

STATEMENT

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For immediate release

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THE DECISION OF THE UNITED STATES 11th COURT OF APPEALS IN CONNECTION WITH THE CUBAN SPIES

The Cuban Liberty Council makes the following statement in connection with the ruling issued by the United States Court of Appeals for the Eleventh Circuit in connection with the criminal case involving the Cuban spies.

Our organization highly respects the decision issued by the United States Court of Appeals. We are mindful and recognize that an independent judicial system is the best bastion for protecting our democratic liberties. We are also aware that our court system is not perfect, but within the confines of human limitations, judges make decisions based on their understanding of applicable laws and their best intentions.

The criminal case at hand involves several defendants who are agents for the Cuban government's intelligence network. These agents were charged with numerous crimes committed within the United States. The decision of the Court of Appeals involved only five (5) defendants. At least fourteen (14) others pleaded guilty and have been sentenced.

The following are among the criminal charges against the defendants:

1. Spying for Cuba in regards to the operations of military installations of the United States of America, including those at Boca Chica Naval Air Station, McDill Air Force, Barksdale Air Force Base, and the United States Southern Command.
2. Spying for Cuba in connection with the activities of the United States Congress and several law enforcement agencies including the DEA.
3. Some of the defendants were active conspirators in the shooting down of two (2) U.S. civilian airplanes over international waters resulting in the death of three (3) U.S. citizens and one (1) U.S. permanent resident.
4. Plots to send a book bomb and to burn down a hangar at Opa Locka Airport, as well as plans to infiltrate persons, arms and explosives into the United States.

5. Attempts to infiltrate various local state and federal agencies located in Florida, including the U.S. Coast Guard, the Immigration and Naturalization Services, and the Federal Bureau of Investigation.
6. Use of false identification documents, including U.S. passports.
7. Not registering as agents for the Republic of Cuba with the Attorney General of the United States as required by law.
8. There were also a number of illegal activities which have not been declassified by the United States government in order to protect national security.

The ruling of the Court of Appeals was narrowly based on the issue of improper venue. The Court was persuaded by the argument that the climate in Miami, specifically among the Cuban community, was such that the defendants in question could not obtain a fair trial and that the trial court should have granted a change of venue to a place other than Miami where the defendants could be afforded a fair trial.

The Appeals Court also in its ruling took into consideration the idea that there was a pervasive prejudice in Miami against anyone associated with Castro and his government and that there was a great deal of animosity toward any person associated with the Castro regime.

The opinion of the Court of Appeals is not only insulting to the Cuban community, but it is equally insulting to the entire community of South Florida.

The trial from the beginning of voir dire until the completion of the trial admonished, not only actual jurors, but also prospective jurors not to discuss the case and that there was a presumption of innocence in favor of the defendants.

Any potential for prejudice was eliminated through the court's methodical and constant pursuit of a fair trial from the choosing of the jurors through the end of the trial.

The Appeals Court apparently does not know that our community is composed of people from different backgrounds. Miami has significant populations of Afro-Americans, Anglo-Americans, and Jewish-Americans as well as a large non-Cuban Latin American community.

One final and maybe decisive point is that none of the jurors who convicted the five (5) spies were Cuban Americans.

Again, we highly respect the court's decision, but we have to underwrite the offensive prejudice and discrimination against the residents of Miami implicit in the court's grounds for their ruling.