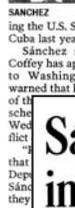


U.S. weighs Coffey's plea to represent exile leader

BY JENNIFER BABSON
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KEY WEST — U.S. Justice Department brass are considering whether to permit former U.S. Attorney Kendall Coffey to continue to defend Ramón Saúl Sánchez, the Democracy Movement leader who faces charges alleging the U.S. Security Council last year. Sánchez said Coffey has appealed to Washington after he was warned that his representation would be cut off.



Ex-U.S. Attorney was warned about a conflict of interest in case.

in Washington is reviewing Mr. Coffey's request for a waiver of any conflict of interest.

Defense lawyers rest case in trial of exile activist

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Return Home, departed Key West en route to a Democracy Movement memorial ceremony in international waters.

Sánchez Cleared In Foray To Cuba Waters

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as a Cuban American and a charter boat captain who had traveled to Cuba — apparently agreed that he didn't think the regulation applied to him.

MEDIA STUNT?

Prosecutors portrayed the case as a cut-and-dried situation of a man who needed media attention and took an extreme route to generate coverage.

For prosecutors, a white flag Sánchez hoisted upon his speedboat in Cuban waters was a "don't shoot me" insurance policy against Cuban gunboats, while statements Sánchez made to the media showed a man who defiantly intended to challenge the regulation.

But defense attorneys Kendall Coffey and Benedict Kuehne said the situation was much murkier, despite statements Sánchez made to the media that might seem to suggest he had made his mind up to enter Cuban waters well before he ever departed a Key West dock.

Sánchez's decision to rush into Cuban waters was a "spur of the moment" choice, they said, one that was impulsively made for an "honorable man" realized that a Coast Guard cutter that was typically stationed in front of the flotilla toward Cuban seas was not in his way.

As expected, it was the words of Sánchez himself that prosecutors used in an effort to convince jurors that he had long planned to violate Security Zone rules.

Among TV clips they cited: an interview in which Sánchez said he intended to "challenge the presidential decree" that created the regulation using "innovative" means.

Jurors weigh Sánchez's intentions

intended to "challenge the presidential decree" that beyond a reasonable doubt that Ramón Sánchez violated

Sánchez's intentions in flotilla weighed

Deliberations set to resume today

BY JENNIFER BABSON
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KEY WEST — Jurors who began deliberations Tuesday in the federal trial of Ramón Saúl Sánchez were asked by prosecutors and defense attorneys to weigh a fundamental question: Did the Cuban exile intend to enter Cuban waters last July when he departed Key West in a speedboat dubbed My Right To Return Home?

The 12-member panel had the case for just over an hour before Senior U.S. District Judge Norman C. Roettger sent them home. Deliberations resume today in Key West.

On Thursday, Roettger acquitted two other men, Alberto Pérez and Pablo Rodríguez, who were on trial with Sánchez, leader of the Democracy Movement, on the same alleged violations.

In closing arguments Tuesday, both

PLEASE SEE SANCHEZ, 2B

Jurors told to weigh intention of Sánchez in boat incursion

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Declaran inocente a Sánchez de entrada ilegal a aguas cubanas

WILFREDO CANCIO / El Nuevo Herald
CAYO HUESO

En un virtual cuestionamiento al decreto gubernamental que regula la entrada en aguas de Cuba, un jurado declaró ayer inocente al activista Ramón Saúl Sánchez de violar la llamada zona de seguridad de la Florida el pasado año.

Tras dos jornadas de deliberaciones, los 12 miembros del jurado federal — de los que sólo uno era de origen cubano — dieron su veredicto ante el juez federal Norman C. Roettger, eximiendo a Sánchez de sendos cargos de conspiración y entrada ilegal en aguas limítrofes cubanas.

"Agradecemos a este tribunal y a este país por haberme dado la oportunidad de probar mi inocencia", afirmó Sánchez ante Roettger tras conocerse la noticia. "Porque aun si hubiera sido hallado culpable, seguiría pensando que éste es un lugar de justicia".

La decisión constituye la primera derrota en cortes del decreto presidencial 6867, establecido por Bill Clinton en 1996 y ratificado por George W. Bush a comienzos del pasado año. La fiscalía decidió encausarlo por su presunta intención de desafiar la proclamación presidencial cuando realizaba una flotilla de homenaje a las víctimas del

arguments that Sánchez believes to enter the waters of the federal jury on him on charges he returned last July on a boat called Return Home. The boat broke off a day that had gathered only July 14 at the

Sánchez was found about two dozen miles by his side, the leader and flotilla but again testing a U.S. government day spark an

Prosecutors also sought to cast doubt on the credibility of Rodríguez, who testified that

at the last minute broke off from a planned flotilla on the high seas and head into Cuba's

remolcador 13 de Marzo. Sánchez, de 47 años, administrador de edificios y líder del Movimiento Democracia, se libró así de lo que hubiera sido su segunda condena en cárceles federales estadounidenses. Entre 1984 y 1986 cumplió prisión por negarse a declarar contra un activista anticomunista ante un gran jurado en Nueva York.

Antes de abandonar la sala del tribunal acompañado por una veintena de seguidores, Sánchez abrazó a los fiscales encargados del caso, Eileen O'Connor y Ben Greenberg.

Al salir del edificio federal, el activista hizo un ruedo junto a los abogados de la defensa y un grupo de exiliados, quienes se tomaron las manos para realizar una plegaria religiosa. Tras la oración, se entonaron las notas del himno nacional cubano y se lanzaron gritos de "Viva Cuba libre".

"Para nosotros hoy se ha reivindicado un principio de justicia muy importante", manifestó Sánchez. "El pueblo norteamericano ha reconocido en este veredicto que el sueño de reunificar a las familias cubanas, divididas por la dictadura de Fidel Castro, no constituye un delito".

El abogado Kendall Coffey señaló que la victoria de su cliente envía un fuerte mensaje al pueblo de Cuba. "Es un símbolo de justicia", enfatizó

BELIEFS

"We spent the first part of our deliberations arguing about the intent thing but that ended up being less relevant than his belief, I guess, about his status," said jury foreman Robert Sax, 45, a high school band teacher from Key Largo. "I guess [the verdict] comes under reasonable doubt — about his beliefs, his beliefs about the application" of the regulation.

Had he been convicted, Sánchez would have faced as much as 15 years in prison.

Assistant U.S. Attorneys Eileen O'Connor and Benjamin Greenberg, who prosecuted Sánchez, had no comment on the verdict.

But a Coast Guard attorney said the agency will continue to enforce the 1996 regulation that was created by presidential proclamation after Cuban shot down two planes belonging to exile group Brothers to the Rescue, long planned to violate Security Zone rules.

"We respect the jury's decision. We're disappointed, but we have to continue to enforce the security zone," said Coast Guard Lt. Joseph Kramek. "It might be a tough law to enforce, but I think there is

Coffey. "El sistema judicial de este país imparte justicia aunque el gobierno esté en desacuerdo, algo que no ha sucedido en Cuba en los últimos 40 años, pero que esperamos ver allí en un futuro cercano". Coffey declinó pronosticar si esta decisión provocará cambios en el decreto presidencial, pero insistió en que lo más importante radica en "el reconocimiento de los derechos democráticos del pueblo cubano".

La fiscalía no hizo ningún comentario sobre el caso o la posibilidad de apelar la decisión. Sin embargo, el Servicio Juicio Federal dijo que continuará aplicando la regulación para impedir penetraciones no autorizadas en aguas cubanas.

Sánchez anunció que aprovechará la visita del presidente Bush a Miami el próximo lunes para pedirle "que se una a nosotros en el propósito de derrumbar las barreras que nos dividen como pueblo, y podamos construir el puente de unidad que reclaman los cubanos de la isla y el exilio".

Anteriormente, el juez Roettger había retirado los cargos de Alberto Pérez y Pablo Rodríguez, miembros del Movimiento Democracia y encausados en el mismo proceso con Sánchez, por considerar que no existían evidencias suficientes para inculparlos.

Excerpts from

The Miami Herald

Defense attorney Kendall Coffey, a former U.S. Attorney, adopted an air of incredulity as he addressed jurors Tuesday. "There is nothing in anything they demonstrated...that shows beyond a reasonable doubt that Ramón Sánchez violated the law," Coffey said. "The regulation doesn't criminalize travel to Cuba."

Coffey, who is representing Sánchez along with Benedict Kuehne, asked jurors to tightly focus their deliberations.

...

Persuaded by arguments that Cuban exile Ramón Saúl Sánchez believes that he should be able to enter the waters of his homeland, a federal jury on Wednesday acquitted him on charges he violated federal regulations last July on a vessel called My Right To Return Home.

In his closing argument, Coffey said prosecutors were attempting to paint the July incursion as a "diabolical dash at high speed into Cuban territorial seas" instead of focusing on what he contended was a narrow charge focusing on intent. "It all centers around what happened near Key West," he said.