

2

**Defendants.**

5525 LA GORCE DRIVE  
MIAMI BEACH, FLORIDA 33140  
(305) 864-6693

A P P E A R A N C E S

RINA COHAN, ESQ.  
Assistant State Attorney  
on behalf of Plaintiff.

DOUGLAS WILLIAMS, ESQ.  
Rivergate Plaza  
Suite 700  
444 Brickell Avenue  
Miami, Florida  
on behalf of Defendant Arias.

EDWARD CARHART, ESQ.  
717 Ponce de Leon Boulevard  
Coral Gables, Florida  
on behalf of Defendant Villaverde.

I N D E X

Witness

Page

RICARDO MORALES NAVAREHE

Direct.....3

1 Thereupon;

2 RICARDO MORALES NAVAREHE

3 was called as a witness and, having been duly sworn,  
4 was examined and testified as follows:

5 DIRECT EXAMINATION

6 BY MR. WILLIAMS:

7 Q Identify yourself, for the record, please  
8 sir?

9 A Ricardo Morales Navarehe.

10 Q Are you the same person, sir, who has been  
11 in deposition with Ms. Cohan and me, for the past six  
12 or seven working days?

13 A Yes, I do.

14 Yes, I am.

15 Q Mr. Morales, since the deposition yesterday,  
16 have you thought of anything that came out in your  
17 testimony yesterday, that upon refreshing, is a matter  
18 that you think needs any change or correction or  
19 addition?

20 A No, sir.

21 Q Okay. Tell me, please sir, with regard  
22 to Lieutenant Raul Diaz, with respect to whom you had  
23 given testimony last week before we broke, did there  
24 come a time when your relationship with Lieutenant  
25 Diaz, regardless of what his rank was at the time,

1 underwent any kind of a change, so that you came to  
2 regard him more as a friend than as a business contact  
3 or somebody whom the nature of your day to day life  
4 required you to have contact with?

5 A Yes.

6 Q When did that occur?

7 A I cannot pinpoint it. But I say in the --  
8 by 1974, you know. On or about, you know -- I cannot  
9 pinpoint an exact date. You know.

10 Because that's hardly, when you are in  
11 daily contact with a person, when is the time that  
12 actually you start developing, you know, feelings.

13 Q I understand that.

14 But to the extent that you can relay  
15 any precision to it at all, it would be some point  
16 in the vicinity of 1974?

17 A In the vicinity of 1974.

18 Q During that period of time, you were  
19 primarily residing in Caracas. Isn't that correct?

20 A No.

21 At the time, in 1974?

22 Q Yes.

23 A I was commuting back and forth, from  
24 Caracas, Venezuela, to Miami.

25 But I was holding an apartment in Caracas

1 and in Miami, too.

2 Q But you had your position in DISIP by then?

3 A No.

4 My position came down in November, 1974.  
5 Which, I already pointed out to you, in my previous  
6 answers in depositions.

7 Q Were there occasions when Lieutenant  
8 Diaz traveled with you to Venezuela?

9 A No, sir. Not with me.

10 Q Has there ever been an occasion when you  
11 have encountered him in Venezuela, regardless of  
12 whether he traveled down there with you or separately  
13 from you?

14 A Yes.

15 Q On how many different occasions?

16 A One occasion.

17 Q Was he there in connection with some  
18 case, in which he was involved, to your knowledge?

19 A Yes.

20 Q Which case was that?

21 A Actually, Lieutenant Diaz went down to  
22 Caracas, Venezuela, in the month of October, 1976.  
23 In the company of police officer Otero Castro (phonetically)  
24 from SIU section. Miami P.D. And, two assistant  
25 State Attorneys, Mr. Hank Adorno and Mr. George Yoss.

1           Q       That, then, would have been in connection  
2 with the Otero affair. Isn't that correct?

3           A       Not exactly with the Otero case.

4                   There was a call to the chief investigator  
5 of the State Attorney's office --

6           Q       Was that Mr. Dardes, at the time?

7           A       Yes, sir. Mr. Martin Dardes.

8                   From DISIP. And since Mr. Dardes didn't  
9 speak any Spanish, I was called down by one of the  
10 commissors. I just can't remember who. And, I answered  
11 the telephone.

12                   And, Mr. Dardes was doing inquiries about  
13 the whereabouts of Rolando Boch. And, if it was  
14 possible for a commission or a group of individuals  
15 in the State of Florida, to travel down to Caracas  
16 with the purpose of interviewing Dr. Rolando Boch.

17                   I -- initially, I told him that that will  
18 have to be done through the State Department, and the  
19 representatives of the United States government in  
20 Caracas, Venezuela. And then, when I relayed the  
21 information to the inspector of DISIP, they told me  
22 to tell them that they unofficially were being invited  
23 to Caracas, Venezuela. And I believe that it was  
24 Mr. Dardes or either Hank Adorno, with whom I always  
25 talk on the telephone, that they put up the names of

1 Detective Diaz and Detective Castro -- whatever it was  
2 -- the sequence or, you know. I have not quite a  
3 good recollection about the conversation at that point.

4 So it was agreed that they were being  
5 invited to the country, unofficially, since to be  
6 officially has to be done through the State Department  
7 channels.

8 Q At that time, Mr. Morales, did you know  
9 Mr. Boch's whereabouts?

10 A Of course. He was being held at the  
11 DISIP building.

12 Q As a prisoner?

13 A Yes, sir.

14 Q What was the status of the situation  
15 involving Otero, at that time?

16 A At the time of their visit down to Caracas?

17 Q Yes.

18 A Otero was in jail down here in the United  
19 States, for all I know.

20 Q When the contingent, from the State Attorney's  
21 office, and their police investigators arrived, did  
22 they seek to have conversation with you about Otero?

23 A No.

24 Q Did the subject of the Otero matter come  
25 up, while they were --

1 A Not to my knowledge. Not with me.

2 Q A curious incident occurred, as I under-  
3 stand it, when Mr. Yoss and Adorno landed at the  
4 airport in Caracas.

5 Is my understanding correct?

6 A Yes.

7 Q As I recall, there was also, on the same  
8 airplane, one who turned out to be a newspaper reporter  
9 from the Miami Herald. Isn't that correct?

10 A A woman reporter. Miami News.

11 Q It was from the News?

12 What was her name? I do not remember.

13 A Hilda Inclan.

14 Q What was it that took place, when Mr. Yoss  
15 and Mr. Adorno and Miss Inclan arrived at the airport,  
16 and disembarked the airplane?

17 A I received information -- my division  
18 received information about the passenger list. That  
19 means, the passengers were boarding that Pan American  
20 flight, leaving Miami.

21 So I was given a list of the people who  
22 were actually in mid-air, on the way down to Caracas.  
23 And, it's come up to my attention, that Miss Hilda  
24 Inclan, newspaper reporter from the Miami News, was  
25 in the airplane. And also, two free lance reporters



1 by the name of Taylor Branch and John Rothschild,  
2 over whom we have received previous information that  
3 they were on some sort of an assignment by the IPS  
4 people in Washington.

5 IPS is the International Institute for  
6 Policy Studies, I believe, from where Mr. Rolando  
7 was an associate.

8 And, I sent a teletype down to Simon  
9 Bolivar Airport, to DISIP delegation there, requesting  
10 them that Miss Inclan and Mr. Branch and Mr. Rothschild,  
11 to be served with a citation that amounts to a subpoena.  
12 And, that they will be requested, according to the  
13 terms of that citation or subpoena, to show themselves  
14 the next day, at a certain time, at the DISIP building,  
15 for the purpose of being interviewed, with regard to  
16 their motive, purposes, and so forth, of the trip.

17 Q And, what if anything happened to Messers  
18 Yoss and Adorno, upon their arrival?

19 A They were greeted there by me. And, I  
20 took down, let's say about, six inspectors, and three  
21 sub-inspectors from my division.

22 And, they were transported out of the  
23 airport to a Hilton.

24 Q Which Hilton?

25 A Anauco Hilton.

1 Q Can you spell that for the reporter?

2 A A-N-A-U-C-O. Hilton.

3 Where they had an apartment. At least,  
4 that's the place they were living. And also, was a  
5 hotel. You know.

6 A section of the hotel was for permanent  
7 residents, and the other section was for tourists, or  
8 transient persons.

9 Q And, you had an apartment there?

10 A Yes. I had an apartment there since 1974,  
11 up to January, 1978.

12 Q And, what happened to the two State  
13 prosecutors, after they were escorted to the Hilton  
14 Hotel? Did they ever meet with you?

15 A The two prosecutors and the two police  
16 officers, they were transported -- they were divided  
17 in different cars. They had at least two or four  
18 cars. And they were placed in different cars with  
19 their luggage. And, they had reservations at Anauc  
20 Hilton. And, they were, you know, they registered at  
21 the Anauc Hilton.

22 And then, we had some dinner and drinks  
23 across from the Anauc Hilton, at the Central Park  
24 Complex.

25 Q Their stay in Venezuela was rather short;

1 wasn't it? The prosecutors?

2 A I just can't recall how many days they  
3 were there.

4 But I believe that at least four to five  
5 days, I believe, that they were there.

6 Q While they were down there --

7 A The ones who stay very short were the  
8 newspaper people.

9 Q The reporters?

10 A The reporters.

11 Q They were put on the next plane out; weren't  
12 they?

13 A They were taken into custody by me, under  
14 instructions of my superiors, at five o'clock in the  
15 morning. They were pulled out of the hotel where they  
16 were staying. And, I had breakfast with them at the  
17 cafeteria, at the airport. And, I turned them in to  
18 the hands of the sub-commissar down there at the  
19 Simon Bolivar Airport, with the instructions from the  
20 secret quarters, to be flown back to Miami.

21 Q What determination was made about the  
22 purpose of the trip on the part of the three journalists?

23 A Determination?

24 Q What determination was made by you or  
25 other DISIP people about the purpose of the journalists'

1 trip, and their presence in Venezuela?

2 A Oh, the thing is, that when they were  
3 served the citation or subpoenas, they refused to  
4 sign them.

5 And somehow, somewhere along the line,  
6 they bullied their way out of the airport, without  
7 the subpoenas, and without signing the subpoenas,  
8 ignoring the subpoenas, ignoring the immigration laws  
9 of the Republic of Venezuela, ignoring the subpoena  
10 powers of the DISIP.

11 That was brought to the attention of the  
12 deputy director.

13 And, I received orders through radio  
14 communications, at sometime around 4:30 in the morning,  
15 that the matter was being brought down in front of  
16 the director of immigration, there. And the decision  
17 was made, you know, to transport them back to the  
18 airport. And, put them in an airplane -- Pan American,  
19 whatever the airlines that they used, to be flown back  
20 to the States, since they had violated a series of,  
21 you know, laws and regulations there.

22 And so there was a choice, either they  
23 were going to jail or out of the country. So they  
24 took this way, you know. And said, you know, let's  
25 put them in an airplane and be flown back to the States.

1           Q       Had you had any prior contact on any level,  
2 with any of the three of them, either Rothschild or  
3 Branch or Inclan?

4           A       Miss Inclan, since I have been a popular  
5 figure down here in Miami, she was aware of me, and I  
6 was aware of her.

7                   I do not believe that I ever met her in  
8 person, in my life, before that day.

9                   Mr. Rothschild, I never seen him until  
10 that day.

11                   And Mr. Branch just happened to be present  
12 sometime in my past, in a house down in Miami Beach.  
13 And I didn't recall Mr. Branch. Because he said that  
14 he was sporting a beard at the time. And there was,  
15 you know, afterward, you know -- I discussed with  
16 Mr. Branch in the States, the fact that he was there  
17 and the fact that I couldn't recall him.

18                   So actually, to the best of my sincerity,  
19 at the time I told Mr. Taylor Branch, you know, I  
20 never met you, since he was cleanshaven.

21           Q       Did any of the three journalists tell you  
22 that their purpose in coming down there was to meet  
23 with and interview you?

24           A       They were not doing the talking. I was  
25 doing the talking.

1 Q Did any of them ever make it known, in any  
2 fashion, either to you or anybody else who later reported  
3 it back to you, that the reason they had come down  
4 there was to talk to you?

5 A They were not doing the talking. I was  
6 doing the talking.

7 They were told by me, just to keep their  
8 mouth shut.

9 Q Did Mr. Branch tell you what had been the  
10 circumstances of the prior encounter between the two  
11 of you, that you did not recall?

12 A Oh, yes.

13 He told me at the airport, that, don't you  
14 remember, that we met at such and such a place.

15 And I said, "No. Honestly, I don't  
16 remember."

17 Which, you know, I was very truthful at  
18 the time.

19 Later on, I find out that he was there.  
20 But honestly, still if you ask me today, I will say to  
21 you, that he wasn't there. It's one of those situations  
22 in life.

23 Q Whose house was it in Miami Beach, and  
24 what was happening there?

25 A Branch was conducting interviews of Cuban

1 exiles who have been, you know, involved in the Anti-  
2 Castro activities, and so forth.

3 And, there was a lot of people there.  
4 Maybe five, six, or seven. And, I just went by there  
5 in the company of my girlfriend, Pilar Alfonso.  
6 And I stay there for maybe five -- ten minutes at the  
7 most. Since I didn't like, you know, actually what  
8 they were conducting there.

9 And honestly, I still don't remember Mr.  
10 Branch from that occasion.

11 So I told him at the airport, you know,  
12 that. On a couple of occasions, that I allowed him  
13 to talk to me.

14 Q You did meet with Mr. Yoss and Mr. Adorno  
15 and Officers Diaz and Castro; didn't you?

16 A Oh, yes.

17 Q Were they given access to Mr. Boch?

18 A No, sir.

19 Q Why not?

20 A They were taken to DISIP headquarters,  
21 the next day. And they were introduced to the deputy  
22 director. And they were introduced to the Commissar  
23 General.

24 And, I took Officer Diaz and Officer Castro,  
25 of a tour of the DISIP facilities. My office in the

1 generally the whole building.

2 By this time, the three reporters, you know,  
3 were raising hell over here in Miami. And the editorial  
4 page of the Miami Herald, there was some declaration  
5 by former State Attorney -- what was the name; Gerstein?  
6 Richard Gerstein --

7 Q Yes.

8 A Saying so many things, you know, that were  
9 not properly constructive to the truth or the reason  
10 why those three reporters had been, you know, sent out  
11 of the country. That the DISIP director and the  
12 Minister decided that not to allow the two prosecutors  
13 or the two police officers to have any kind of contact  
14 with Dr. Boch.

15 And, we were instructed -- when I say "we",  
16 my superiors were instructed not to give them any kind  
17 of information, since their boss was saying a lot of  
18 things about us, just on behalf of the reporters, with  
19 totally disregard of the mission that his employees  
20 were there.

21 Q What was Gerstein saying?

22 A I don't remember. You know.

23 It was in the editorial page of the Miami  
24 Herald. And there was something along the lines of,  
25 you know, that was a violation of the freedom of the



1 press or whatever. He was completely way out in the  
2 left field, you know, when he did that. Either he  
3 didn't know that he has two assistants and two police  
4 officers there on a mission that was agreed upon with  
5 the chief, you know -- what is the name? Mr. Dardes --

6 Q Chief investigator.

7 A The chief investigator or, you know, it was  
8 completely out of context. And, it was taken very  
9 badly by the Interior Minister and by the information  
10 Minister. And actually, we were told to put all of  
11 them together in another flight, the same day, and fly  
12 them out of the country.

13 And I, personally, intervened with the  
14 deputy director and said, well, you know, let them  
15 at least have a nice time here, and informed them that  
16 we cannot cooperate, and they only want to be playing  
17 Mr. Boss.

18 And, there was a series of phone calls,  
19 I believe. I can't recall the name of the other  
20 assistant. I don't know whether it was Carhart or  
21 Goodhart -- you know -- called Mr. Yoss. And of course,  
22 all the lines there were being tapped at the time.  
23 And it was apparently, to us, that the State Attorney's  
24 office didn't know what was going on. That the State  
25 Attorney's office, you know, has flunked somewhere

1 along the lines. That the State Attorney, Mr. Gerstein,  
2 you know, had given us full prey to propaganda stunt.  
3 And that was the situation of the government --  
4 Venezuelan government.

5 Q Now, wasn't their visit, the visit of the  
6 prosecutors, in some way connected to the investigation  
7 and or prosecution of Rolando Otero at the time?

8 A No, sir.

9 Q Didn't the prosecutors want to go down to  
10 talk to Mr. Boch and talk to you, as well, in an effort  
11 to get your assistance in investigating or prosecuting  
12 or extraditing Otero?

13 A Otero was in jail at the time.

14 Q Well, whatever. Whatever the purpose was --

15 A They never mentioned Otero.

16 Q Hadn't you been told by Mr. Dardes, at  
17 the beginning of the communications among all of you  
18 involved, that the purpose of wanting to talk to  
19 Boch was to get his assistance in prosecuting Otero?

20 A No, sir. I don't know the extent of the  
21 conversation of Mr. Dardes with whoever, you know, he  
22 talked before me.

23 And the only thing I agreed with Mr.  
24 Dardes on the telephone, it was to have that commission  
25 composed by assistants and police officers, to visit

1 Venezuela in an informal way.

2 And, there was no mention at all about any-  
3 one -- I mean, being interested in Rolando Otero, as  
4 far as I can recall.

5 Q Is it your testimony then, that at no time  
6 in advance of or during the trip of the two prosecutors  
7 and the policemen, to Caracas, was there any conversation  
8 with you or in your presence, that pertained in anyway  
9 to Rolando Otero and the possibility of having your  
10 assistance or Dr. Boch's assistance in the prosecution  
11 of Otero?

12 None of that ever occurred?

13 A Otero's name was mentioned generally, in  
14 the first night.

15 You have to understand, Mr. Williams, there  
16 was a breakdown in the communications and relations,  
17 between that commission and the Venezuelan government,  
18 ten hours after they arrived there or, eleven hours  
19 after they arrived there. And there was some talk,  
20 kicking around the name of Otero, and things like that.

21 But there was nothing conclusive on the  
22 first night, that we have a social gathering there.  
23 Because the heart straight talkings were going to be  
24 conducted between them and my superiors at DISIP. And  
25 it was clearly instructed not to discuss -- not to

1 discuss and make no kind of promises to them, unless  
2 they talk with my superiors there.

3 Q But my question to you, Mr. Morales, is  
4 this. And, I will remind you of the session that we  
5 had yesterday with Judge Kogan, and ask you to give me  
6 a yes or no answer, if you can. And then explain your  
7 answer after that.

8 Here is the question.

9 Did you have any knowledge at all from any  
10 source, prior to the arrival of the prosecutors and the  
11 policemen in Caracas or, once they had arrived, that  
12 their purpose in coming down was to get assistance  
13 either from you or Dr. Boch or both, in their efforts  
14 to prosecute Rolando Otero?

15 Did you have knowledge of that fact from  
16 any source at all?

17 A No, sir. No, sir.

18 And, they were not seeking Polando Boch  
19 in helping anything. And they were not seeking my  
20 help on anything. They were seeking the help of the  
21 Venezuelan government, to get to interview Dr. Rolando  
22 Boch.

23 There was a breakdown of communication, as  
24 I was explaining to you, and the reasons why. And  
25 that was the end of it. What they talked with the

1 deputy director and the commissar general, that, I  
2 don't know.

3 Because the two assistant attorneys were  
4 with them in a separate room, while I was giving the  
5 tour to the police officers.

6 Q Did you have any conversations with any  
7 of your superiors, inside DISIP, prior to or immediately  
8 following the arrival of the prosecutors and the police-  
9 men, about the desire of a North American law enforce-  
10 ment people, prosecutors and policemen, to have your  
11 assistance and or the assistance of Dr. Boch, in  
12 prosecuting Rolando Otero?

13 A No, sir.

14 Q So that was never discussed with your  
15 superiors, either?

16 A No, sir. As far as I know, no.

17 Q Did there ever come a time, Mr. Morales,  
18 when you eventually learned that the purpose of the  
19 visit to Venezuela by the two prosecutors, and their  
20 accompanying policemen, was to further or enhance the  
21 prosecution of Rolando Otero, with your help or Boch's  
22 help?

23 A They never mentioned Rolando Otero. All  
24 they were -- sir, that is incorrect. The answer is  
25 no.

1           And the only purpose that it was disclosed  
2 to me, as far as I can recall, it was the subject of  
3 Rolando Boch. And, I am going to be a little more  
4 explicit, and I'm going to volunteer a little bit of  
5 information.

6           Mr. Adorno, on the first night there,  
7 made a remark about he was going to prosecute Rolando  
8 Otero, and that the only thing he was going to do was  
9 to just present the case, this is it, the fingerprint,  
10 and that was the end of it. That he has, you know,  
11 some witnesses, you know -- that were Otero's roommate  
12 or whatever. And that's exactly what he was going to  
13 do.

14           My specific information from Mr. Yoss,  
15 whenever I got back to Miami, to give him a phone  
16 call and have a dinner. Because I entertained them  
17 down there. And the DISIP entertained them there,  
18 the best that we could, under the circumstances, that  
19 we have been ordered to put them back on a flight at  
20 the same afternoon, that the reporters were sent back  
21 to Miami.

22           I believe that we were very courteous  
23 with them. And in fact, in the future, I returned  
24 one day to Miami. And I talked over the telephone  
25 with Mr. Yoss. And, he extended me an invitation

1 Caracas had taken place, you would have already been  
2 at the spot that you told us before, where your relation-  
3 ship with Raul Diaz had kind of changed and had become  
4 sort of a friendly affair as we have said, that  
5 depended upon business contacts; right?

6 A That's correct.

7 Q Has there ever been a time, Mr. Morales,  
8 when you have had a discussion with Lieutenant Diaz,  
9 concerning the Eladio Ruiz homicide?

10 A A discussion?

11 Q Yes.

12 Have you ever discussed the subject with  
13 Lieutenant Diaz at all?

14 A No, sir.

15 Q Now, when I ask you whether you have  
16 ever discussed it with him, just to have a full  
17 record understand please sir, that my question  
18 addresses itself to anytime prior to the homicide,  
19 as well as anytime after the homicide.

20 At any point in time, have you ever  
21 discussed the shooting of Eladio Ruiz with Lieutenant  
22 Raul Diaz?

23 A No, sir.

24 Q Have you ever had conversation about the  
25 Eladio Ruiz homicide with the one who used to be

1 known as Nancies Lomazares (phonetically)?

2 A No, sir.

3 MS. COHAN: Douglas, I would truthfully  
4 appreciate it if we can exhaust an area, and then move  
5 on.

6 MR. WILLIAMS: I generally try to do that,  
7 Rina. But the overall subject is so fertile, that every  
8 now and again, matters arise which just require attention.  
9 And sometimes, I just cannot control the sequence in  
10 which they arise.

11 MS. COHAN: The record will reflect an  
12 amused grin on my face.

13 MR. WILLIAMS: It is nice to know that I  
14 can still make you smile, Rina.

15 BY MR. WILLIAMS:

16 Q Now, Mr. Morales, has there ever been any  
17 occasion in your life, prior to the commencement of what  
18 we now refer to as the tick-tok investigation, when  
19 anybody who had any contact with law enforcement at  
20 all, ever told you that he or she as the case may be,  
21 could not or would not take any official action based  
22 upon information that you provided, because either  
23 your information did not seem accurate or, it was felt  
24 that you were not a sufficiently reliable source?

25 A As far as I can understand your lengthy



1 question, the answer is no.

2 Q All right. Let me break it down for you,  
3 just to make sure there is no doubt about it in the  
4 record.

5 It is true, is it not, that there has been  
6 literally countless occasions upon which you have  
7 provided information of one sort or another to people  
8 in law enforcement, since the late sixties; you would  
9 say the number of occasions is countless?

10 A Countless. That's correct.

11 Q And, a substantial number of those occasions  
12 were ones that occurred in connection with a desire or  
13 an intention on the part of law enforcement to acquire  
14 evidence to be used either in a criminal prosecution  
15 or to further some criminal investigation; correct?

16 A That's the main purpose. That's correct.

17 Q And, you know that there are several  
18 different circumstances or situations that could arise  
19 in the legal system in this country, in which the  
20 value of information received by a person depends  
21 directly upon that person's credibility or believability;  
22 correct?

23 A That's correct.

24 Q And, you know that one of the things that  
25 determines a person's credibility or believability,

1 is that person's past history of providing information;  
2 right?

3 A That's the standard procedure. That's  
4 correct.

5 Q And, you know that another thing that deter-  
6 mines reliability or credibility, is the past conduct  
7 of the person who is supplying information, as well;  
8 correct?

9 A Not necessarily. That's not a correct  
10 statement.

11 Q Would you agree, generally speaking, that  
12 aside from unique situations, it is generally the case,  
13 that people in law enforcement, and to the extent you  
14 have knowledge of it, the judges and lawyers, who are  
15 involved in criminal law, also look to a person's  
16 background, to determine whether there is anything in  
17 that person's background that would indicate that he  
18 or she is not a reliable source of information?

19 Would you agree with that generally?

20 A Basically.

21 Q For example, if Jack the Ripper, for example,  
22 walked into a police station in London, and said, "I'm  
23 Jack the Ripper, and I slashed those ninety seven ladies  
24 to bits, and now I want to give you information about  
25 somebody who stole a cow from my farm two days ago",

1 they would probably laugh him out of the police station;  
2 right, based on his background?

3 A Not necessarily.

4 Q All right. In any event, you recognized that  
5 that sometimes is a factor?

6 A It's one of the contributing factors to  
7 analysis.

8 Q All right. Have you ever hidden from anybody  
9 in law enforcement, any of the pertinent facts of your  
10 background and your history and your private activities?

11 A No, sir.

12 Q Then, anytime you have had dealings with  
13 people in law enforcement, when you have been giving  
14 them information, if they have ever expressed a desire  
15 or a need to know anything about your past, you have  
16 told them. Isn't that correct?

17 A If they ask me, I will have to answer them.

18 Q And my guess is, that -- and correct me  
19 if I am wrong -- that because of the close contacts you  
20 maintain with the law enforcement community over the  
21 years, there have even been times when, although you  
22 were not asked, you thought it appropriate for the  
23 benefit or the wellbeing of the given situation, to  
24 tell the people with whom you were dealing, certain  
25 things that you thought they should know about you.

1 Is that also correct?

2 Have there been times when you thought to  
3 yourself "Wait a minute, I better let this policeman  
4 or this agent know something that he hasn't thought to  
5 ask me, because it might come up in the future and better  
6 he know about it now", that kind of thing?

7 A Basically.

8 Q Now, my question to you is, whether there  
9 has ever been a time when somebody in law enforcement,  
10 policeman or prosecutor, has said to you "Ricky, based  
11 upon your evidence alone, we cannot and will not file  
12 a case", or something like that?

13 Something like "We need more, Ricky. We  
14 can't go in with just your evidence or just your testimony",  
15 or any variation to that general theme?

16 Has anybody in law enforcement ever told  
17 you that the information that you have to offer or  
18 had to offer, standing by itself, was not sufficient  
19 to be the basis of the criminal investigation or  
20 prosecution?

21 A Not to my knowledge.

22 Q Was there a time, Ricky, when you presented  
23 yourself to one or more people connected with law  
24 enforcement, in the South Florida area, to give them  
25 certain information about the personal drug habits or

1 drug practices of federal agents?

2 MS. COHAN: Will you read back the question?

3 BY MR. WILLIAMS:

4 Q I will restate it.

5 Was there a time when you presented your-  
6 self to one or more persons in law enforcement in the  
7 South Florida area, for the purpose of giving that person  
8 or persons information, concerning their personal drug  
9 habits or practices of a federal law enforcement agent?

10 A Not that I can recall, Mr. Williams.

11 Right now, I am racking my memory. I have  
12 never seen any drug enforcement agents.

13 Q I did not say DEA agent. I said any law  
14 enforcement agent.

15 MS. COHAN: Mr. Williams, I do not believe  
16 that was his response.

17 MR. WILLIAMS: He was answering in terms of  
18 a DEA agent. And I wanted him to understand that my  
19 question applied to any federal agent.

20 THE WITNESS: I have never seen any federal  
21 agent doing cocaine or grass or any drugs.

22 BY MR. WILLIAMS:

23 Q But my question to you, Mr. Morales, was,  
24 whether you ever offered information to anybody in  
25 law enforcement about the drug habits or practices of

1 any federal agent, whether you had seen it or not?

2 A I have never provided any kind of information  
3 with regard to drug habits, as far as I can recall, now.

4 It's a very stunning question. And, as to  
5 the best of my recollection, no, Mr. Williams.

6 Q Does it refresh your recollection any, Mr.  
7 Morales, if I ask you more pointedly, whether there was  
8 ever a time when you provided information or attempted  
9 to provide information to State or federal prosecutors  
10 concerning one, Raul DiArmos, a special agent with the  
11 Internal Revenue Service, and his alleged or supposed  
12 use or possession of cocaine?

13 A You are wrong. Completely. I was -- let  
14 me tell you.

15 I never provide any kind of information,  
16 saying that agent DiArmos was in possession or was  
17 in the use of any narcotics.

18 Q What did you say about Agent DiArmos, to  
19 whom?

20 MS. COHAN: Objection as to time and subject  
21 matter.

22 MR. WILLIAMS: We will pin it down.

23 THE WITNESS: Where are we, now?

24 MS. COHAN: I objected. Because it is vague  
25 as to time and subject matter, as to what you have said

1 about Raul DiArmos, to anybody in the world.

2 You may answer, if you know the question.

3 BY MR. WILLIAMS:

4 Q Mr. Morales, was there a time when you had  
5 communications with any federal or State prosecutor at  
6 all, that bore upon Agent Raul DiArmos, and that addressed  
7 itself to whether Agent DiArmos had or had not been in  
8 possession of any cocaine?

9 Was there ever such a time?

10 A There was a time when I relayed to federal  
11 agents and federal agencies, that Raul DiArmos was duped  
12 and invited into Carlene Quesada's house, for whatever  
13 was the purpose that he was invited there, by Mr. Rafael  
14 Villaverde and Mr. Carlos Quesada.

15 At the time, inside the house, there was  
16 an amount of drugs. And I let know, that it could be  
17 the case, that he was being drug into that kind of  
18 situation, along with whoever his partner was. It was  
19 an Anglo. I don't remember his name.

20 Just to let Agent DiArmos, to be aware that  
21 inside Villalola, Carlos Quesada, there was a constant  
22 possession of narcotics. And, that I refused to attend  
23 that gathering or that meeting, since I have no informa-  
24 tion whatsoever to provide to Agent DiArmos. And it was  
25 my educated guess and opinion, that he was being put on

1 the spot. And that the purpose was to pump Agent DiArmos  
2 out of whatever information Mr. Rafael Villaverde wants  
3 in his mind to pump out of Raul DiArmos, especially  
4 concerning in the case of Guillermo Hernandez, Quesada  
5 operation Bancoshares and operation greenback.

6 Q Who was that you said, besides Rafael Villaverde  
7 according to your understanding, had duped DiArmos into  
8 going to Quesada's house?

9 MS. COHAN: Objection. There is no testimony  
10 that he was duped. But that he was going to be duped.

11 BY MR. WILLIAMS:

12 Q Besides Rafael Villaverde, who was the other  
13 one whom you said?

14 A Oh, the ones that were there?

15 Q Excuse me. What I am trying to find out,  
16 Mr. Morales, is this.

17 You said a minute ago that Villaverde --

18 A Carlos Quesada. Are you referring to --

19 Q But you said that there was somebody else  
20 besides Rafael Villaverde, who got DiArmos to go to  
21 Quesada's house.

22 A Carlos Quesada.

23 Q Now, when in point of time, was it, that  
24 you furnished this information to federal agencies?

25 A The first time volunteering information --



1 the first time was, I believe, right after -- the first  
2 time was before it happened.

3 Q Before what happened?

4 A Before it happens, the meeting at the  
5 Villalola. That I find out that they were trying to get  
6 DiArmos over to that house. I passed on the information  
7 that to let DiArmos know that there is a tricky situation  
8 there.

9 That is my opinion. They shouldn't go there.  
10 And I have been called to be a part of that meeting.  
11 And I am refusing, flatly, to be there.

12 And the second time was right after it happened.  
13 Again, I said, you know, the objectives were so and so,  
14 and so -- the ones that I mentioned to you before. And  
15 I pointed out that at the time, there was a quantity of  
16 cocaine, a stash inside the premises.

17 Q Put as accurate as you can, a date, Mr.  
18 Morales.

19 A I can't. Somebody will have to go back to  
20 wherever the records are. But it was on or about the  
21 summer or the beginning of the summer. It was in 1980.

22 Q That is close enough.

23 A I believe it's fair enough.

24 Q That is close enough.

25 Now, to whom did you relay the various bits

1 of information that you have just described to us?

2 A The ones that I just described to you?

3 Q Yes.

4 Whom did you tell?

5 A My special agent, Evelino Fernandez from  
6 Drug Enforcement Administration.

7 Q Did you discuss that same topic with anybody  
8 else in anyway connected with law enforcement, either  
9 at the State or federal level in South Florida?

10 A Yes.

11 Q With whom?

12 A Raul Diaz, Rina Cohan, and D.C. Diaz,  
13 Raul Martinez, the same Raul DiArmos, about five differ-  
14 ent IRS agents, and an assortment of assistant United  
15 States Attorneys.

16 Q Did you ever provide or attempt to provide  
17 information in the late spring or early summer of 1980,  
18 to any assistant United States Attorney, or to the  
19 United States Attorney, himself, who then I believe  
20 was Mr. Womblar, suggesting that Special Agent Raul  
21 DiArmos, in fact, had used cocaine himself or was  
22 using cocaine himself or had been in possession of  
23 cocaine himself?

24 A No, sir.

25 Q Did you ever discuss the subject of Raul

1 DiArmos and the use or possession of cocaine, with any  
2 State prosecutor?

3 A I already answered to that question.

4 Q State prosecutor?

5 MS. COHAN: State.

6 THE WITNESS: Yes, I did. I mentioned  
7 Rina Cohan.

8 BY MR. WILLIAMS:

9 Q Okay.

10 A About the facts of that meeting there, the  
11 way it was called. That meeting.

12 What I learned from, you know, the meeting  
13 there, who was present at the meeting. And, my  
14 recollection afterward.

15 And also, there was another occasion shortly  
16 afterwards, that first occasion, volunteering more  
17 information that Agent DiArmos was called up to the  
18 Mutiny by Rafael Villaverde, and Carlos Quesada. And  
19 I already -- I did, in advance, flatly refuse to  
20 be present during that conversation.

21 And, I advised again, Officer Fernandez,  
22 from DEA, that to tell Raul not to go to there, that he  
23 was being put on the spot.

24 Q Did you ever have any conversations concern-  
25 ing Raul DiArmos and the possession or use of cocaine

1 with one who, at the time, occupied the position of  
2 chief assistant State Attorney, a man by the name of  
3 William Richey?

4 A No, sir.

5 Q Was there ever a time when William Richey  
6 acting in his capacity as chief assistant State Attorney,  
7 ever told you that some information that you were  
8 providing to him, was not in his judgment, sufficient  
9 or worthy of being the basis for an investigation or  
10 a prosecution?

11 A That's not correct.

12 Because I never talked with Mr. Richey  
13 after my trial, in July, 1978.

14 Q I simply asked you whether there was a  
15 time when you --

16 A The answer was no. That information is  
17 incorrect.

18 Q Did you provide information to him?

19 A No.

20 Q There was a time when you had some discussion  
21 or conversation with Ms. Cohan and or D.C. Diaz, and  
22 or Raul Martinez, about an argument or a disagreement  
23 that you had had with Mr. Richey.

24 Do you recall that?

25 A I already answered that question.

1           If you want me to, I can repeat it to you.  
2 I never had any disagreement with Mr. Richey.

3           It was based upon the guidelines of the  
4 polygraph. And I already explained, it is in the  
5 record. And if I have to explain it again to you,  
6 basically, you know, what is said, I was complaining,  
7 was that Mr. Richey never gave a polygraph test to  
8 Fousto Villar.

9           But I never had any disagreement with him.  
10 Because I never spoke to him.

11           So there is no -- if I don't talk to a  
12 person, I cannot have a disagreement with that person.

13           Q       What was the incident or episode in  
14 connection with which Mr. Richey wanted you to take a  
15 polygraph examination?

16           A       Well, I don't believe that Mr. Richey wanted  
17 me to take a polygraph examination.

18           It was based upon the information that I  
19 was providing to the Miami Police Department. And,  
20 they called and told me that if I was willing to take  
21 a polygraph. And I made a remark to them, that, you  
22 know, I was still, you know, let's say, sore that they  
23 didn't do that with Fousto Villar. . Which, they  
24 should have done.

25           And they told me that those guidelines

1 have been corrected to the point that whoever was  
2 providing any kind of information, that might result  
3 in a criminal prosecution, was required to take a  
4 polygraph.

5 I already explained it to you.

6 Q What matter was that, Mr. Morales?

7 What incident or episode was it, with  
8 regard to which the Miami Police told you that you  
9 would have to take a polygraph?

10 A As a result of my meeting with Ms. Cohan  
11 in the Holiday Inn. And, it was February the 16th --

12 MS. COHAN: December.

13 THE WITNESS: December the 16th.

14 BY MR. WILLIAMS:

15 Q You are talking about the tick-tock invest-  
16 igation or, what turned out to be the tick-tock  
17 investigation?

18 A Well, I didn't know that.

19 Q Not at the time.. But --

20 A At the time, you have a copy of my statement,  
21 there.

22 Q Was there ever any other occasion, prior to  
23 December 16th, 1980, when somebody connected with law  
24 enforcement, told you that either William Richey or  
25 some other senior or supervising assistant State Attorney,

1 required that you take a polygraph examination as a  
2 condition to using your information in connection with  
3 an investigation or prosecution?

4 A Douglas, I already stated three times, I  
5 believe. I am going to state it again.

6 I was told that whatever information I was  
7 willing to provide, would be subjected to a polygraph.  
8 And I made the remark about Mr. Richey not doing so,  
9 at the time of my case, with regard to Fousto Villar.

10 Q So the reference you made to the fellow,  
11 Villar, was a reference to the case in which you were  
12 arrested and prosecuted for possession of marijuana?

13 A That's correct.

14 Or, Mr. Fousto Villar was the informant  
15 or the source of U.S. Customs agent, Edward Maderos,  
16 who was the affiant in the wire tap of Mr. Carlos  
17 Quesada. It was affidavit number two, I believe it  
18 was.

19 So it was reference, since Mr. Villar was,  
20 I believe, caught, you know, redhanded, you know,  
21 in denying what actually he has told Agent Maderos --  
22 since Agent Maderos produced tapes of the conversation  
23 that he was holding with Mr. Villar, my remark was,  
24 you know, a normal one in a conversation of what I  
25 say about Richey, he never put up Villar with a polygraph.

1 You know.

2 It was just a kickback to, you know, the  
3 old times. Nothing specific.

4 Q What I was trying to find out -- and I  
5 think you have answered me in the negative.

6 But let's just have it this clearly, so  
7 I have a full understanding.

8 A I believe it is clear, Mr. Williams.  
9 I am willing to clarify it more.

10 Q The question to which I am trying to get  
11 an answer is, whether there was ever any other time  
12 before you thought to offer information about what  
13 came to be this tick-tock investigation, anytime before  
14 that, whether at a time when you were offering or  
15 attempting to offer information, you were told that  
16 you would have to take a polygraph examination, anytime  
17 before your meeting with Ms. Cohan in December of 1980.

18 All it needs is a yes or no. Had that  
19 occurred?

20 A No. No. No.

21 Q Okay.

22 A Besides what I already testified to, that  
23 it never -- that was the first time, you know.

24 Q Has any law enforcement agent, whether at  
25 the State or federal level, at anytime, told you that



1 he or she thought the information that you were giving  
2 with regard to any particular matter or investigation,  
3 would not be sufficient, standing by itself, to be the  
4 basis of an on-going investigation?

5 Has that ever happened to you?

6 A I already answered to that question in the  
7 negative.

8 Q Okay. There came a time in April of 1978,  
9 when you were arrested by City of Miami police agents,  
10 and charged with possession of a few thousand pounds  
11 of marijuana.

12 I do not remember the exact amount. But it  
13 was in the thousands; wasn't it?

14 A Yes. It was in the thousands. And I was  
15 not arrested by the MPD. I was arrested by the PSD.

16 Q Where were you arrested?

17 A Kendall Drive. And, it was in the vicinity  
18 of a Hundred and Thirteenth Avenue. It was a scary  
19 situation.

20 Q Who else was arrested?

21 A What?

22 Q Who else was arrested?

23 A I was alone at the time I was arrested.  
24 I was driving a car.

25 Q Were there other people eventually charged

1 in connection with the same event?

2 A Yes.

3 Q Who else?

4 A Three more individuals.

5 Q What were their names?

6 A They fade in my memory.

7 Douglas, to be honest with you, they  
8 fade in my memory. You know. It's public record.  
9 And, they pled guilty to the charges, you know. But  
10 they fade in my memory.

11 Q Were there other law enforcement agents,  
12 besides Public Safety people, at the scene of the  
13 arrest?

14 A I believe that -- of course. There were  
15 about twenty -- twenty five people -- thirty. You  
16 know.

17 MPD was there. State Attorney's office  
18 was there. Highway Patrol was there.

19 And who else was there, I don't know.  
20 I have never seen so many guns pointing at my head  
21 at the same time.

22 Q Who turned out to be the lead investigator  
23 or case agent in that case; do you know?

24 A In that case?

25 Q Yes.

1           A       Edward Maderos and Raul Martinez.

2           Q       The same Raul Martinez who is involved  
3 in this case as a Sergeant?

4           A       Yes, sir.

5           Q       When, prior to that arrest, Mr. Morales,  
6 was the last time that you had offered or provided any  
7 information to any law enforcement agent, including, for  
8 these purposes, the CIA and the FBI?

9           A       Well, I was not providing information.  
10 I was interviewed by the FBI prior to my arrest in  
11 April, in 1978, which I already explained to you, with  
12 regard to my departure from Caracas, Venezuela.

13          Q       We will talk about that in a little while.

14                   But what I am trying to find out is  
15 relative to the time you were arrested in April,  
16 when last have you been functioning as an informant  
17 for any agency, State or federal law enforcement or  
18 intelligence?

19          A       I already stated for the record, that I  
20 resigned my position as a paid informant for the FBI  
21 on July the 31st, 1975.

22                   And, I stopped being a commissar for DISIP  
23 on January 23rd, 1978.

24          Q       Now, my question, Mr. Morales, without  
25 regard to any formal relationship that you had with

1 anybody is, when relative to April of 1978, was the  
2 last time that you had given information to be used  
3 by any law enforcement agency for any purpose, regard-  
4 less of whether you were on somebody's payroll or not?

5 When was the last time you had done that  
6 before April of 1978?

7 A Mr. Williams, I cannot answer the question  
8 properly. Because all of my contacts with -- I mean,  
9 agencies, either federal or State level, were severed  
10 under orders of my superiors from DISIP.

11 But the last time that I provided informa-  
12 tion was -- the last time was 1977 -- it could have  
13 been maybe around, on or about April, 1977, that I  
14 was called to Washington for a meeting with Eugene  
15 Proper. He was an assistant U.S. Attorney.

16 Q That was on the --

17 A Let me finish.

18 Mr. Carter Kornick (phonetically), a  
19 special agent of the FBI, and also present was then --  
20 he was already convicted, I believe -- Rolando Otero,  
21 for the purpose -- since Otero was still considered  
22 that he was -- that I was his handler for the purpose  
23 of releasing Mr. Otero from his duties or as his oath  
24 of secrecy or whatever it was in his mind, and to  
25 instruct Mr. Otero to cooperate fully with the Latier

1 investigation. And, to identify a photo line-up that  
2 was going to be presented to him by the United States  
3 government.

4 Through 1977, I was subpoenaed for maybe,  
5 two or four -- I don't remember how many -- grand  
6 juries, federal grand juries. And, I also show up there  
7 with my subpoena.

8 Q Apart from that, was there ever a time  
9 following your return from Venezuela, when, however it  
10 happened and whatever the ultimate purpose was, even  
11 on a strictly informal basis, that you got together with  
12 one or more law enforcement agents, either in State  
13 or federal government, for the purpose of giving  
14 any information bearing upon any apparent or possible  
15 criminal activity?

16 A No. No. No.

17 Q No time between your return from Venezuela  
18 and the time you got arrested in April of 1978?

19 A No, sir.

20 Q But your personal friendship with Raul  
21 Diaz continued during that period; didn't it?

22 A No, sir.

23 Q Did you and Raul Diaz cease being friends  
24 during that period of time?

25 A I stopped talking to him or having any

1 kind of contact with him -- I can't pinpoint the  
2 exact date, but we might say, 1977.

3 Q Why?

4 A It was my decision.

5 Q Why?

6 A Because I wanted to.

7 Not to talk to him or not to talk to anybody  
8 else.

9 Q But you had told me before, that your relat-  
10 ionship with Diaz had passed into the realm of friendship  
11 rather than just technical or business contact?

12 A Well, besides the professional side of the  
13 contacts that we had, we developed a sense of time that  
14 I already mentioned to you before -- a personal friend-  
15 ship. And at one point in 1977, early 1977, I decided  
16 not to talk to him or to anybody else connected with  
17 law enforcement, down here in Miami, regardless of  
18 personal friendships or whatever.

19 Because you have to draw a line between  
20 their profession and a friendship relationship.  
21 So I decided not to talk to anybody.

22 Q Did you and Raul Diaz have a falling out  
23 of any kind, a disagreement?

24 A No disagreements and no fall out.

25 I just stopped calling him and talking to

1 him, the same as I did a lot of other people.

2 Q Did he continue to try to establish contact  
3 with you, after you closed down your communication with  
4 him?

5 A Not to my knowledge.

6 Q How did it come to pass, Mr. Morales --

7 A How did it come to what?

8 Q How did it come to pass -- how did it happen  
9 that Raul Diaz was at the scene of your arrest in 1978,  
10 in April, out on Kendall Drive, within moments after the  
11 other police units detained you and had taken you into  
12 custody?

13 A Oh, very simple.

14 When I was put in the back of the patrol  
15 car, by an officer by the last name of Cook -- C-O-O-K --  
16 and since the way that I was arrested was so scary, to  
17 the point that after I had been already handcuffed and  
18 surrendered, there was a uniform officer who came running  
19 toward me, pointing a shotgun and screaming "Freeze,  
20 freeze, freeze", and he pumped one shell, a live shell  
21 out of the chamber of the shotgun, I told Officer Cook  
22 "Do you know a Sergeant by the name of Raul Diaz?"

23 And the officer says, "Yes."

24 And I said, "Please, Mr. Cook, will you  
25 inform him that you have Mr. Ricardo Morales in custody?"

1                   Because definitely at the time, I was  
2                   fearing for my life. Since I was hearing the radio  
3                   communications among all -- there were at least a  
4                   dozen cars there. And the things that they were saying  
5                   over the radio about me being armed, dangerous, and  
6                   being Dracula and things like that.

7                   And I really was fearing for my life,  
8                   Williams. It was one of those close calls, that I  
9                   have had in my life. That was one of them.

10                  Q       Have you had any advanced communication  
11                  with Raul Diaz at all, about what it was that you were  
12                  doing or why you were going to be where you were on  
13                  that particular night, in apparent possession of  
14                  several thousand pounds of marijuana?

15                         Had you discussed that with Raul Martinez  
16                  at all?

17                  A       No, sir.

18                  Q       How long after you asked Officer Cook to  
19                  call Lieutenant Diaz, who was then a Sergeant, was it,  
20                  that Lieutenant Diaz arrived?

21                  A       Well, he didn't call Sergeant Diaz, when  
22                  I put up that request. But I was returned from  
23                  Kendall Drive on or about One Hundred Thirteenth or  
24                  One Hundred and Fifteenth Avenue, to a house on One  
25                  Hundred and Twenty Third and Seventy Fourth -- if that



1 was the correct address.

2           Officer Diaz appeared on the scene, you know,  
3 maybe three or four hours afterward.

4           Q       Do you recall anything unusual taking  
5 place between Raul Diaz and any other law enforcement  
6 officer, who was present at the time?

7           A       Say that again?

8           Q       Do you recall anything unusual taking  
9 place between Raul Diaz and any other law enforcement  
10 officer, who was present at the time, when Raul Diaz  
11 arrived?

12          A       No.

13          Q       But your testimony is, that it was not  
14 until three or four hours later that Lieutenant Diaz  
15 appeared?

16          A       That Sergeant Diaz -- actually, I saw  
17 him in the crowd.

18                   There was a crowd there. Maybe twenty --  
19 twenty five guys.

20          Q       What were you doing with the marijuana?

21          A       What?

22          Q       What were you doing with the marijuana?

23          A       I didn't have no marijuana with me.

24          Q       Where was it?

25          A       The marijuana was stashed in a house.

1 Q Where?

2 A The address that I mentioned. I'm not sure  
3 if it's the correct one or not.

4 It was One Hundred and Twenty Third and  
5 Seventy Fourth, S.W. section.

6 Q What had been your participation in the  
7 marijuana transaction?

8 A I unloaded that -- the truck with Carlos  
9 Quesada and Fousto Villar, the previous night or a few  
10 hours before, or whatever.

11 Q Where?

12 A At that address. The same place that the  
13 five thousand pounds were seized on April the 6th, 1978.

14 Q Whose marijuana was it?

15 A What?

16 Q Whose was it?

17 A Oh, it certainly was not mine. It belongs  
18 to a fellow by the name of Franklin Sosa. I never  
19 talked to the guy. But supposedly, that load belonged  
20 to Franklin Sosa.

21 And, he pulled Carlene and myself into that  
22 deal.

23 (Thereupon, Mr. Carhart is now present.)

24 BY MR. WILLIAMS:

25 Q What role were you playing in the trans-

1 action, aside from physically unloading it?

2 What was to be your part in it?

3 A I never had the chance to discuss that  
4 completely. Because the truck arrived somewhere around  
5 three o'clock in the morning. It was unloaded, and then  
6 I returned, you know, to my apartment. I dropped Carlos  
7 over at his house, his home at Villalola.

8 I went to my apartment, took a short nap,  
9 And then I went to Frank Sosa's apartment in the N.W.  
10 section. I don't know what Franklin was up to.

11 And then, he showed up there. And he  
12 dropped a rental truck, the same truck that where the  
13 load was carried. And he sent me down there, back  
14 again. He said, you know, "Show those people where the  
15 house is. Because they are going to pick it up."

16 And, I just can't tell you, you know. What-  
17 ever I learned after that, you know, is -- you know,  
18 was a perspective of time. You know. I can't tell you  
19 the whole story about it.

20 But at the time, I have not been involved  
21 in any kind of transaction with anybody. Franklin Sosa  
22 was the one doing the whole transaction.

23 Q How did you come to be involved in it,  
24 in the first place?  
25

1           A       I received a call at nine o'clock on April  
2 5th. And, from Franklin Sosa.

3                   And, he said, "Meet me at the Howard  
4 Johnson's on One Hundred and Sixty Third Street."

5                   And, when I arrived there, he was there.  
6 There were a lot of cars, you know, people going from  
7 one car to another. And Carlene was there, too.

8                   And, we wind up in the same car -- Carlos  
9 and myself. And we started discussing, you know, what  
10 is going on.

11                   And he said, "Well, I don't know. Franklin  
12 says that he is having a load, and he is a good buyer",  
13 and things like that.

14                   And then, we started saying, well, you know,  
15 I don't like it, you know, and what about this, you  
16 know -- you have just been released from bond, you know,  
17 and where is the pot coming from.

18                   And he said, "From up State."

19                   And I said, "I never heard pot coming from  
20 a north county back into Dade County." And things like  
21 that. You know. That were confusing at the time.

22           Q       But what were you brought into the deal  
23 to do?

24           A       What?

25           Q       What were you brought into the deal to do?

1                   What were you brought in for, Ricky?  
2                   You surely were not brought in to act as a porter and  
3                   unload the truck.

4                   A       Well, actually, this is what Carlene and I  
5                   did. Because we didn't have -- I didn't have a customer  
6                   for the grass.

7                   Franklin claims that he had the customer for  
8                   the grass. And, that we were going to be cut into  
9                   the proceedings of the transaction.

10                  Q       To do what?

11                               What were you supposed to do for being cut  
12                   in?

13                  A       I don't know. Unload the truck.

14                  Q       That is it?

15                  A       That is it. What else?

16                  Q       I am asking you, is there anything else you  
17                   were supposed to do, besides unload the truck?

18                  A       That's as far as I was able to do. Nothing  
19                   else.

20                               I was caught three hours after I unloaded  
21                   that truck.

22                  Q       But if you had not been caught, what else  
23                   were you supposed to do?

24                  A       Nothing else. I never had a chance to go  
25                   into the whole operation. It was busted.

1                   As soon as the pot was there, it was  
2 busted. There were cops all over the place. I'd  
3 show the people right in the truck, that I was -- sometime  
4 at five o'clock in the morning, that Franklin show them  
5 where the pot is.

6                   So I went down there with them, showed them  
7 where the pot was, you know. And I took off. After  
8 we unloaded the truck, you know, and on the way back to  
9 Carlos' house, you know, Carlos said, "I'm not going back  
10 to that house, Ricky. I don't like it. I hate pot  
11 deals. Because they bring bad luck. You know. Franklin  
12 used to -- the way he talks to everybody, the location  
13 is one of the worst that you can ever seen in your  
14 life", which I agreed with.

15                   And, we were so apprehensive about the  
16 whole incident, that on the way down there, I was  
17 tempted to make a U-turn and forget about it.

18                   Q           Was the same true of Quesada?

19                               In other words, had he been brought in by  
20 Sosa, with you at the same time?

21                   A           He was brought into it before. To me, I  
22 was surprised when he was there, when I arrived at the  
23 Howard Johnson's.

24                   Q           In other words, at the time you were brought  
25 in, it was by Sosa alone --

1           A       I didn't know Carlene was there.

2                    When he called me up at nine o'clock, he  
3 said, "Come over."

4                    And when I arrived there, Carlene was there.

5           Q       Did you ever learn what Carlene's involvement  
6 in it was or, was to have been?

7                    Did you ever learn?

8           A       Yes. Carlene told me, because I asked --  
9 I questioned him that night -- I questioned him at the  
10 Howard Johnson's, and said, "What are you doing here?"

11                   And he said, "Well, Franklin called me up  
12 at five o'clock and he said come over, there is a load --"  
13 he said, "What are you doing here, Carlene?"

14                   And he said, "Franklin called me up about  
15 five o'clock and said come over here, you know, that I  
16 have something to discuss with you."

17           Q       So as far as you could tell, then, Quesada  
18 had been brought into it just a little bit before you?

19           A       According to both of them, four hours before  
20 me.

21           Q       Well, did you ever learn anything of the  
22 contrary, later on?

23           A       No. That's the way the story stands.

24           Q       But you certainly knew that it was marijuana,  
25 once you got there?

1 A Oh, no. I was told previously, you know.

2 Q And when you got there, you saw it?

3 A I unloaded it.

4 Q So you knew it was marijuana?

5 A Of course.

6 Q So then, you were involved in an undertaking,  
7 to unload, and then eventually distribute several  
8 thousand pounds of marijuana?

9 A I was not to distribute it. Because I was  
10 not a distributor. I didn't have a customer.

11 Franklin was the one who claimed that he  
12 had the customer.

13 Q But your understanding was that you were  
14 going to assist in some way or another in it's  
15 distribution, somehow or another?

16 A Yes. Carlene and myself.

17 Q That is what you were there for?

18 A Yes. Of course.

19 Q But for the police getting there, however  
20 it was that they got there, you would have done whatever  
21 you could have or whatever was asked of you, in order  
22 to move the five thousand pounds?

23 A That's speculative. Because it never  
24 happened.

25 Q But for the police being there, you would



1 have done that; wouldn't you?

2 A Yes.

3 Q How much were you going to get paid?

4 A I don't know. We never got into that part  
5 of the situation, because there was not even a price.

6 Q Your only understanding was, that you were  
7 going to get paid something?

8 A I was going to get a cut out of that. Points.  
9 Maybe ten points. Maybe fifteen points. You know.

10 The procedures of grass are different from  
11 the procedures of cocaine. You get points.

12 So we were going to submit points, according  
13 to the wholesale price and --

14 (Thereupon, a brief recess was held at  
15 3:20 P.M.)

16 (Thereupon, the deposition was resumed at  
17 3:35 P.M.)

18 BY MR. WILLIAMS:

19 Q So Mr. Morales, it would be accurate then,  
20 to say that, to the extent that you had held in the  
21 initial procedures of unloading the five thousand  
22 pounds of marijuana and to the extent that you intended  
23 or contemplated being involved in its eventual distrib-  
24 ution, that you were involved in a conspiracy to  
25 distribute marijuana at the time. Isn't that accurate?

1 A Conspiracy?

2 Q Yes.

3 I mean, you had agreed with other people  
4 that you and other people would be acting, more or less,  
5 in concert together, toward the end of --

6 A Legally, that's the proper word for the overt  
7 acts that I already told you; right?

8 Q Well, yes.

9 I am not going to give you my legal opinion,  
10 although it sounds --

11 A It would have to be a legal opinion about  
12 that. I mean --

13 MS. COHAN: Did you agree?

14 BY MR. WILLIAMS:

15 Q If I tell you that a conspiracy is just when  
16 two or more people agree, conspire, combine, confederate--

17 A No. Because it could be a one-man conspiracy.

18 Q Putting that aside?

19 A Yes.

20 Q It would be accurate to say, then?

21 A It would be accurate, legally, to say so.

22 Q And, although I know it is a question in  
23 concept that we have battered over the past several days,  
24 and one that you do not like to consider, isn't it also  
25 correct to say that at the time you were doing it, you

1 knew that it was a violation of the laws, either of this  
2 State or of the United States?

3 MS. COHAN: That has been ground into the  
4 ground. Not merely battered.

5 THE WITNESS: Yes.

6 BY MR. WILLIAMS:

7 Q Would it be accurate to say that, Mr. Morales?

8 A Yes.

9 Q Were you, at that point in time, Mr. Morales,  
10 providing any information about the marijuana transaction  
11 and the participants in it, to any law enforcement agent  
12 or agency?

13 A No, sir.

14 Q Now, you have already told us in detail,  
15 that there have been times when you appeared to be  
16 involved or were involved in other illegal activities.  
17 But also, were giving information to law enforcement;  
18 correct?

19 A Basically.

20 Q So this was simply a time in which, for your  
21 own personal reasons or to suit your own personal ends,  
22 you decided not to tell law enforcement. Is that  
23 correct?

24 A I have no contacts whatsoever, with law  
25 enforcement at the time.

1 Q Well, if you had wanted to, for any reason,  
2 you sure could have gone to D.C. Diaz or Raul Martinez?

3 A I didn't know D.C. Diaz at the time.

4 Q Raul Martinez, you knew?

5 A No, I didn't.

6 Q Did you know Mr. Maderos?

7 A Oh, yes. I knew Edward.

8 Q Did you know Evelino Fernandez?

9 A Oh, yes.

10 Q So you could have gone to either of those  
11 two DEA agents or Raul Martinez, who is a sergeant, and  
12 you could have told them about it if you wanted; correct?

13 A That's correct.

14 Q But you chose not to, because that was not  
15 consistent with what your purposes were at the time.  
16 Isn't that right?

17 A That's correct.

18 Q Now, would you tell me please, sir, when is  
19 the first time that you met with the one called Carlos  
20 Quesada?

21 A Oh, Carlos, way back in 1973, at a spot  
22 I used to go to during the social Fridays, for the  
23 purpose of dancing.

24 And, I was aware of the existence of Carlos  
25 Quesada since he became an FBI informant. And, at the

1 end of the sixties, with regard to a car theft ring.  
2 And, he was an informant or source or whatever he was,  
3 you know, providing information against, you know, the  
4 other people involved there.

5 But actually, I was introduced to Carlos  
6 Quesada socially, in a nightclub spot, in 1973.

7 Q When did you first come to know who Raul  
8 Villaverde was?

9 A In Cuba.

10 Q You told us you knew the Raul Villaverde  
11 family in Cuba?

12 A Yes.

13 Q When, in the United States, did you first  
14 establish contact with the Villaverde family?

15 MS. COHAN: Objection. I believe it has  
16 been asked and answered. And I object.

17 MR. WILLIAMS: It will be easier for us to  
18 ask a second time, then for us to go through our notes  
19 and check.

20 Go ahead.

21 THE WITNESS: It's not there, Rina.

22 MS. COHAN: No. As to your involvement with  
23 Raul Villaverde, I have no objection. We have covered  
24 Rafael.

25 THE WITNESS: Okay. During a refresher course,

1 in the CIA, down here in the south Florida area, I was  
2 at a safe house. And it was standard procedure to  
3 wait a certain amount of time to get a refresher course.  
4 And, he was part of the instruction section of the  
5 company.

6 And, he showed up one day at the safe house  
7 in the company of the CO, and another instructor, I  
8 believe.

9 BY MR. WILLIAMS:

10 Q When was that please, sir?

11 A Sometime in 1964.

12 Q Was it in 1964 that you established or  
13 resumed, as the case may be, social contact with Raul  
14 Villaverde?

15 A Well, there was no social contact. It was  
16 business contact.

17 Q That is not my question to you, sir.

18 Did there come a time when you broadened  
19 your contact with Raul Villaverde, so as to have social  
20 contact with him as well as business contacts?

21 A It was business. There was no social.

22 Q Has there ever been a time when you describe  
23 your contact with Raul Villaverde as social contacts,  
24 rather than business?

25 A Yes, sir.

1 Q When did that start?

2 A I saw him on and off, during the seventies.  
3 And actually seeing him more, because he was out of the  
4 country for awhile in the Dominican Republic or previously,  
5 he was over there in Vero Beach. He was first in Vero  
6 Beach, after he left the company. And then, from Vero  
7 Beach, he was moved down to the D.C.

8 Q I am sorry. Down to --

9 A Dominican Republic.

10 In that span of time, I saw him several  
11 occasions.

12 Q Would you describe those occasions, as being  
13 social rather than business?

14 A No. Social. Social.

15 Q See if you can affix a point in time to that,  
16 please.

17 A No, I can't.

18 It was, you know, in covering that span of  
19 time, from very late sixties to 19 -- the end of 1977.  
20 To be exact, on or about the months of December, that  
21 actually he paid me a visit at my apartment, at the  
22 Brickell Bay Club. And, he told me that he has been  
23 transferred, for whatever company he was working for,  
24 to Miami.

25 Q What was the purpose of his visit?

1           A       It was a social visit. We shared drinks,  
2 you know, and nicities.

3           Q       You had learned that Raul Villaverde had  
4 occupied a position of trust and responsibility in the  
5 CIA; hadn't you?

6           A       I know that he was in the instruction section.  
7 I don't know how much trust or responsibility he was  
8 given upon him by the company.

9                   But it was a fact that he was part of the  
10 instruction section.

11          Q       Based upon your experience with the CIA,  
12 Mr. Morales, wouldn't it be accurate to say that people  
13 who did not have the trust and confidence of the admin-  
14 istration of the CIA, would not be placed in positions  
15 from which they could instruct and train other agents?

16                   Isn't that an accurate statement?

17          A       What?

18          Q       That the CIA would not put somebody whom they  
19 did not trust in a position to teach other agents?

20                   They would not do that; would they?

21          A       I don't know.

22          Q       What does your experience tell you, Mr.  
23 Morales?

24          A       My experience, that I don't know. You know.  
25                   The intelligence world is so twisted, you



1 know, that you never know.

2 I mean, how can I make a possible statement  
3 about that? You might be put in a position where you  
4 might attract so many flies. And eventually, you are  
5 going to be burned up at the same time that those flies  
6 and bees and bugs. You know. I cannot make a possible  
7 statement about that. Definitely not.

8 Q Let's stay away from the insect world.  
9 And let me ask it this way.

10 As of the latter part of 1977, when you  
11 had this social meeting with Raul Villaverde, you  
12 described just a minute ago, had you ever heard anything  
13 up until that time, indicated or was consistent with the  
14 belief or fact that Raul Diaz had -- Raul Villaverde,  
15 had breached any confidence or trust with which he had  
16 been entrusted in the CIA?

17 A Not to my knowledge.

18 Q Had you ever heard anything to indicate that  
19 Raul Villaverde had been guilty of any kind of negligence  
20 or inappropriate or inapt performance, while in the CIA?

21 A Not to my knowledge.

22 Q Have you ever heard anything indicating that  
23 Raul Villaverde had been suspected of violating any of  
24 his responsibilities in the CIA?

25 A Not to my knowledge.

1 Q Have you ever heard anything bad about him  
2 at all, insofar as his day to day life is concerned?

3 A When?

4 Q When you renewed this social acquaintance  
5 with him in 1977?

6 A Only one occasion, when he was charged with  
7 second degree murder. He shot somebody to death.

8 Q Yes.

9 That was the episode up in Vero Beach, as  
10 I recall; wasn't it?

11 A Well, you call it an episode.

12 Q Yes. Okay.

13 A Okay. So the next time you refer to my  
14 episode, I would like to be treated in the same way.

15 Q Did you also learn that the homicide in which  
16 Mr. Villaverde, Raul Villaverde had been implicated,  
17 was eventually determined to be justifiable homicide?

18 Did you learn that?

19 A I don't know the disposition of the case.  
20 I know that he was not convicted or found guilty or any-  
21 thing like that.

22 But the true disposition of the case, that,  
23 I don't know.

24 Q Well, didn't you know that the case never  
25 went as far as going to trial?

1           A       Same as mine.

2           Q       Did you learn that Mr. Villaverde freely  
3 admitted to having killed the man in whose homicide he  
4 had been implicated?

5           A       What?

6           Q       Did you ever learn that Raul Villaverde had  
7 freely admitted that he had killed the man whose death  
8 was the subject of investigation?

9           A       Yes, sir.

10          Q       While he was still under investigation?

11          A       He was in Vero Beach. And I don't know.

12          Q       I'm just trying to find out whether you  
13 learned it or not.

14                   I mean, did you know that Raul Villaverde  
15 appeared in front of a grand jury?

16          A       I don't know.

17          Q       And, admitted that he killed the man?

18          A       I don't know.

19          Q       Did you ever learn that the law enforcement  
20 agents and prosecutors, after reviewing the case,  
21 determined that he should not even be charged with an  
22 unlawful homicide?

23          A       I don't know anything about the legal  
24 procedures of that case.

25          Q       Okay. Did you ever hear that the man whom

1 Raul Villaverde eventually shot and killed, had been  
2 holding a gun to Mr. Villaverde's head --

3 A I don't know. I wasn't there.

4 Q -- for an extensive period of time, before  
5 the shooting?

6 A I don't know that. I wasn't there.

7 Nobody ever told me that kind of a story.

8 Q I am just asking you whether you ever learned  
9 that.

10 A No.

11 Q So this is the first time you are hearing it?

12 A I doubt it.

13 Q Did Eladio Ruiz have a gun in his hand at  
14 the time he shot him?

15 A He has a different weapon.

16 Q I am asking you if he had a gun in his hand.

17 A No.

18 Q Okay. Apart from Mr. Raul Villaverde's  
19 involvement in that unfortunate justifiable incident  
20 of self-defense --

21 MR. CARHART: Otherwise known as the episode.

22 MR. WILLIAMS: The record should reflect that  
23 the prosecutor and the witness are both having hysterics.

24 BY MR. WILLIAMS:

25 Q Apart from that sad and unfortunate incident,

1 have you ever heard any other information that in anyway,  
2 indicated or tended to indicate that Raul Villaverde  
3 had been involved in any violations of the laws?

4 A Well, I have first hand knowledge that Raul  
5 Villaverde violated the law.

6 Q Did you have that knowledge in December of  
7 1977?

8 A No.

9 Q My question to you is, whether at the time  
10 you renewed your social acquaintance with Raul Villaverde  
11 as of December, 1977, had you ever known or received  
12 any information to the effect that Raul Villaverde had  
13 been involved in any illegal activity of any sort?

14 A No, sir. Not to my knowledge.

15 Q So far as you knew at the time, he was a  
16 fine upstanding fellow, upstanding citizen?

17 A Oh, yes. And I looked up to him. And I  
18 still -- now, I have no grudges against him. He's a  
19 likeable fellow.

20 Q Did you ever come to know that from time to  
21 time, even after he resigned from --

22 A I don't know if he resigned or he was laid  
23 off. No. No. Wait.

24 Q Whatever.

25 A Whatever.

1 Q Did you learn from time to time after Raul  
2 Villaverde's active service and contact with the CIA  
3 had been discontinued, that he was till called upon by  
4 the CIA, from time to time, to render specific services?

5 A Not to my knowledge.

6 Q You never heard that?

7 A Not to my knowledge.

8 Q When did you first meet, make the acquaintance  
9 of, the man called Alfredo Arias?

10 A Alfredo Arias?

11 Q Yes.

12 A It was at the Happy Days. It's now called  
13 Goldfinger, where he used to be an owner of the place.

14 Q When was that? When did you meet him?

15 A Well, there. Maybe --

16 Q Donde? When, sir?

17 MS. COHAN: Objection to the use of Spanish.  
18 We are conducting this in English, which Mr. Morales  
19 understands perfectly adequate.

20 THE WITNESS: When? That's what you mean?  
21 When I met Alfredo Arias?

22 BY MR. WILLIAMS:

23 Q Yes.

24 A Somewhere in 1979. I went down there for a  
25 haircut with Carlane. And he was there.

1                   And, I was introduced to him "This is  
2                   Alfradito Arias", and nice to meet you.

3                   Q       Prior to making Mr. Arias' acquaintance,  
4                   had you ever heard of him or about him before?

5                   A       No. He was an unimportant person in my life.

6                   MS. COHAN: Not important.

7                   THE WITNESS: Not important. He was not  
8                   important.

9                   BY MR. WILLIAMS:

10                  Q       When did you first make the acquaintance of  
11                  Mr. Frank Castro?

12                  A       Frank Castro?

13                  Q       Yes.

14                  A       Oh, way, way, back in the early seventies.

15                  Q       Do you remember the circumstances under which  
16                  you first came to meet him?

17                  A       Oh, he was an associate of Ramone Orozco.

18                  Q       I am sorry. Of who?

19                  A       Ramone Orozco.

20                  Q       Where did you meet Mr. Castro?

21                  A       Well, Orozco used to pay me visits, you know,  
22                  and Mr. Castro used to remain in the car. And, he was  
23                  invited to my private conversations with Ramone Orozco.

24                  Q       When you say these days, that one is or was  
25                  an associate of somebody else, that is usually regarded

1 as cop talk, that in someway or another, signified  
2 something negative or evil about the one who has associates

3 MS. COHAN: Objection, Mr. Williams, to  
4 objective interpretation of the term associate.

5 BY MR. WILLIAMS:

6 Q Who or what was Ramone Orozco, to your  
7 knowledge?

8 What did he do? What was he known for?

9 A Oh, he was part of the company. His brother  
10 was the head of the special command unit that I, you  
11 know -- that I belonged to. And Ramone was part of the  
12 same unit.

13 MS. COHAN: Mr. Morales, when you refer  
14 to the company, you are referring to the CIA?

15 THE WITNESS: That's correct.

16 BY MR. WILLIAMS:

17 Q And, Orozco's brother was the head of the  
18 command unit?

19 A Yes. And he was arrested in an immigration  
20 information in Cuba. And, in 1962. And, he spent a  
21 lot of years in jail.

22 Q Ramone or his brother?

23 A No. Miguel. His brother.

24 Q At the time that you met Mr. Orozco, did  
25 you believe or had you heard any information tending to



1 indicate that Mr. Orozco was a person involved in any  
2 activities that violated the laws of this State or  
3 country?

4 A Yes.

5 Q What?

6 A Anti-Castro activities.

7 He was raiding the fishing boats of Castro's  
8 fishing fleets, and signing them, you know, almost on a  
9 daily basis. He was nick named El Pirata. The Pirate.

10 And Franklin was part of that group. And  
11 he was going along with Ramone in those raids.

12 Q Had you acquired any information at the time  
13 that you met Mr. Orozco, that either Mr. Orozco or Mr.  
14 Castro himself, were involved in any activities, apart  
15 from violation of neutrality laws, that were crimes  
16 against either the State or the United States, just for  
17 example, as narcotics or gambling or murder or --

18 A No, sir. No, sir.

19 Q Theft or anything like that?

20 A No, sir.

21 It was strictly -- strictly Anti-Castro  
22 activity.

23 Q So apart from that, at the time you met  
24 Mr. Castro, you had no reason to believe that he was  
25 involved in any criminal activities, either. Is that

1 correct? Except for the neutrality law violations?

2 A And the bombings and things like that.

3 Q Had you known Mr. Castro to have been  
4 directly involved in any bombing episodes in the south  
5 Florida area?

6 A Well, there were information about it. But  
7 I have no firsthand knowledge about them.

8 Q What you call rumor?

9 A No rumor. Information from sources.

10 Q Did you ever corroborate any of the informa-  
11 tion?

12 A That was not my job.

13 Q Whether it was or was not, did you ever  
14 do it, sir?

15 A What?

16 Q Did you ever corroborate the information?

17 A That was not my job.

18 Q Give me a yes or no, please sir?

19 A No, sir.

20 Q Okay. Did there ever come a time when you  
21 had conversations with Mr. Castro, Frank Castro, relating  
22 to his involvement or participation in the bombing  
23 incidents or episodes?

24 A Not in the United States.

25 Q Are you saying, no conversations in the

1 United States or no bombings in the United States?

2 A Exactly.

3 Q Which?

4 A Which, what?

5 Q Are you saying that you never had conversa-  
6 tions with Mr. Castro about bombings, which conversations  
7 never occurred in the United States or, that the bombings  
8 that you discussed never occurred in the United States?

9 A Both.

10 Do you want me to inform him about his anti-  
11 Castro activities again?

12 Q No. I am not asking you to be an informant,  
13 Mr. Morales. I will leave that to Mr. Rothschild and  
14 Mr. Diaz and Ms. Cohan and all of those folks.

15 A There is a certain type of activity, you  
16 know, that teach -- I might know. And during the line  
17 of your questioning, we are approaching again, Douglas,  
18 the point where, you know, I am reluctant to disclose  
19 Frank's activities in South America.

20 Q Do you think, need it be, a surrogate for  
21 any DGI agents or for the agency itself, Mr. Morales?

22 A You heard him use the word surrogate.

23 Q You used it from time to time during the  
24 course of the deposition.

25 A When it comes to that point, yes.

1 Q I have come to learn that that is a word  
2 that is a term of art in your vocabulary. So I am asking  
3 you whether you regard me, as I stand here now, as a  
4 surrogate for the Cuban State Security or Counter-intel-  
5 ligence apparatus?

6 A Not at this moment.

7 Q Have you ever regarded me in that capacity?

8 A Not so far.

9 Q Do you regard Mr. Carhart as a DGI or a  
10 Cuban State Security surrogate?

11 A No, sir.

12 Even though, I mentioned that word to Mr.  
13 Carhart, you know, that in my former line of job,  
14 specifically to the question that he put up to me, which  
15 are very sensitive and to which I answer it correctly,  
16 you know, I made a point to Mr. Carhart that there was  
17 the word that was used in the lingo of my former  
18 profession. And, that it was not intended to be unpolite  
19 or, you know, accusatory or any derogatory remarks, with  
20 regard to Mr. Carhart.

21 Q Your apology is accepted by me as his attorney.

22 A I don't understand what you already said,  
23 surrogate, apologies, attorney. Would you define what  
24 you said?

25 Q It really is not worth repeating.

1 MR. CARHART: It is worth it for me.

2 MR. WILLIAMS: I said I accepted Mr. Morales'  
3 apology to Mr. Carhart, in the capacity of Mr. Carhart's  
4 surrogate, or attorney.

5 THE WITNESS: I am not apologizing for some-  
6 thing that I have not done.

7 BY MR. WILLIAMS:

8 Q All right. When you use the term surrogate,  
9 and you use it in the lingo of the intelligence business,  
10 you mean somebody who is an agent for somebody else or  
11 someone who is being manipulated by somebody else?

12 A It could be manipulated. It is an open  
13 field. You know, for a surrogate, to be a surrogate  
14 is an open field. It doesn't mean it's necessarily that,  
15 you know, that you are a surrogate.

16 You can be used by another surrogate, who is  
17 being manipulated by a source. It's a whole ball game.

18 I mean, that a twisted world of intelligence  
19 and counter-intelligence -- I mean, you know. You have  
20 to live in it to understand what I'm saying.

21 Q Let me ask you this, Mr. Morales.

22 If one were acting as an intelligence or  
23 counter-intelligence agent or espionage agent, for some  
24 -- well, relative to the United States, some foreign  
25 power --

1           A       That's right.

2           Q       Some power other than the United States,  
3 and that person were subpoenaed to appear and testify in  
4 a court or before a grand jury or on deposition, and that  
5 person was asked pointblank "Are you an espionage agent  
6 or an intelligence agent or a counter-intelligence  
7 agent for some other country", your experience tells  
8 us that the person would never admit it anyway. Isn't  
9 that correct?

10                       Isn't that what your experience tells you?

11           A       Not necessarily.

12           Q       Under what circumstances would a person  
13 make that admission?

14                       MS. COHAN: Objection. Hypothetical.

15                       You may answer if you can.

16                       THE WITNESS: I don't know.

17                       BY MR. WILLIAMS:

18           Q       Well, you said not necessarily --

19           A       Not necessarily.

20           Q       That means sometimes, that your judgment is  
21 sometimes a person would answer and sometimes a person  
22 would not answer; correct?

23           A       That's correct.

24           Q       Under what circumstances do you think a  
25 person would not answer?

1 A I don't know.

2 Q Under what circumstances, do you think?

3 A It's a hypothetical -- Douglas -- Douglas,  
4 please. Let's not get entangled in suppositions.

5 My world is different from your world.

6 Okay?

7 You are trying to get my world or my former,  
8 you know, world, right into the complexities of the  
9 legal procedures of your world.

10 Q Let me ask you this question, then.

11 A Let me make you an example of that. Okay?  
12 There are DGI agents walking all over Miami.

13 Right?

14 Q Do you know any of them?

15 A Hold on a second.

16 Q Do you know any of them?

17 A It's public record.

18 MS. COHAN: Let him finish one question at  
19 a time, please.

20 THE WITNESS: If I know any, I'm not going  
21 to tell it there. Okay?

22 BY MR. WILLIAMS:

23 Q All right.

24 A If I am aware of any, I'm not going to tell  
25 you right there. Okay?

1           Q       I just want the record to reflect that when  
2 you said you are not going to tell there, you were  
3 pointing at the court reporter's machine; right?

4           A       Right.

5                   Because, you know, that will become a  
6 surrogate machine.

7                   There are DGI agents walking the streets of  
8 Miami, for example. Now, what they are doing, they are  
9 not -- they are not endangering the defense of the United  
10 States. They are not trying to acquire or buy, you know,  
11 atomic secrets.

12                   As far as their activities are concerned  
13 with the activities of the Cuban community, you know.  
14 I mean, they have been getting away with it. Because  
15 nobody has ever been brought before, you know, a court  
16 -- an open court on that charges.

17                   There have been several cases, you know,  
18 Cuban diplomats, you know, who are actually intelligence  
19 agents, have been expelled. It happens with the Russians  
20 all the time. They know that they are there. They  
21 know what they are doing. And as far as the national  
22 security compromise, they can do whatever they want to.  
23 It's part of the game. Let the guy do it. Because we  
24 know it's him or otherwise, they will send somebody  
25 else that we don't know who he is.



1                   It's a very complex world. You know. That  
2 I cannot put it back in your mind, you know, in five  
3 minutes -- ten minutes. Or, put it into the legal frame  
4 of your legal mentality. Either as a prosecutor or as  
5 a defense attorney.

6                   If for example, now, people have been trading  
7 with Cuba throughout the years. Now, they are enforcing  
8 the trading with the enemy, which dates back to 1970.  
9 And businesses are being closed. People are being  
10 indicted. That never happened before. Now it's happening.

11               Q       If you, Ricky Morales Navarehe are an agent  
12 for any government that is foreign to the United States,  
13 and you are asked whether you are or are not under oath,  
14 in front of a court or a grand jury or on deposition,  
15 will you disclose the fact that you were?

16                   MS. COHAN: Objection. Objection.

17                   Mr. Morales has taken on oath to tell the  
18 truth during the course of these proceedings. Ask him  
19 the question.

20                   BY MR. WILLIAMS:

21               Q       That is the question. That is the question.

22               A       Any agent can take in the case that you are  
23 referring to, you know, that hypothetical.

24               Q       No.

25                   This is not hypothetical. I am asking you

1 now, Mr. Morales --

2 A If I am --

3 Q I am asking you whether, if you are asked by  
4 anybody now or ten years from now, whether you are an  
5 agent for some foreign government, checking intelligence  
6 or counter-intelligence, will you answer that question  
7 truthfully, if you are?

8 MS. COHAN: Objection.

9 MR. WILLIAMS: Will you disclose it, if you  
10 are?

11 MS. COHAN: Objection as to ten years from  
12 now or any future time. As it relates to now, you may  
13 answer.

14 MR. WILLIAMS: Go ahead and answer it.  
15 The prosecutor's objection is a record.

16 THE WITNESS: If it is a direct question to  
17 me?

18 MS. COHAN: Yes.

19 THE WITNESS: Of course I will. Under oath,  
20 of course I will.

21 BY MR. WILLIAMS:

22 Q Are you?

23 A No, sir.

24 Q Have you ever lied under oath, ever?

25 A No, sir.

1 Q Not at all, ever?

2 A No, sir.

3 MS. COHAN: At that point, unless you have  
4 more questions along those lines --

5 MR. WILLIAMS: Let's break it off, here.

6 (Thereupon, the deposition was terminated  
7 at 4:10 P.M. Formalities were not waived,)

8

9

10

---

RICARDO MORALES NAVAREHE

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

CERTIFICATE

STATE OF FLORIDA :  
                                  : SS:  
COUNTY OF DADE :

I, MARY JANE GRANT, Shorthand Reporter and  
Notary Public for the State of Florida at Large, do  
hereby certify that I was authorized to report the  
deposition of RICARDO MORALES NAVAREHE, a witness herein;  
that said witness was duly sworn, and that the foregoing  
pages numbered one through eighty four constitute a  
true record of the deposition given by said witness.

Dated at Miami, Dade County, Florida, this  
2 day of April, 1982.

*Mary Jane Grant*  
COURT REPORTER