

No Exiles On Cuban Spying Trial Jury

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The fate of five accused Cuban spies will rest with a six-man, six-woman jury that includes no Cuban Americans, after jurors were selected Tuesday for a trial scheduled to start today.

Those chosen include five Hispanics - from Colombia, the Dominican Republic, Puerto Rico and elsewhere. One of them said during questioning that she was hijacked to Cuba in 1984 while returning to Miami from Puerto Rico, but beyond that the jurors have few family or social connections to Cuba.

Three white non-Hispanics, three blacks and one Asian make up the balance of the jury for the trial, which could last into March. The proceeding is expected to open a window into the clandestine spy world and shine new light on the main players: the U.S. government, the Cuban government and some Miami-based exile organizations.

Four alternate jurors also were chosen. They are a man from Venezuela, two white non-Hispanics and one black woman. Scheduling problems could prompt the replacement of one or more of those people.

The prosecution objected Tuesday to the defense attorneys' release of all candidates of Cuban heritage. The defense contested the prosecution's removal of five blacks. But U.S. District Judge Joan Lenard heard explanations and ruled that both sides provided racially neutral reasons for dropping people.

``The man I represent is charged with being a Cuban spy and with involvement in shooting down one of the Brothers to the Rescue planes," said Paul McKenna, lawyer for accused spy ringleader Gerardo Hernandez. ``The emotions regarding those issues are so charged in our community that I just felt we would not get a fair hearing with Cuban Americans on the jury."

Hernandez faces the most serious charge: conspiracy to commit murder in the deaths of four Brothers fliers who were shot down by Cuban MiGs in 1996.

If convicted, he faces life in prison.

The defendants were arrested in 1998 on an indictment that ultimately charged a 14-member spy ring. Three of them are accused of penetrating U.S. military installations and passing on defense secrets to the Cuban government.

The makeup and political leanings of the jury have been crucial to the defendants because they acknowledge acting on orders from the Cuban government but say they were feeding information about militant Cuban exiles in Miami to the FBI during an outbreak of bombings at Cuban tourist centers in 1997.

If convicted, Luis Medina and Antonio Guerrero also face life sentences. Ruben Campa and Rene Gonzalez would face 10-year terms if convicted as unregistered foreign agents.

Five other defendants reached plea bargains requiring them to cooperate, and four are fugitives believed to be in Cuba.

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