to the extent it's physically  
20 possible, all of the actual original documents  
21 and items here in the Court and available for you  
22 during the cross examination. But what we  
23 propose is that any counsel who uses an item make  
24 arrangements to place both a copy of the original  
25 and a translation of that item into the record

1 following the proceedings at some reasonable  
2 time.

3 Not that the Government would do that.  
4 But for example, Ms. Polan has before her  
5 L 17 C 11-2. She intends to use that in its  
6 original form, the actual document seized, to  
7 question this agent. What we propose is that the  
8 Government take back that document. And we'll  
9 keep and maintain it in that form.

10 But at the conclusion of that hearing  
11 at some reasonable time, Ms. Polan files, for  
12 purposes of the record of this hearing, a copy of  
13 the document she's used here plus a translation.  
14 And that's what we're proposing so the record  
15 will be complete. There is no problem with her  
16 using that document, but the record should be  
17 complete. And the party offering the document  
18 should submit to the Court for the record the --  
19 a copy of it and a translation.

20 MS. POLAN: Your Honor, that's not  
21 what I agreed to. It's objectionable and  
22 impossible for two reason. The first reason is,  
23 as Mr. Dabrowski well knows, there are a number  
24 of documents in here. The reason I need these  
25 documents, they've never given me --

1 THE COURT: Very simple procedure.

2 MS. POLAN: Your Honor, I don't  
3 have documents --

4 THE COURT: Very simple procedure.  
5 Will you listen? Maybe we'll all learn  
6 something.

7 If you want to use the original, you  
8 may, number one. Number two, after it's been  
9 offered into evidence, the Clerk will make a  
10 Xerox copy of the particular document and return  
11 the original back to the Government, and it will  
12 be marked properly by her. And then everybody is  
13 protected.

14 MS. POLAN: That's fine, Your  
15 Honor. I think that's the best procedure.

16 MR. DABROWSKI: We need a  
17 translation, Your Honor, because they're in  
18 Spanish.

19 THE COURT: We'll see if we can get  
20 that if no other way, through the Clerk's office.  
21 He must know of the existence of the copies of  
22 the translation on these particular items.

23 MR. DABROWSKI: Fine, Your Honor.

24 THE COURT: He arranged for them so  
25 he must know about their existence.

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MR. DABROWSKI: Thank you.

THE COURT: If the Clerk will keep those originals separate so that they may be appropriately copied and Xerox copies substituted for the originals, and the originals returned.

THE CLERK: Yes, Your Honor.

Q. (BY MS. POLAN) Agent Williamson, showing you what's been marked Defendant's Exhibit 50 for identification, can you identify this item?

(Handing)

A. It's marked C 11 from location L 17. This came from Mr. Castro-Ramos' house. This was part of the folder C 11.

Q. So for the record, this is a manila file folder that has a number of documents and papers in it, is that correct?

A. That's correct.

Q. By this notation C 11 --

THE COURT: So it will help me, Counsellor, do I understand that this is the document we're talking about, L 17 C 11. And then it's started 9-9-1, subsequent ones the same number, but it has numbers to the right which individualize the contents of the particular

1 folder.

2 MS. POLAN: What this means, Your  
3 Honor, and for the record the Court is pointing  
4 to the Government's Exhibit list, that everything  
5 here was taken from the folder marked C 11. Then  
6 it has a more specific number.

7 THE COURT: That's my  
8 understanding.

9 MS. POLAN: These are things on the  
10 exhibit list.

11 THE COURT: Very well.

12 Q. (BY MS. POLAN) Now, Agent Williamson,  
13 it's correct, is it not, in looking through this  
14 folder that you found the document which was a  
15 copy of what was marked earlier as evidence  
16 called "The State and Revolution"?

17 A. Yes, that's correct.

18 Q. That item is C 11-2 D 1, is that  
19 correct?

20 A. That's correct.

21 MS. POLAN: I would offer this as a  
22 full exhibit.

23 THE COURT: Without objection, full  
24 exhibit. The identification, Madam Clerk, is?

25 THE CLERK: Number 50, Your Honor.



1  
2 (Defendant's Exhibit 50  
3 offered and marked into  
4 evidence)

5 Q. (BY MS. POLAN) Now, Agent Williamson,  
6 before lunch we were talking about how you made  
7 the decision to seize particular documents.  
8 Looking at Government -- Defendant's Exhibit 50,  
9 can you tell me if you, yourself, examined all  
10 the different documents in there before those  
11 items were seized?

12 A. By looking quickly at these documents  
13 right now, it doesn't refresh my recollection as  
14 to whether I actually read each of these  
15 documents.

16 Q. When I asked you this morning why you  
17 seized the excerpt from "The State and  
18 Revolution", I think your testimony was you  
19 didn't recall?

20 A. That's right.

21 Q. That's in this folder, isn't it?

22 A. That's correct.

23 Q. That's item C 11-2 D 1?

24 A. That's correct.

25 Q. Now, referring to you the next item in

1 that folder which is marked C 11-2 F 1, what's  
2 the title of that document?

3 A. Estrategia Militar China.

4 Q. I think the reporter would like to you  
5 spell that for her.

6 A. E S T R A T E G I A, next word is  
7 M I L I T A R, China.

8 Q. Could you translate what that title  
9 means?

10 A. Military Strategy, China.

11 Q. This document looks to be a photocopy  
12 of a book or an article, doesn't it?

13 A. Yes.

14 Q. Can you tell me why you seized that?

15 A. I'll take a look at it. I would say at  
16 this time this appears to me right now to be some  
17 sort of a training manual for military -- could  
18 be used for armed terrorism.

19 Q. So you seized this because it was a  
20 military training manual?

21 A. I say right now that's -- if I were  
22 reviewing this to seize it, to make a  
23 determination right now whether to seize it, this  
24 appears to me to be a training manual that could  
25 be used by terrorists.

1 THE COURT: May I see that?

2 THE WITNESS: Yes.

3 (Handing)

4 MS. POLAN: Your Honor, this is  
5 another copy of this document which was  
6 previously marked as Defendant's Exhibit 49,  
7 before we found the original.

8 (Handing)

9 Q. (BY MS. POLAN) Well, on August 30th of  
10 1985, what was the reason you seized it then?

11 A. I don't recall. I can tell you at that  
12 time I had some reason to seize it.

13 Q. But you don't know what it is?

14 A. No. At this time it appears to me to  
15 be a training manual --

16 Q. So you think that that document which  
17 is C 11-2 F is within the definition of training  
18 manuals or literature of the type which instruct  
19 individuals in the use of firearms, incendiary  
20 devices, explosives, hand grenades, LAW rockets,  
21 intelligence and counterintelligence techniques.  
22 That paragraph on the second page of Addendum 2,  
23 that's what authorizes the seizure of this  
24 document, that paragraph?

25 A. Based on the very brief look that I

1 just had at that document.

2 Q. Well, did you look at it --

3 A. Which would have been -- that would  
4 approximate the time that I would have looked at  
5 the document on August 30th.

6 Q. So the review you just made of that  
7 document, of looking it over for a few seconds,  
8 is the kind of review you made on August 30th  
9 before you decided to take it?

10 A. Generally.

11 THE COURT: What does it say on the  
12 outside?

13 THE WITNESS: Military Strategy for  
14 China.

15 Q. (BY MS. POLAN) Do you consider China  
16 to be a terrorist country?

17 A. No.

18 Q. All right. Now, directing your  
19 attention to the next item in this folder which  
20 is entitled C 11-2 H 1; can you tell me what that  
21 document is?

22 A. That's another document by Lenin, Lucha  
23 Armada, L U C H A, A R M A D A.

24 THE COURT: What does that mean,  
25 Lucha?

1 THE WITNESS: To fight, to  
2 struggle.

3 Q. (BY MS. POLAN) What is the title of  
4 that pamphlet?

5 A. "The Arms Struggle".

6 Q. Can you tell me now what your best  
7 recollection is of why you seized that on August  
8 30th?

9 A. I don't know.

10 Q. Well, is there any language in the  
11 search warrant -- excuse me, is there any  
12 language in the search warrant addendum, do you  
13 think, that authorizes the seizure of that  
14 document?

15 A. I don't know. This is not a photocopy  
16 of the entire document. It starts on page 122  
17 with guerilla warfare, some instructions on  
18 guerilla warfare.

19 Q. So is it your testimony you that seized  
20 that because it was a training manual?

21 A. I think I testified before the reason I  
22 seized C 11 was after a review of all of the  
23 documents in that, not reading each of them cover  
24 to cover, it was my decision to seize the entire  
25 packet of documents. This particular document

1 right now, it looks like it could be used as some  
2 sort of a training manual for guerillas in  
3 guerilla warfare. That's the part of the  
4 document that's photocopied to be placed in this  
5 folder.

6 Q. That wasn't the basis of your decision  
7 on August 30th?

8 A. I don't recall what was the basis of  
9 seizing the documents at that time, but judging  
10 from my inventory, I made the decision to seize  
11 the entire packet of documents.

12 THE COURT: Today would you  
13 consider that same type of document to be within  
14 the purview of the search warrant?

15 THE WITNESS: Your Honor, if -- my  
16 decision would probably be based, if this  
17 document were found alone, not with other  
18 terrorist documents, I might not seize this  
19 document; however, if this were together with  
20 other documents that were obviously of the  
21 Macheteros terrorist group showing training for  
22 military insurrection or terrorist actions, I  
23 would say that this would be very pertinent.

24 THE COURT: This particular  
25 document was within the folder or file, is that

1 it?

2 THE WITNESS: That's correct.

3 MS. POLAN: Your Honor, I'd like to  
4 have this document separately marked so that the  
5 Clerk can make a copy of it.

6 MR. DABROWSKI: Your Honor, what  
7 the Government is going to propose, particularly  
8 in view of that last answer, is that the entire  
9 packet C 11 be filed with the Court because  
10 obviously it has to be viewed as it was on that  
11 date together in tact. I think we can dispense  
12 with the individual markings.

13 THE COURT: Has the file been  
14 marked as one exhibit yet?

15 MR. DABROWSKI: It has not, Your  
16 Honor.

17 MS. POLAN: Your Honor, the problem  
18 is that at the lunch break Mr. Dabrowski gave me  
19 C 11, which is a brown folder. But all of the  
20 contents of C 11 as they appear on the  
21 subinventory are not here. The Government has  
22 them in the lab in Washington, they have them all  
23 over the western hemisphere. But they're not  
24 here with us today. So I have no objection to  
25 reconstructing everything that was in C 11 if it

1 is, in fact, going to be everything that was in  
2 C 11 because we don't have it here.

3 MR. DABROWSKI: Certainly documents  
4 have been removed from C 11. They're on the  
5 Government's exhibit list and they're in court in  
6 the file folders. Other documents are, in fact,  
7 in the F B I lab. I'm informed they're on a  
8 plane. They will be arriving here at 3:30 today.  
9 To the extent there are some documents from  
10 either C 11 or other locations within L 17, which  
11 is this residence, they're on the way. They'll  
12 be here at 3:30.

13 THE COURT: The helpful thing to  
14 the Court is to offer the full file as an  
15 exhibit. And then have the particular documents  
16 in that file, that counsel is going to bring out  
17 and call to the Court's attention, numbered  
18 whatever it is, Exhibit -- let's say it's 50, 50  
19 A, B, C, D, so that we know it came from that  
20 file. And at the same time, we'll know that  
21 they're to be considered individually. How would  
22 that be?

23 MR. DABROWSKI: That's fine, Your  
24 Honor. I don't see why it's superfluous.

25 MS. POLAN: I have no problem with



1 that, Your Honor.

2 THE COURT: Why don't we do that.

3 MS. POLAN: We want to mark this  
4 what number?

5 THE COURT: Fifty. Then the  
6 individual papers would be given a separate  
7 number, 50 A, 50 B, 50 C. I don't think you have  
8 more than 26 of them. If you do, we can do  
9 double A's.

10 MS. POLAN: I just wanted to have  
11 this one marked because I know I don't have a  
12 copy of it to provide. "The Military Strategy in  
13 China", a copy was already marked as an exhibit.

14 Your Honor, just with respect to Mr.  
15 Dabrowski's proposal, I think the Court should  
16 have everything that was in that brown folder  
17 C 11 and my -- the only point I want to make is  
18 that it needs to be completed.

19 THE COURT: At the end of the day  
20 you and he can do that and file it with the  
21 Clerk. The Court will then review it.

22 MS. POLAN: That will be fine.

23 THE COURT: Has the Clerk marked  
24 this now?

25 MS. POLAN: Yes. This is item 50

1 and --

2 THE COURT: Bring it over to her  
3 and make sure she's done as we have agreed.

4 This will be Defendant's Exhibit 51,  
5 the contents will be similarly identified and  
6 marked.

7 Q. (BY MS. POLAN) Now, Agent Williamson,  
8 I'm showing you what's been marked Defendant's  
9 Exhibit 51 for identification; can you identify  
10 this item?

11 A. This is a folder marked C 5, L 17 C 5.  
12 Let me refer to my inventory.

13 Q. All right. Contained in C 5 is a  
14 number of documents?

15 A. That's correct.

16 THE COURT: Is this on your list,  
17 Counsellor?

18 MS. POLAN: No, there is nothing  
19 from C 5 on that list.

20 THE COURT: Why isn't it?

21 MS. POLAN: This is not my list.  
22 This is the Government's exhibit list, Your  
23 Honor. I have no idea why they made their  
24 choices.

25 THE COURT: I see.

1 MS. POLAN: I'd like to offer this  
2 as a full exhibit.

3 THE COURT: Without objection, full  
4 exhibit.

5 MR. DABROWSKI: No objection, Your  
6 Honor.

7

8 (Defendant's Exhibit 51  
9 offered and marked into  
10 evidence)

10

11 Q. (BY MS. POLAN) On your inventory,  
12 Agent Williamson, you identified C 5 as a brown  
13 file with revolutionary literature, is that  
14 correct?

15 A. That's correct.

16 Q. And what did you base that description  
17 on?

18 A. That was just a description that I used  
19 on August 30th.

20 Q. What was it based on; did you read  
21 everything in it before you wrote that down or  
22 not?

23 A. That's a general description of the  
24 types of documents that were contained within the  
25 folder.

1 Q. All right. Here again did you make an  
2 individualized decision with respect to the  
3 seizure of each document in there?

4 A. I'd have the same answer that I had on  
5 C 11, which was that I looked through the  
6 documents. I don't recall if I read each  
7 individual document, but I made the determination  
8 that the documents contained in this folder fell  
9 within the purview of the search warrant.

10 Q. All right. Well, directing your  
11 attention to the document marked L 17 C-5-2,  
12 could you read the title of that document?

13 (Handing)

14 A. Do you want me to read it in Spanish?

15 Q. Well, read it to yourself and tell us  
16 what it says.

17 A. These are --

18 Q. I just want you to read it, tell us  
19 what the title is. Can you read Spanish?

20 A. Yes. These are, "Good Teaching  
21 Principals".

22 Q. The title of that is "Principles  
23 Conducive to Good Teaching", is that a fair  
24 translation?

25 A. Yes.

1           Q.    Can you tell me why you seized that  
2 document?

3           A.    This was, as I said before, this was  
4 part of this folder. At the time I would have  
5 looked at the documents one by one. And if this  
6 looked to me like -- after looking at the  
7 documents, that these were terrorist, this was  
8 terrorist literature, and that that's what this  
9 folder contained and this was part of it, I would  
10 assume that this was also part of the terrorist  
11 literature.

12          Q:    So it's your testimony that you believe  
13 that a document entitled, "Principals Conducive  
14 to Good Teaching" was part of terrorist  
15 literature because it was in this folder?

16          A.    Essentially, yes.

17               MS. POLAN:    Now, directing your  
18 attention to the document -- excuse me, Your  
19 Honor, would you like me to have this marked with  
20 a subnumber now?

21               THE COURT:    If you want to call the  
22 Court's attention to it later.

23               MS. POLAN:    Yes, I do. I would ask  
24 the Clerk to mark this document "Principles  
25 Conducive to Good Teaching."

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THE COURT: 51 A.

Q. (BY MS. POLAN) Now, have you had a chance to examine the next item which is C-5-3?

A. I've just begun to, entitled in Spanish, "The Function of the Party" and it concerns the Puerto Rican Socialist Party.

Q. You know that, don't you, because it uses the initials P S P?

A. Correct. And also in the first sentence it identifies the Puerto Rican Socialist Party.

Q. So can you tell me why you seized that document?

A. First of all, my answer would be the same as I said before. Looking at the documents as a whole, I decided to seize this document as part of this folder together.

Q. Do you think that that document comes within the definition in the warrant of literature regarding international terrorism and terrorist groups?

A. I would say this document also contains various underlinings and highlights on it starting with -- in a sentence, that it is a revolutionary party. If I saw this document

1           apart from these documents in the folder, I would  
2           probably not have seized this document.

3           Q.     So it's because of its location with  
4           other documents that you seized it?

5           A.     That's correct.

6           Q.     Not because of its independent  
7           evidentiary value?

8           A.     It would be based on the content of the  
9           document, but that read in conjunction with the  
10          location of the document with these other  
11          documents in the packet.

12          Q.     At the time you conducted this search,  
13          did you believe that it was a violation of  
14          criminal law to read documents about the Puerto  
15          Rican Socialist Party?

16          A.     No.

17          Q.     Did you believe it was a violation of  
18          any federal statute to support the aims of the  
19          Puerto Rican Socialist Party?

20          A.     No.

21          Q.     Now, directing your attention to L 17  
22          C-5-5, can you look at that document and tell me  
23          what it is?

24          A.     It says, "Twenty-five Years of --"  
25          again it uses the Spanish word "Lucha".

1 Q. Which means struggle?

2 A. It could be struggle, battle.

3 Q. That's a pamphlet, is it not?

4 A. Yes, it is.

5 Q. Is there a publication date on the  
6 outside?

7 A. Well, there is a number here. I don't  
8 know if that refers to the date.

9 Q. Does it say 1955 on it?

10 A. Yes, it does.

11 Q. Is that a pamphlet calling itself  
12 "Twenty-five Years of Struggle" which appears to  
13 have been printed in 1955; and could you look at  
14 that document and tell me what it's about, if you  
15 know?

16 A. At the end of this it does have a date  
17 of when allegedly the article was originally  
18 written of April 23rd, 1955 with some copies of  
19 newspaper articles about the arrests of leaders  
20 of the Communist Party in the United States.

21 Q. Now, have you -- did you look at that  
22 document before you seized it on August 30th of  
23 1985?

24 A. I would have looked at it, yes.

25 Q. Well, were you aware that that document



1 was a recounting of the labor movement in Puerto  
2 Rico?

3 A. No, I'm not aware of that.

4 Q. Were you aware of that at the time you  
5 read it?

6 A. I don't recall.

7 Q. Again, was your decision to seize this  
8 document based on its location in this folder?

9 A. That would have been part of it, yes.

10 Q. What was the other part of it?

11 A. Part of it would have been my reading  
12 of the document itself.

13 Q. Well, can you look at the document and  
14 tell me what about its content, if anything,  
15 caused to you seize it?

16 A. I just looked at it. I don't see  
17 anything -- I'm trying to read in the way I would  
18 have read it on August 30th. I would have  
19 **flipped** through it. It appears to be an article  
20 **talking** about socialism and communism, nothing  
21 else.

22 Q. That was the basis for the seizure?

23 A. No. If this were the only document  
24 that I had before me, I would not have seized  
25 this document.

1           Q.     So the reason you seized it was its  
2 close proximity to other documents you wanted to  
3 seize?

4           A.     The content of it talking about --  
5 again, I'm telling you why I would make the  
6 decision today. I don't recall why I did it on  
7 August 30th.

8           Q.     Well, I think what the Judge is  
9 interested in and I'm interested in is why you  
10 did it then, to the best of your recollection?

11          A.     To the best of my knowledge, which I've  
12 tried to state numerous times, is that looking at  
13 the number of documents as a whole, I looked  
14 through here and I found documents that I decided  
15 were associated with the terrorist group. And  
16 the -- this appeared to me to be a folder which  
17 Mr. Castro-Ramos used for his terrorist cell, so  
18 I seized the entire --

19          Q.     What was the basis of that conclusion  
20 on your part that Mr. Castro used these documents  
21 for his terrorist cell, as you called it; is that  
22 just your speculation or do you have any evidence  
23 to support that?

24          A.     That was my conclusion based upon  
25 reading through the documents.

1           Q.    So you drew conclusions about what Mr.  
2 **Castro** did with these documents based on looking  
3 **through** them?

4           A.    I drew a conclusion as to whether I  
5 could seize these documents pursuant to the  
6 warrant.

7           Q.    Well, let me ask you this:  If you're  
8 correct that Mr. Castro was using these documents  
9 or reading them in connection with some  
10 activities of his that you believed were illegal,  
11 was it your belief on August 30th that that gave  
12 you the right to seize those documents such as  
13 the one you're looking at right now; if, in fact,  
14 what your speculation is was true, would that  
15 have given you the right to seize the document?

16          A.    Yes.

17          Q.    Because he was reading them?

18          A.    No, not because he was reading them,  
19 **because** of the fact that these were -- the  
20 **location** with the other documents which I made  
21 the determination at the time that these all fell  
22 within the purview of the warrant.

23          Q.    It's true, is it not, that C 5, which  
24 is that brown folder, was also found in the  
25 closet in the bedroom?

1           A.    Yes, that's correct.

2           Q.    In order to spare the Court's time,  
3   it's fair to say that every document in here in  
4   this file C 5 was seized for the same reason?

5           A.    Yes.

6           Q.    And that it was your belief on August  
7   30th that the warrant authorized the seizure of  
8   these documents?

9           A.    That's correct.

10          Q.    And that's your belief today, isn't it?

11          A.    My belief today is I'd have to look  
12   through these documents again.

13          Q.    I'm not talking about documents, I'm  
14   talking about the warrant. On August 30th you  
15   believed you were entitled to take all of these  
16   documents because of where you found them and  
17   because of the conclusions you drew about them?

18          A.    That's correct.

19          Q.    That's still your belief today, is it  
20   not?

21          A.    I'd have to review the documents to see  
22   if I would draw the same conclusion. On August  
23   30th that was my opinion that those -- that the  
24   warrant allowed me to seize those documents.

25          Q.    If you could, if you could look at the

1 addendum, I think it's Exhibit 23, that's up  
2 here. Could you just tell me again which  
3 language or which different language in the  
4 warrant you believed authorized you to take all  
5 of those things in C 5?

6 A. Part of it would be on the second page  
7 of the addendum, the third paragraph.

8 Q. About training manuals?

9 A. Training manuals and literature.

10 Q. All right. Any other language in the  
11 warrant?

12 A. The fourth paragraph on the first page,  
13 communiques and documents.

14 Q. So you believed that --

15 A. And --

16 Q. Excuse me, go ahead.

17 A. I think that was all.

18 Q. What about the language about  
19 literature regarding international terrorism; was  
20 that --

21 A. That was part of that paragraph.

22 Q. Is that what you were referring to when  
23 you said, "communiques and documents"?

24 A. Yes, that paragraph.

25 Q. Directing your attention to one other

1 item in here, which is L 17 C 5-18 A and 18 B;  
2 can you identify those two documents?

3 A. This is a document that apparently was  
4 published in Nicaragua which is entitled -- I'm  
5 giving you my translation which would be, I guess  
6 it's, "Human Rights, The Defense of an Original  
7 Revolution".

8 Q. This is a magazine, isn't it?

9 A. It doesn't --

10 Q. Or a pamphlet?

11 A. It's some sort of a publication put out  
12 in Managua in Nicaragua.

13 Q. Now, directing your attention back to  
14 the first page, that document has a year on it  
15 and an issue number and a date, doesn't it?

16 A. Yes, it does. It says this is a  
17 special anniversary issue, July 1984.

18 Q. So it's a periodical of some sort?

19 A. It's some sort of a document put out by  
20 some group in Nicaragua.

21 THE COURT: What year?

22 THE WITNESS: July 1984, Your  
23 Honor.

24 Q. (BY MS. POLAN) It's correct, is it  
25 not, that 18 B is just a photocopy of 18 A?

1 A. It appears to be, yes.

2 Q. Now, going back to C 11 which is the  
3 other folder in which you took everything,  
4 directing your attention to Defendant's Exhibit  
5 52 for identification which is marked C 11-35-1,  
6 can you identify what that document is?

7 (Handing)

8 A. At the top the name of -- I guess it's  
9 the name of this organization -- looks like  
10 United Youth for Peace, and then the title of  
11 this is -- I think it's, "The Work Plan".

12 Q. So that's a document that the heading  
13 at the top is, "United Youth for Peace"?

14 A. Yes.

15 Q. It has an address somewhere?

16 A. Yes, it does.

17 Q. In Puerto Rico?

18 A. That's correct.

19 Q. It's a work plan of some sort, or  
20 proposal?

21 A. Yes, that's true.

22 MS. POLAN: I'd like to offer that.

23 THE COURT: Do you have any  
24 objection?

25 MR. DABROWSKI: No, Your Honor.

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THE COURT: The Exhibit number?

THE CLERK: Fifty-two, Your Honor.

(Defendant's Exhibit 52  
offered and marked into  
evidence)

MS. POLAN: Your Honor, this item  
did come out of C 11, but I can't find the  
original document so I gave it another number for  
the time being.

Q. (BY MS. POLAN) Can you tell me what  
caused to you seize this document?

(Handing)

A. This document -- this doesn't appear to  
be a complete copy. This looks like a copy that  
someone was working on. There are various  
corrections. And there are telephone numbers  
contained at the top of this document.

Q. So your testimony is that the United  
Youth for Peace, their phone number at the top  
caused to you seize it?

A. I don't recall why I seized this  
document.

Q. Do you know --

A. But if the document contained telephone



1 numbers, I would have authorized its seizure.

2 Q. So your testimony is that that  
3 document, which is a document apparently of a  
4 group calling itself United Youth for Peace, that  
5 has its address and telephone number on the top,  
6 that you were authorized to seize that because  
7 the warrant allowed the seizure of telephone  
8 numbers?

9 A. That's correct. And these, for those  
10 telephone numbers.

11 Q. Thank you. Did you consider the United  
12 Youth for Peace a terrorist organization?

13 A. I don't recall that I've ever heard of  
14 the United Youth for Peace.

15 Q. Agent Williamson, directing your  
16 attention to Defendant's Exhibit 53 for  
17 identification, can you identify that document?

18 (Handing)

19 A. According to the subinventory number,  
20 it's contained on the bottom of the document,  
21 this is number 39-17-6 from C 11.

22 Q. So that's something you took from C 11?

23 A. That's correct.

24 MS. POLAN: I would offer this.

25 THE COURT: Full exhibit without

1 objection.

2  
3 (Defendant's Exhibit 53  
4 offered and marked into  
5 evidence)

6 Q. (BY MS. POLAN) Agent Williamson, why  
7 did you seize this document; is this the entire  
8 document?

9 A. As far as I know.

10 Q. I want to know why you seized that  
11 document; that's the document I have?

12 A. Because it appears by the number that  
13 this may be page seventeen of a seventeen-page  
14 document or page six of a six-page document.

15 Q. Well, that document has a title at the  
16 top of the page, doesn't it?

17 A. Yes, it does.

18 Q. Can you tell me looking at that  
19 document with your knowledge of Spanish -- it's a  
20 document in Spanish -- why did you seize it?

21 A. These seem to be minutes of some type  
22 of a meeting.

23 Q. Could you tell me what part of the  
24 warrant authorized to you seize minutes of some  
25 part of a meeting?

1           A.    If these are minutes of a Macheteros  
2 terrorist organization meeting. I would have  
3 seized it under the paragraph which begins  
4 "communiques and documents".

5           Q.    Can you tell me what particular  
6 language in that paragraph would have authorized  
7 you to seize this, if it were minutes of a  
8 meeting; what language in that paragraph?

9           A.    If there were minutes of a meeting of  
10 the Macheteros --

11          Q.    What language -- paragraph 4 is pretty  
12 large; are there any specific words in there that  
13 you're referring to?

14          A.    The fact that it says "Documents" at  
15 the beginning of it, "Documentation of past  
16 crimes and plans for future acts".

17          Q.    Is there anything in there about  
18 minutes of meetings?

19          A.    Well, just what I just said, the  
20 documents of the terrorist organization, the  
21 plans for past, present and future terrorist  
22 acts.

23          Q.    So is it your testimony that that  
24 document, Exhibit 53, the reason you seized it,  
25 is because it contained plans for past, present

1 and future terrorist acts; the document, I'm  
2 asking why you seized the document, is that why  
3 you seized it?

4 A. I don't recall this document  
5 specifically.

6 Q. So that might have been a document that  
7 you seized without reading it also?

8 A. It may have been. I don't recall.

9 THE COURT: I'll ask our  
10 stenographer one question: Do you want a recess?

11

12

(Recess)

13

14 Q. (BY MS. POLAN) Agent Williamson,  
15 before the break I was asking you about  
16 Defendant's Exhibit 53 which is an item you said  
17 you seized from Mr. Castro's house and was in the  
18 folder marked C 11. And that has the word  
19 "Actas" at the top of the page, right?

20 A. That's correct.

21 Q. That means minutes -- what does that  
22 translate to, "Actas"?

23 A. I don't know. It could be acts.

24 Q. All right. And I think you testified  
25 before in response to my question that if it had

1           been minutes of a meeting of the Macheteros, you  
2           believe that this warrant, addendum, authorized  
3           you to seize it?

4           A.     That's correct.

5           Q.     Can you tell me where on that document,  
6           if anywhere, it identifies itself as a document  
7           of the Macheteros?

8           A.     I don't see that it uses the word  
9           Macheteros on the document.

10          Q.     It doesn't have any logo on it, does  
11          it?

12          A.     No, it does not.

13          Q.     It doesn't have any kind of signature  
14          on it at the bottom, does it?

15          A.     No, it does not. As I mentioned  
16          before, this looks like it was part of a --  
17          either a six-page or a seventeen-page document.

18          Q.     But it --

19          A.     I only have the first page.

20          Q.     It has a heading at the top of the  
21          page, doesn't it; it doesn't start in the middle  
22          of a sentence, does it?

23          A.     No.

24          Q.     Now, going back to Exhibit 51, which is  
25          a folder marked C 5, for a moment, and showing

1 you what's been marked Defendant's Exhibit 51 D,  
2 which is a document within a folder, can you tell  
3 me what this document is?

4 (Handing)

5 A. It's an article by Mario, I'll spell  
6 the last name, B E N E D E T T -- it looks like  
7 an I. And there are six photocopies of this page  
8 of the article. And this is from the -- it  
9 appears to be from the opinion pages of El  
10 Reportero, E L, R E P O R T E R O. This is a  
11 Puerto Rican newspaper.

12 Q. That document was seized at Mr.  
13 Castro's home, wasn't it?

14 A. Yes.

15 Q. And can you tell me what the title of  
16 that article means in English?

17 A. I can't translate that, an accurate  
18 translation.

19 Q. Well --

20 A. Discrete Song of a -- I don't know what  
21 derrota is.

22 Q. Well, can you tell me how you decided  
23 on August 30th that you would seize it if you  
24 can't even read the title?

25 A. If I could not understand the title, I

1 would have read the document. Reading this  
2 document, I don't know why I would have seized  
3 this. This is an opinion. I see it just  
4 glancing at paragraphs. It talks about various  
5 revolutions, begins by a discussion of some  
6 students under De Gaulle. I don't really know.

7 Q. Are you having trouble reading it?

8 A. The print is extremely small.

9 Q. It's talking about the student movement  
10 in Paris in 1968, isn't it; in the first few  
11 paragraphs?

12 A. Yes, that's what it says. That's how  
13 it begins.

14 Q. You don't know why you seized it?

15 A. No, I don't. I have no idea.

16 Q. Well, directing your attention to  
17 what's been marked Defendant's Exhibit 51 E,  
18 which also came out of the folder marked C 5  
19 which is C 5-20, can you identify what that  
20 document is?

21 (Handing)

22 A. This looks like a teacher's unit  
23 pamphlet.

24 Q. Can you read the title of the pamphlet?

25 A. Once again, I couldn't give you a

1 translation of the word Encrucijada.

2 Q. Could you spell that for the court  
3 reporter?

4 A. E N C R U C I J A D A.

5 Q. Can you read the rest of the title?

6 A. Yes, but it's -- "of a public worker".

7 Q. All right.

8 A. But it's put out by the Federation of  
9 Teacher's of Puerto Rico.

10 Q. Can you tell me why you seized that  
11 document?

12 A. No, I don't recall.

13 Q. Is that something you you thought Mr.  
14 Castro was reading for his cell?

15 A. I doubt that.

16 Q. But it was in C 5, wasn't it?

17 A. Yes.

18 Q. I believe your testimony previously has  
19 been if it was in this folder then you believed  
20 you were authorized to take it?

21 A. At the time that was a decision that I  
22 made based upon my review of the documents, yes.

23 Q. And you did review this document,  
24 didn't you?

25 A. I don't recall specifically now



1 reviewing that document.

2 Q. Directing your attention to what's been  
3 marked Defendant's Exhibit 51 F, which also comes  
4 out of the folder C 5 which is marked C 5-21, can  
5 you look at that document and tell me generally  
6 what it is?

7 (Handing)

8 A. This is a document about revolution in  
9 El Salvador.

10 Q. It's a copy of a magazine or a journal,  
11 isn't it?

12 A. Yes.

13 Q. What's the name of the journal?

14 A. At the top of this it's Polemica,  
15 P O L E M I C A, Internacional,  
16 I N T E R N A C I O N A L.

17 Q. Does it have a date on the inside page  
18 of when was published?

19 A. On the front page is February 1980 and  
20 El Salvador.

21 Q. Why did you seize that document?

22 A. I don't know why this was seized at  
23 this point, unless on a quick reading of this, I  
24 thought this could have been used as part of a  
25 training manual, because it does talk about

1 revolutionary strategy.

2 Q. Is there anything in there about  
3 military operations?

4 A. Yes, but looking at it now, it appears  
5 more of an historical reporting of military  
6 operations in El Salvador.

7 Q. Historical report?

8 A. It says -- there is a section in here  
9 on strategies in revolutions.

10 Q. So it was your understanding on August  
11 30th that that was seizeable because of the  
12 language in this warrant that authorized you to  
13 take training manuals and literature on the  
14 second page of the Addendum 2?

15 A. I don't recall why I took this  
16 particular document, but that certainly -- if I  
17 had read that on August 30th, that's one reason  
18 why I may have taken this. I might have looked  
19 at the first few pages and read about the  
20 revolutionary strategies.

21 Q. So it was your understanding on August  
22 30th that the language in the warrant on page 2  
23 of Addendum 2 that authorized you to take  
24 training manuals authorized the seizure of a  
25 document that talked about revolutionary

1 strategies?

2 A. If it were the type which instructed in  
3 the use of one of those listed, various  
4 categories there.

5 Q. Well, did you believe that document,  
6 Polemica Internacional, fell within that  
7 category?

8 A. Your Honor, I don't recall why I seized  
9 this document. That's -- I can speculate but  
10 that's -- it would be pure speculation.

11 Q. Today you don't think that's a training  
12 manual of the kind described in the warrant, do  
13 you?

14 A. No, I don't.

15 MS. POLAN: Your Honor, with  
16 respect to these items that are within 51, I  
17 haven't separately moved them into evidence  
18 because my understanding was the entire folder is  
19 in evidence. I just want to make sure the record  
20 is clear because the Clerk pointed out to me  
21 that -- I'm not sure I'm not confused about the  
22 procedure.

23 THE COURT: You're going to provide  
24 transcripts of the English?

25 MS. POLAN: If they exist, I'll be

1 glad to provide them, Your Honor. But all of  
2 these items that are within --

3 THE COURT: I don't expect to be  
4 able to read them.

5 MS. POLAN: All of these items that  
6 are within 51, I will assume are in evidence  
7 because they're part of 51.

8 THE COURT: Very well.

9 Q. (BY MS. POLAN) Going back to folder  
10 C 11, can you identify this document which has  
11 been marked Defendant's Exhibit 54 for  
12 identification?

13 (Handing)

14 MR. DABROWSKI: Your Honor, could I  
15 ask counsel for the number?

16 MS. POLAN: Oh, I'm sorry. I  
17 apologize. This is L 17 C 11-15-1, 2, 3, 4, 5  
18 and 6.

19 MR. DABROWSKI: Thank you.

20 Q. (BY MS. POLAN) Is that a document that  
21 was taken from Mr. Castro's house?

22 A. Yes.

23 Q. That was in folder C 11?

24 A. That's correct.

25 Q. Can you identify that particular

1 document, what it is?

2 A. It's a list of telephone numbers. The  
3 right-hand column is very difficult to read. At  
4 the top there is -- on the top left-hand side the  
5 words are typed out in Spanish, it's "Prensa,  
6 P R E N S A, Asociada, A S O C I A D A.

7 Q. What does that mean?

8 A. I guess Associated Press. And then on  
9 the -- I'm afraid on this photocopy I can't make  
10 out the right-hand column. But there are various  
11 addresses. And then on the right, there are  
12 other names and addresses. And then there is a  
13 name, El Reportero, E L, R E P O R T E R O.

14 Q. Do you know what El Reportero is?

15 A. Yes, that's a newspaper.

16 Q. Is it fair to say that this document is  
17 a list of different media in Puerto Rico,  
18 television and newsprints, other media with their  
19 addresses and phone numbers?

20 A. There are -- there are letters which  
21 look like radio station letters.

22 Q. So is it the list of the mass media  
23 with their addresses and phone number?

24 A. That's what it appears to be.

25 MS. POLAN: I would offer this

1 document.

2 MR. DABROWSKI: No objection, Your  
3 Honor.

4  
5 (Defendant's Exhibit 54  
6 offered and marked into  
7 evidence)

8 MS. POLAN: Your Honor, perhaps  
9 this is a document that the Government could make  
10 available the original, because I don't see it  
11 over there in the collection of documents and it  
12 is very difficult to read.

13 Q. (BY MS. POLAN) Now, can you tell me,  
14 Agent Williamson, why you seized that document?

15 A. Once again, I have no specific  
16 recollection of what my -- went through my  
17 decision-making process at the time. I can tell  
18 you why I would seize this today.

19 Q. Well, can you tell me what language of  
20 the warrant authorizes you to seize it?

21 A. It's a distribution list.

22 Q. This is a distribution list, a list of  
23 television stations and radio stations and  
24 newspapers; that's your understanding that it  
25 falls within the meaning of the warrant for

1 distribution lists?

2 A. Yes, if that's -- that was in the  
3 possession of a member of the terrorist group.  
4 In addition, there are many telephone numbers on  
5 that document.

6 Q. It's correct, is it not -- I know this  
7 is a bad copy -- that the telephone numbers on  
8 this document are the telephone numbers of the  
9 newspapers in San Juan, El Mundo, El Nuevo Dia,  
10 The Star; aren't those the telephone numbers on  
11 the document?

12 A. In addition, they're --

13 Q. I'm just asking a question; is that  
14 what it is, and those phone numbers are on the  
15 front page of the newspapers in San Juan?

16 A. On the first page, among other  
17 telephone numbers, there are telephone numbers  
18 next to the names of some of the newspapers.  
19 Those are among many telephone numbers that  
20 appear on this document.

21 Q. Is it fair to say that all of the  
22 telephone numbers that appear on the document  
23 appear to be numbers of a particular newspaper or  
24 T V station or radio station from the document  
25 itself?

1           A.    No.  They're names of individuals here  
2 with telephone numbers by them.

3           Q.    And around those names of individuals,  
4 underneath the name of a -- something that  
5 appears to be a television or radio station, with  
6 call letters W C I D?

7           A.    In some cases, yes.  But for instance,  
8 in W C I D, there is the name of a Mr. Charlie  
9 Cordero, C O R D E R O, immediately underneath  
10 it.  But then there is another paragraph after  
11 skipping a few spaces where there is a name of an  
12 individual, Mr. Francisco -- last name, I can't  
13 read the last letter but it appears to be  
14 C U I M.  And his telephone number.

15          Q.    Is that the only instance on these pages  
16 where there is a telephone number that does not  
17 appear to be associated with the name of a --  
18 excuse me, with a television station or radio  
19 station or newspaper?

20          A.    That would appear to be the other  
21 individuals who have telephone numbers underneath  
22 their names.  Those names appear below letters  
23 which also appear to designate radio or  
24 television stations.

25          Q.    So it's true, is it not, if you weren't



1 looking for evidence of a crime, you might look  
2 at this exhibit, and you would look at this and  
3 say, "This is a list of the names of contact  
4 people in various media in Puerto Rico and their  
5 phone numbers"?

6 MR. DABROWSKI: Objection, Your  
7 Honor. He was looking for evidence. This was  
8 found as part of a larger folder that contained  
9 other material. We know the telephone  
10 communiques were made with considerable  
11 frequency, many of which are set forth in the  
12 affidavit which he read and we're not dealing  
13 with a hypothetical that Ms. Polan has laid out  
14 here.

15 MS. POLAN: I'll withdraw that  
16 question.

17 Q. (BY MS. POLAN) Did you think that  
18 document has evidentiary value?

19 A. Yes, I did.

20 Q. When you seized it?

21 A. Yes.

22 Q. What particular crime was it evidence  
23 of?

24 A. To me -- when I say I'm very sure of  
25 it, because right now looking at this, I'd have

1 no doubt about seizing this document.

2 Q. What particular crime do you think it  
3 constituted evidence of when you seized it; you  
4 can look on Addendum 2 and tell me which of those  
5 crimes this is evidence of?

6 A. Right now I'm not familiar with the --  
7 those sections of Title 18 specifically.

8 Q. What federal crime do you believe this  
9 is evidence of?

10 A. This document itself?

11 Q. Uhm-hmm?

12 A. This would have to be, you know, this  
13 is -- would have to be used together with other  
14 evidence.

15 Q. What I want to know is what crime does  
16 this constitute evidence of; what violation of  
17 federal law is it to have a list of phone numbers  
18 and addresses of the media in Puerto Rico; that's  
19 what I'm asking you, what crime?

20 A. Well, if Mr. Castro-Ramos used this  
21 list in --

22 Q. I'm not asking you to hypothesize; I'm  
23 asking you what crime is this evidence of?

24 MR. DABROWSKI: That's exactly what  
25 she's asking him to do, Your Honor, is to guess

1 as to what this may reflect evidence of.

2 MS. POLAN: No, he said it had  
3 evidentiary value to him.

4 THE COURT: Of course, obviously it  
5 doesn't indicate any crime.

6 MS. POLAN: That's why I'm trying  
7 to find out what its evidentiary value was when  
8 he seized it.

9 THE COURT: The only way it could  
10 have any evidence at all, as I look at it, seeing  
11 it from here, is if it had numbers or names on it  
12 of people who were in the same group with their  
13 telephone numbers on it. And taking that  
14 together with the affidavit of things they were  
15 alleged to have done, not the Wells Fargo case,  
16 but the broad aspect of alleged terrorist  
17 activity that they were apart of, some of that  
18 group.

19 Now, maybe they were all clergymen for  
20 all I know. I don't know whose numbers are on  
21 there. But I presume you'd have to take the  
22 whole picture together to evaluate it. I don't  
23 think we're going to get anywhere by asking him  
24 today what it means to him today. It doesn't  
25 mean to much, I don't think.

1 Q. (BY MS. POLAN) Well, Agent Williamson,  
2 directing your attention to Defendant's Exhibit  
3 55, which is C 11-17 B 1 through B 4, C 1 through  
4 C 4, D 1 through D 4, E 1 through E 4 and F 1  
5 through F 4 and G 1 through G 4 and H 1 through  
6 H 4, can you tell me what that document -- first  
7 of all, is that a document you seized from Mr.  
8 Castro's house?

9 (Handing)

10 A. Yes.

11 Q. That was in the folder marked C 11,  
12 wasn't it?

13 A. Yes.

14 Q. And could you just look through that  
15 and tell me if it's correct that this exhibit is,  
16 in fact, six copies of the same four-page  
17 document?

18 MR. DABROWSKI: Which six exhibits  
19 is she referring to?

20 MS. POLAN: I just took it out of  
21 the evidence bag. It's one thing.

22 MR. DABROWSKI: Which one exhibit  
23 is she referring to?

24 THE WITNESS: It's L 17 C 11, 17 B  
25 1 through B 4 and then C 1 through C 4, D 1

1 through D 4, et cetera.

2 THE COURT: What do they appear to  
3 be?

4 THE WITNESS: They appear to be  
5 copies of an article called, "Clandestine Battle  
6 and Battle of the Masses."

7 THE COURT: Identical articles,  
8 right?

9 THE WITNESS: Yes.

10 Q. (BY MS. POLAN) Six copies of the same  
11 thing?

12 A: Yes, about the Macheteros.

13 Q. That is a copy of an article that was  
14 published in a magazine, isn't it?

15 A. It appears to be.

16 Q. What's the magazine?

17 A. I'll spell it, it's

18 P E N S A M I E N T O, the second word is

19 C R I T I C O.

20 MS. POLAN: I would offer this as a  
21 full exhibit.

22 THE COURT: Full exhibit.

23  
24 (Defendant's Exhibit 55  
25 offered and marked into  
evidence)

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Q. (BY MS. POLAN) Why did you seize all these copies of this document?

(Handing)

A. Well, this is a -- to me right now, looking at the addendum, this looks like a newspaper or a magazine clipping related to the Macheteros. Each one of those is a newspaper or magazine article about the Macheteros.

Q. That's why you seized it?

A. That's why I would seize this document today.

Q. Why did you seize it then?

A. I cannot specifically recall my reasons for it then.

THE COURT: Doesn't it say, counsellor, in this document, "Newspaper, magazine clippings related to the Macheteros and other terrorist groups". He's authorized to pick them up?

MS. POLAN: That's what he says, he was authorized to pick that up under that category.

THE COURT: Isn't that what the warrant says?

1 MS. POLAN: That's what the warrant  
2 says.

3 Q. (BY MS. POLAN) Did you understand this  
4 to be a magazine clipping?

5 A. That's what it appears to me now.

6 Q. You're aware, are you not, that  
7 Pensamiento Critico is a magazine published in  
8 Puerto Rico?

9 A. I've heard of it before. I've never  
10 read it.

11 Q. But it is available; you can buy it in  
12 Puerto Rico?

13 A. I don't know what the distribution is  
14 or how it's distributed.

15 Q. Doesn't the F B I have copies of all  
16 the issues of Pensamiento Critico that have been  
17 published in Puerto Rico?

18 A. I'm not aware of that.

19 Q. So it was your understanding on August  
20 30th that because this magazine article talked  
21 about the Macheteros, that you were entitled to  
22 seize it?

23 A. That would be the reason I would seize  
24 this document today. I don't recall why I seized  
25 this on August 30th. I have no specific

1 recollection looking at this group of articles.

2 Q. So you don't know why you seized it?

3 A. That's correct.

4 Q. And you don't know why you seized all  
5 the copies of it either?

6 A. Each of these copies is a copy of a  
7 newspaper clipping. Each one would be seized for  
8 the same reason.

9 Q. Well, for your purposes at the F B I,  
10 would you have any need for more than one copy of  
11 a document that was into somebody's house?

12 MR. DABROWSKI: Objection, Your  
13 Honor. It's irrelevant. If one copy -- he's  
14 permitted to seize one, he's permitted to seize  
15 them all. For the record, Your Honor, I believe  
16 there are seven copies there, not six. I lost  
17 one -- I didn't lose it, apparently one got lost.

18 MS. POLAN: I would say, Your  
19 Honor, this document does have an A version and  
20 the A version of it is on the Government's  
21 exhibit list. These are the six other copies.  
22 Mr. Dabrowski is correct.

23 MR. DABROWSKI: I think she has  
24 seven copies before the witness.

25 THE COURT: Let's proceed. Whether



1 we've got seven or six or five, it doesn't make  
2 much difference.

3 MR. DABROWSKI: It makes a  
4 difference. I'm trying to keep track. She said  
5 six; I had seven.

6 MS. POLAN: I think the document is  
7 on the Government's exhibit list, same one, L 17  
8 C 11-17 A one through four which I believe is  
9 this same document.

10 THE COURT: All right. Let's  
11 proceed to the next one.

12 Q. (BY MS. POLAN) Now --

13 THE COURT: The exhibit number,  
14 Madam Clerk?

15 THE CLERK: Fifty-six, Your Honor.

16 Q. (BY MS. POLAN) Directing your  
17 attention to Defendant's Exhibit 56 for  
18 identification, was this document taken from Mr.  
19 **Castro's** house?

20 (Handing)

21 MR. DABROWSKI: Could I have the L  
22 number?

23 MS. POLAN: We're going to find out  
24 in a second.

25 THE WITNESS: It contains the

1 L number L 17 C-16-1.

2 Q. (BY MS. POLAN) So that was also taken  
3 from room C, was it not?

4 A. Yes, out of the bookcase in bedroom C.

5 Q. And how did you describe that item on  
6 the inventory form?

7 A. As two revolutionary pamphlets.

8 Q. So you consider this a revolutionary  
9 pamphlet?

10 A. Is this the entire document?

11 Q. Well, I'm afraid that's all I've been  
12 given by the Government. I don't know if that's  
13 the whole pamphlet and the original doesn't  
14 appear to be here.

15 That's the first page of the document.  
16 That's in English, isn't it?

17 A. Yes.

18 Q. What's it say?

19 A. The Alienation of Leninist Group  
20 **Therapy.**

21 Q. It's the international meeting of  
22 members of some organization called the New Jewel  
23 Movement and these are -- it says these are  
24 minutes recorded by an unidentified note-taker.  
25 This is an article or appears to be a copy of an

1 article that appeared in a magazine called  
2 Caribbean Review, is it not?

3 A. That's correct.

4 MS. POLAN: I would offer this.

5 THE COURT: Full exhibit.

6 MS. POLAN: Your Honor, I would ask  
7 that the Government be asked to produce the  
8 entire document, if it exists, because I was only  
9 given one page of it. So the Court can review  
10 it. It's in English.

11  
12 (Defendant's Exhibit 56  
13 offered and marked into  
14 evidence)

15 MR. DABROWSKI: Your Honor, for the  
16 record, I don't know whether Ms. Polan or I  
17 have -- I don't know if she's looked for the  
18 document amongst the originals that were laid out  
19 on the floor here. I can't represent that it's  
20 not here. It may very well be right here.  
21 Apparently she can.

22 Q. (BY MS. POLAN) Now, can you tell me  
23 why you seized that document?

24 (Handing)

25 A. This article concerns Grenada and the

1 Cubans -- I guess the Cuban revolutionaries that  
2 were in Grenada prior to the U. S. invasion.

3 Q. So what --

4 A. And --

5 Q. I'm sorry?

6 A. Since I don't have the rest of the  
7 document, I cant make a determination just based  
8 on this.

9 Q. Well, if that was the only page of the  
10 document that was there, what language in the  
11 warrant authorized you to seize it?

12 A. I would -- I think it would be based  
13 only on this. This would be an oral concerning  
14 some international terrorism.

15 Q. So it's your testimony that that  
16 article was seized because it's about  
17 international terrorism?

18 A. I don't recall specifically why I  
19 seized this. But if the gist of the article  
20 continues talking about the Cuban insurrection  
21 movement in Grenada, then I --

22 Q. It's the North Americans who invaded  
23 Grenada, right; isn't that who invaded Grenada in  
24 1983?

25 MR. DABROWSKI: Objection, Your

1 Honor.

2 MS. POLAN: Well, I'm trying to  
3 find out if he knows his facts. He's talking  
4 about a Cuban insurrection.

5 THE COURT: It's pretty clear from  
6 the record, you're wasting time, Counsellor.

7 Q. (BY MS. POLAN) Now, directing your  
8 attention to Defendant's Exhibit 57, would you  
9 look at that document and tell me if it was taken  
10 from Mr. Castro's home, those documents; well,  
11 can you tell from the document if it was taken  
12 from his home?

13 A. Yes. This appears not to be taken from  
14 the home but from his automobile.

15 Q. What's the notation on that -- those  
16 documents?

17 A. At the bottom it's L 17 Y Y 1 B.

18 Q. Do the other documents have other  
19 numbers on them?

20 A. This is Y Y 1 A and this just says L 17  
21 Y Y 1.

22 Q. So these documents were taken from one  
23 of Mr. Castro's automobiles, is that right?

24 A. Yes.

25 Q. All right. And that's on the inventory

1 listed as a Mazda?

2 A. Yes, that's correct.

3 Q. And on the inventory, these items are  
4 described as election flyers, is that correct, on  
5 the inventory?

6 A. No. The way I described them were  
7 samples of photocopied documents.

8 Q. Well, on the subinventory somebody has  
9 described them as election flyers?

10 A. Yes, election flyers and an election  
11 cartoon.

12 Q. All right.

13 MS. POLAN: I would offer this as a  
14 full exhibit.

15 MR. DABROWSKI: No objection.

16 THE COURT: It may be marked.

17

18 (Defendant's Exhibit 57  
19 offered and marked into  
20 evidence)

20

21 Q. (BY MS. POLAN) Now, Agent Williamson,  
22 could you just look over these documents and they  
23 might be in the wrong order here, and tell me if  
24 they appear to you to, in fact, be some kind of  
25 election flyers and cartoons?

1           A.    This does concern some sort of election  
2 procedures.

3           Q.    Does it appear to you to be flyers for  
4 a labor union election?

5           A.    That's what it appears to be, something  
6 to do with labor relations.

7           Q.    Why was that document seized or those  
8 documents; why were they seized?

9           A.    As I recall, this was -- from reading  
10 my inventory form, these three pages were taken  
11 as a sample of the -- there were numerous  
12 documents, and as a sample of photocopied  
13 documents to be able to determine from which  
14 machine these were photocopied from.

15          Q.    So that these documents were taken so  
16 you could determine what photocopy machine they  
17 were taken from, made on, is that the --

18          A.    As I recall, yes.

19          Q.    Now, can you tell me where in the  
20 warrant it authorizes you to take things to  
21 determine what photocopy machine they were made  
22 on?

23          A.    I think at the time that's how I  
24 interpreted the last paragraph on the first page  
25 of the addendum concerning document duplicating

1 equipment.

2 Q. So your testimony is that the language  
3 on the warrant that authorized you to take  
4 document duplicating equipment also authorized  
5 you to take any photocopies you found of any  
6 paper to test to see what machine they were made  
7 on?

8 A. I don't know about any paper. But this  
9 particular paper, as I recall, that's the reason  
10 that I seized these pieces of paper.

11 Q. I just want to make sure I understand  
12 what you're saying. Is that the last paragraph  
13 on the first page of Addendum 2, which authorized  
14 the seizure of document duplicating equipment,  
15 copiers, computers, et cetera. You understood  
16 that to authorize you to take this paper so that  
17 you could check and try to figure out what  
18 photocopy machine it was made on?

19 A. As I recall, that was the reason I took  
20 this, yes.

21 Q. Were there any other pieces of paper  
22 that you took out of Mr. Castro's house on that  
23 basis?

24 A. No.

25 Q. Why this paper?



1           A.    I think because of the quantity of  
2 these types of documents that were in the car.

3           Q.    Now, can you tell me, since my  
4 inventory doesn't tell me, what was in the trunk  
5 of that car; other than those three pieces of  
6 paper, what else did you take out of the trunk of  
7 that car?

8           A.    That was all that was taken out of the  
9 trunk of the car.

10          Q.    These three pieces of paper?

11          A.    That's correct.

12          Q.    Were there a number of other pieces of  
13 paper in the trunk of the car?

14          A.    Yes, there were numerous other pieces.

15          Q.    Were there a lot of copies of those  
16 same things?

17          A.    As I recall, on my -- under the remarks  
18 column on my inventory form, I noted that there  
19 were numerous other copies not taken. So I'm  
20 assuming these were other copies of this same  
21 document.

22          Q.    Now, when you looked at that document  
23 and you saw that it was some kind of election for  
24 some kind of teacher's union, did that create  
25 some suspicion in your mind that you should check

1 where the photocopies were made?

2 A. First of all, I didn't know that it was  
3 from a teacher's union.

4 Q. Did you read it before you took it?

5 A. I looked at it. It looked like  
6 something about elections and there is some rules  
7 here and whether people in whatever organization  
8 this is can vote.

9 Q. Well, what I'm trying to find out is if  
10 there is something that made you suspicious about  
11 the origin of those particular documents, that  
12 would want to make you check where they were  
13 photocopied?

14 A. Not that I recall.

15 Q. So it was just an arbitrary decision to  
16 take those three pieces of paper and try to find  
17 out what photocopy machine produced them?

18 A. At the time I thought that I could take  
19 these documents under the provisions of the  
20 warrant and the addendum.

21 Q. I'm just trying to get at your decision  
22 to take these particular documents. It was an  
23 arbitrary decision, wasn't it?

24 A. I wouldn't call it arbitrary. There  
25 were numerous copies of documents. We decided to

1 seize one of those numerous copies.

2 Q. Well, the decision to seize this  
3 particular document, to look, to examine it, was  
4 it made based on anything in the document itself?

5 A. It was based on the fact that there  
6 were numerous photocopies of the document, and  
7 based upon the last paragraph of the first page  
8 of the addendum.

9 Q. You knew, did you not, that Mr.  
10 Castro's wife was a teacher and a member of the  
11 teacher's union?

12 A. No, I did not.

13 MS. POLAN: Your Honor, shall I  
14 continue or --

15 THE COURT: Did counsel contemplate  
16 a meeting tonight?

17 MS. POLAN: Yes, I believe so.

18 THE COURT: How are we progressing,  
19 Counsellor? Should I allot a time for you  
20 tomorrow to complete your work in?

21 MS. POLAN: I'm just about done  
22 with these political documents, but I have to go  
23 through several other categories of documents  
24 with this agent. I don't think it will be as  
25 extensive as these documents.

1 THE COURT: How long do you think  
2 it will take?

3 MS. POLAN: At least part of the  
4 morning.

5 THE COURT: I assume that.

6 MS. POLAN: Maybe all the morning.

7 THE COURT: What?

8 MS. POLAN: Perhaps all of the  
9 morning, but at least half of the morning.

10 THE COURT: What was agreed to,  
11 Counsellor, for tomorrow?

12 MS. POLAN: That we would finish.

13 MR. DABROWSKI: We agreed to  
14 continue this search into tomorrow. And Jorge  
15 Farinacci-Garcia, that is Mr. Avery, would be  
16 ready to start upon the conclusion of this  
17 hearing; however, there are approximately four or  
18 five additional witnesses on this hearing, none  
19 of them are going to be as extensive as this  
20 agent because he's the person who made the  
21 decision on the seizures.

22 THE COURT: Well, to expedite the  
23 matter from the Court's point of view, I don't  
24 have them before me at the moment, but I'd be  
25 interested in knowing what specific exhibits you

1 have listed from this particular search and what  
2 the particular items are on those items.

3 MR. DABROWSKI: Are you talking  
4 about the Government's exhibit list, Your Honor?

5 THE COURT: I would like to see  
6 that list. And to see whether they conform to  
7 the search warrant.

8 MR. DABROWSKI: Number one, the  
9 list had been filed. Number two, it does include  
10 some items taken from C 11. It does not include  
11 items taken from C 5. And in addition, the  
12 Government intends to move for leave of the Court  
13 to supplement that list and include at least the  
14 black mask and some of those other items on the  
15 exhibit list.

16 So there is an exhibit list, it does  
17 include items from amongst C 11 that you haven't  
18 seen, for example a fake passport and a fake  
19 death certificate amongst others that are in C  
20 11, I believe.

21 MS. POLAN: Your Honor, I would ask  
22 those remarks be stricken. It has nothing to do  
23 with anything.

24 THE COURT: There is no jury here.  
25 Nobody has heard it except you. As the Court,

1 I'm interested, Counsellor, in this, whatever  
2 list we're going to be talking about tomorrow. I  
3 would like to have before me the Government's  
4 list of exhibits that came from these particular  
5 premises. I don't want to have to go out and  
6 search for them.

7 MS. POLAN: I have given you that.  
8 That list I gave you is the Government's list  
9 with respect to this location. This is the  
10 section of the Government's exhibit list that  
11 pertains to my client's house starting with 997.  
12 That's why I've given it to you.

13 THE COURT: The only thing is some  
14 of the items I don't even know what they are  
15 except by notation. In other words, "one  
16 letter". Well, I don't know. It might be a  
17 letter to the King of England, for all I know.

18 MS. POLAN: It probably is.

19 THE COURT: The point is --

20 MR. DABROWSKI: I think it's a  
21 letter that discusses Roco, who is the defendant  
22 Antonio Camacho-Negron.

23 THE COURT: Whatever exhibits  
24 you've got listed, if it wouldn't be too  
25 difficult, I'd like to have before me tomorrow a

1 list of those things and what those -- what they  
2 are, what are they all about.

3 And then see from this witness so that  
4 I can ask him, if you or your adversary doesn't,  
5 where in the document which is before us in  
6 controversy, these particular items appear,  
7 because these are going to be the controversial  
8 ones.

9 The rest don't mean anything because  
10 you're not going to use it. I'm concerned and  
11 interested to know so as we go through it and ask  
12 questions, I'll try and be able to be  
13 intelligently informed what particular ones are  
14 going to be offered which might be questioned and  
15 challenged.

16 MS. POLAN: Your Honor, let me just  
17 say for the record two things: One, certainly  
18 exhibits that I have shown to the witness are on  
19 the Government's exhibit list. Certainly things  
20 that I have shown to him, they are on that list.  
21 However, with respect to what Your Honor just  
22 said, I think that the inquiry is not just which  
23 of the exhibits on the exhibit list were outside  
24 the scope of the warrant --

25 THE COURT: I understand.

1 MS. POLAN: But which things,  
 2 period. Because one problem we have, Your Honor,  
 3 is that we don't know which of these items from  
 4 Mr. Castro's house, the Government may try to use  
 5 on rebuttal. And unless they're willing to  
 6 stipulate that nothing else is going to be used  
 7 at any time, then Your Honor is going to have to  
 8 decide which items were improperly seized, if not  
 9 all of them, and issue orders suppressing certain  
 10 items unless we have some kind of stipulation  
 11 that they don't intend to use them at all on  
 12 rebuttal. I don't think Mr. Dabrowski is willing  
 13 to do that. Nothing had been returned to my  
 14 client

15 THE COURT: In other words, in  
 16 simple form, as I see it, unless the Court finds  
 17 that the search was so broad that the process was  
 18 abused completely and everything in the search  
 19 should be suppressed --

20 MS. POLAN: That's our position.

21 THE COURT: That's your position.  
 22 Then the other alternative is because sometime  
 23 after you've all gone home, I've got to sit down  
 24 and look at this and make a decision. So I want  
 25 to be able to have before me -- at least to be



1           able to grasp a handle and have answers to a list  
2           of these things that the Government's proposing  
3           to offer and be able to ask this gentleman,  
4           "Well, take this one here, or that one there, the  
5           seventh one or the tenth one or whatever one is  
6           on the list. Where did you get authority to go  
7           in and take this?" And let him answer if he can.  
8           And if he can't, why then that will be in the  
9           record, too.

10                       MS. POLAN: That's fine, Your  
11           Honor. What I was just trying to point out is  
12           that, for example, with respect to this folder,  
13           C 5, right now the Government says, "There is  
14           nothing on the exhibit list from C 5." But that  
15           doesn't end the inquiry because you have to make  
16           a ruling about C 5 because they may come back  
17           later and say now we want to use it on rebuttal,  
18           and it has to be decided.

19                       THE COURT: I asked that question  
20           previously trying to get agreement. I think it  
21           was on Mr. Bergen's client. And they said,  
22           "Well, Your Honor, we might use that on  
23           rebuttal."

24                       MS. POLAN: That's the problem,  
25           Your Honor. That's why I have to spend so much

1 of the Court's time going through these items  
2 because we are not restricted to those  
3 thirty-three items on the exhibit list. They  
4 want, you know, open season on rebuttal.

5 THE COURT: But we have that  
6 picture. And I want the Government's recitation  
7 tomorrow so I'll get the other side of the  
8 picture so when the questions are asked I'll be  
9 able to focus in on them.

10 MS. POLAN: Fine. Thank you, Your  
11 Honor.

12 THE COURT: That's all. Adjourn  
13 court.

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16 (Proceedings suspended at 4:00 p.m.)  
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February 17, 1987

C E R T I F I C A T I O N

I, CHERYL A. BLATCHFORD, hereby certify that the foregoing pages were reported by me in stenotype and thereafter reduced to typewritten form by computer-assisted transcription under my supervision and represent a true, complete and accurate transcript of the above proceedings, to the best of my ability.

I further certify that I am in no way related to any of the parties hereto or their counsel and that I am in no way interested in the outcome of said cause.

IN WITNESS THEREOF, I have hereunto set my hand this 23rd day of February 1987.

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CHERYL A. BLATCHFORD