

Basulto: I Saw Mig, Kept Flying

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On his third day on the stand in the Cuban spy trial, Brothers to the Rescue leader Jose Basulto acknowledged Wednesday he failed to abort a flight near the Cuban coast when a MiG appeared nearby and shot down two Brothers planes.

But Basulto rejected defense attorney Paul McKenna's contention that he was ``gleeful" in daring the MiG into a confrontation and therefore responsible for the deaths of the four people in the downed aircraft.

``No sir," Basulto shot back. ``I was in denial at that time," adding at another point that he didn't believe the Cuban government ``would be stupid enough to shoot us down in international airspace."

The tense testimony about events that fateful day Feb. 24, 1996, marked the third day in a row that Basulto and McKenna squared off in U.S. District Judge Joan Lenard's courtroom.

On Tuesday, Basulto insinuated McKenna was a Communist for vigorously defending lead defendant Gerardo Hernandez, who is charged with conspiracy to commit murder in connection with the shootdown. McKenna acknowledges that his client worked for the Cuban government, but denies he knew Havana's intent.

Hernandez's defense, articulated by McKenna in opening statements, is that Basulto - not Cuba - is to blame for the shootdown because he recklessly disregarded Cuban government warnings to stop intruding into Cuban airspace or conducting ``provocative flights" near the Cuban coast.

The drama in Wednesday's Basulto testimony came during the playing of an audio tape and part of a video made inside Basulto's plane as it flew with the other two Brothers aircraft just north of Cuba's northern coast. Besides Basulto, the pilot, the passengers were Arnaldo Iglesias, Sylvia Iriondo and her husband Andres.

The people in the downed planes included pilots Mario de la Pena and Carlos Costa and their respective rafter spotters Armando Alexandre and Pablo Morales.

After Basulto and his passengers spotted a MiG swooping downward across their Cessna's windshield, Basulto is heard saying ``They are going to shoot" and ``We have the MiG around - hee, hee, hee!"

McKenna ordered the tape stopped.

``You were gleeful at that point, were you not, Mr. Basulto?" he asked, referring to the high-pitched laughter at the end of the sentence.

``No sir," Basulto replied. ``I was nervous."

McKenna persisted.

``You were happy because you were once again in a confrontation with Cuba."

Basulto, a veteran anti-Castro crusader, disagreed.

``You are expressing my feelings, Mr. McKenna. At the time, I was nervous."

McKenna pressed on.

``While you were laughing, you were sending two young men to their deaths."

Before Basulto could answer, Assistant U.S. Attorney John Kastrenakes objected to McKenna's line of questioning calling it ``argumentative."

Judge Lenard concurred and sustained the objection.

McKenna then asked Basulto why, after the MiG appeared, he did not call off the mission and order an immediate return to the Brothers' base at Opa-locka airport

``And you didn't direct the other pilots to retreat?" McKenna asked.

``Sir, I was in denial at that time," Basulto insisted, noting that it never crossed his mind the MiG would attack.

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