

Security Tight at Wells Fargo Hearing

Marshals, Dogs Guard 11 Suspects

By **KARL SCHOENBERGER**
and **LYNNE GARNETT**
Courant Staff Writers

Eleven alleged terrorists linked to the \$7 million Wells Fargo armed robbery in West Hartford appeared in U.S. District Court in Hartford Tuesday amid heavy security that included machine-gun-toting U.S. marshals and attack dogs.

In court, where the suspects were informed of their rights and named their legal representatives, defense attorneys charged that federal authorities have isolated one of the suspects and subjected him to intense pressure, apparently trying to enlist him as a government witness.

The suspect, Luis Colon Osorio, asked U.S. Magistrate F. Owen Eagan why he was being held separate from the 10 other people arrested by the FBI in Puerto Rico early Friday.

"Why have I not, until today, been able to contact my lawyer and make a telephone call?" Colon Osorio asked the magistrate, speaking through an interpreter. "Why have I been isolated and held incommunicado?"

William M. Kunstler, a well-known civil rights lawyer who heads the defense team, also objected in court to the way federal authorities were handling security and had held the defendants incommunicado, in undisclosed locations, until they were brought into court Tuesday afternoon.

The suspects were brought to the Northeast from Puerto Rico aboard a secret flight early Monday.

They were among 17 people indicted by a federal grand jury in Hartford Aug. 23, accused of complicity in the Sept. 12, 1983, Wells Fargo heist, the second-largest robbery in U.S. history. All but one of those indicted were accused of belonging to Los Macheteros, described by the FBI as a Cuban-backed terrorist group.

Three of the accused, including Victor M. Gerena, a former Wells Fargo security guard, were still at

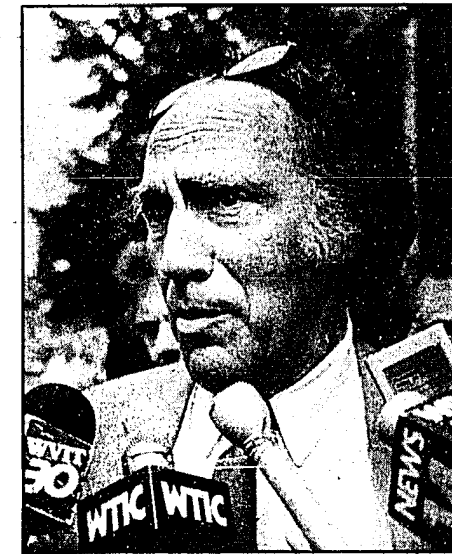
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Anacleto Rapping / The Hartford Courant



Associated Press



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Heavily armed U.S. marshals and a Hartford police officer, top, stand guard outside U.S. District Court in Hartford Tuesday, where 11 people arrested in Puerto Rico last week in connection with the Sept. 12, 1983, Wells Fargo robbery in West Hartford were arraigned.

An unidentified suspect, his hands manacled, left, is brought to court surrounded by officers. William M. Kunstler, right, a civil rights attorney, arrives at the court building. Kunstler is heading the defense team for the suspects.

Marshals, Dogs Guard Wells Fargo Suspects in Hartford Court

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large. Authorities said suspects arrested in Mexico, Dallas and Cambridge, Mass., also will be brought to Hartford for trial.

"For two days [the suspects] have been separated" from attorneys, Kunstler said. "They have a small army outside. Every prospective juror is being tainted."

Security in and around the federal courthouse provided by state, local and federal law enforcement officials was among the most stringent ever seen in Hartford.

Sheldon Street, which runs along the north side of the federal building, was blocked between Prospect and Main streets. The entrance to the federal building's underground garage, where five vans carrying the defendants drove in Tuesday morning, is on Sheldon Street.

At least four law enforcement officials were poised on the roof of the seven-story federal building and a Hartford police officer with binoculars was stationed on the roof of a condominium building across the street.

A small army of federal marshals, dressed in black fatigues and sporting microphones on their collars and earphones, was stationed at the building's Main Street entrance and at various locations on the second floor, where the courtrooms and marshals' office are located.

Deputy Supervisory Marshal Lee Cunningham refused to comment on the number of marshals assigned to the courthouse, citing security reasons. "It's less than 300. I can't be more specific," Cunningham said.

State police Sgt. Edward Dailey said his department had 25 troopers assigned to the building, as well as three dogs — two for bomb-sniffing and one attack dog. Dailey said the building was "swept" for bombs and other security threats before the defendants' arrival.

Hartford police, who were in charge of security outside the courthouse, had more than two dozen officers in sight. Three cruisers, a police van and additional personnel were stationed in Bushnell Park, near Pulaski Circle, which is near the federal building and offers ready access to I-91.

Hartford Police Chief Bernard R. Sullivan said Tuesday night he would not detail the security being provided by his department "because of the dangerous nature of these prisoners."

Entering the heavily guarded federal building, Kunstler said, "It's an attempt to color this case and make the people of Connecticut believe that what they have here are dangerous people."

About 25 people, including Gerena's mother and sister, demonstrated peacefully outside the courthouse throughout the afternoon. They walked in a circle, chanting such slogans as, "They're patriots, not terrorists" and "Stop repression in Puerto Rico," as a bevy of news photographers crouched in the center of the circle to get better angles.

Gerena's mother, Gloria Gerena, and seven others attempted to gain access to the courtroom about 4 p.m., but were told by marshals that the room was filled and they would be told if seats became available. They left the building as the marshals requested.

At the time, however, there were at least 15 seats available in the courtroom.

The incident occurred after one defense attorney complained to Eagan in open court that members of the general public were being barred from the courtroom, and Eagan replied that was not the case.

"If there are members of the general public, and they go through the marshals' screening process, they can come in," Eagan said. "We are not attempting to keep people out. We are attempting to keep control."

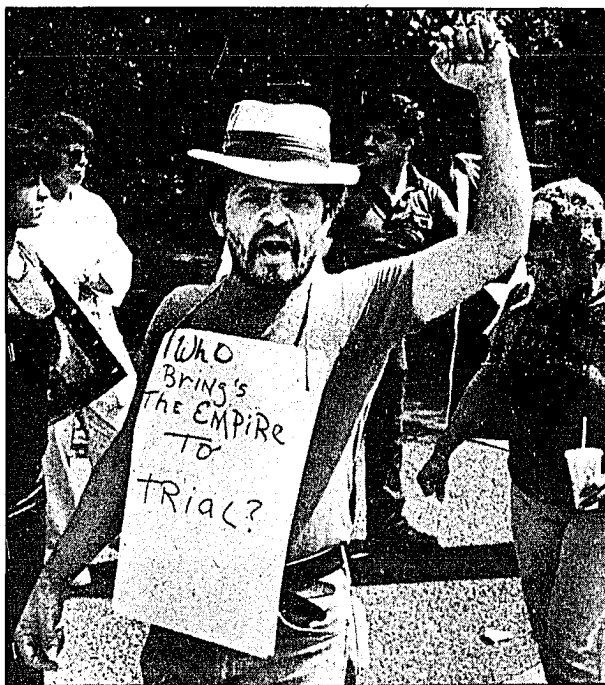
The defense attorneys, including three from Puerto Rico and six from Connecticut and New York, formally told the court which of the 11 defendants they were representing and argued to have their clients grouped together in a common defense and held in one prison.

Eagan refused the motion that they all be placed in a single prison, saying he would reconsider the request Sept. 13, when hearings on bail and initial pleas will be held.

He did, however, order that each of the defendants be allowed to communicate "effectively" with attorneys, within reasonable limits.

Former U.S. Attorney Richard Blumenthal, now in private practice, said Tuesday he could think of no reason or justification for denying contact between lawyers and the defendants before Tuesday's hearing.

"As a prosecutor, I always liked airtight cases," Blumenthal said. "And the rules that have been created by our courts don't inhibit a prosecutor unless you needlessly violate



Stephen Dunn / The Hartford Courant

Feliciano LaBoy of Hartford marches with other demonstrators outside the federal court building on Main Street in Hartford. The marchers were protesting arrests made in connection with the Sept. 12, 1983, Wells Fargo robbery in West Hartford.

them, and that may be what's happening here."

Colon Osorio was placed in solitary detention in the minimum-security federal prison in Danbury, while nine other men in the group were being held at the maximum-security prison in Otisville, N.Y., said Ronald

L. Kuby, a lawyer with Kunstler's Center for Constitutional Rights.

The 11th suspect, a woman, was being held at the Metropolitan Correctional Center in Manhattan, he said.

Kuby told the court that FBI agents had attempted to interrogate

Colon Osorio and had separated him from the others from the moment Navy helicopters took them away from the federal courthouse in San Juan Sunday.

"Why has he been held incommunicado for four days and why has he been isolated from his compañeros?" Kuby asked. "He does not wish to speak to or be interrogated or harassed by the government."

Assistant U.S. Attorney Carmen Espinosa Van Kirk told Eagan, "The FBI will not interrogate any defendants."

But Gregorio Lima, a San Juan attorney representing Colon Osorio, said his client told him federal authorities had applied pressure in an apparent effort to persuade him to testify against the others.

"What they're trying to do is crack him," Lima said in an interview outside the courtroom. "They're telling him the others are against him and that they're calling him the leader."

Kuby said that lawyers in San Juan had given the defendants the names and telephone numbers of lawyers on Kunstler's defense team, but that the information had been confiscated before the suspects boarded the Navy helicopters.

All the defendants were in handcuffs and were ushered in and out of the courtroom one by one as Eagan advised them of their rights and asked them to name their attorneys.

"You have no obligation to talk to attorneys, judges, marshals, agents or anyone else in the world," Eagan instructed them. "That is not an order to remain silent, but if you do not remain silent, anything you say can and probably will be used against you."

Kunstler objected to the way Eagan initially barred the defendants from meeting as a group with the

defense attorneys. "They're not asking for individual attention," Kunstler said.

"Well, they're going to get it," Eagan replied calmly. "I'm trying to protect two things — the defendants . . . and the process. I don't want to be at a point where I'm coercing these defendants to talk to other counsel they may not want to talk to."

Late in the afternoon, Eagan allowed the team of defense attorneys to hold a 15-minute mass meeting with the defendants. Brief individual meetings had been allowed during the proceedings.

The defendants were denied bail at their initial arraignment in San Juan Friday under the federal Preventive Detention Act, which President Reagan signed into law last year.

The law requires that the government hold a full hearing on detentions within three days after suspects are presented in the federal district where they were indicted.

Luis Abreu, the San Juan attorney representing Filiberto Inocencio Ojeda Rios, asked that the bail hearing be postponed until Sept. 17 to allow time to interview character witnesses in Puerto Rico and arrange for them to come to Hartford or to make statements in affidavits.

Eagan said the speedy-trial rule requires that defendants enter pleas within 10 days of their appearance in U.S. District Court, however, and scheduled the hearing for Sept. 13.

Eagan said he would rule before that hearing on another request by Abreu that the hearing be closed because news coverage would prejudice prospective jurors. Eagan, who characterized the request as unusual in a federal pre-trial hearing, added that he would consider arguments from any news organization that wanted to object.