

Sentence cut for prominent Cuban-American caught with weapons cache

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A federal judge reduced the prison sentence Wednesday for a prominent Cuban-American businessman with connections to anti-Fidel Castro militant Luis Posada Carriles after an arsenal of weapons and high explosives was turned over to the U.S. government.

U.S. District Judge James I. Cohn cut 16 months off the sentence of Santiago Alvarez, who pleaded guilty in September to a conspiracy charge after the FBI seized a cache of military arms including a grenade launcher and machine guns. Cohn also reduced by 13 months the sentence of Osvaldo Mitat, an Alvarez employee.

Alvarez, 65, had initially been sentenced to nearly four years in prison and Mitat, also 65, to just over three years. The two men, who have served about 18 months each, smiled broadly and raised their manacled hands in triumph after the judge announced his decision to a courtroom packed with family and supporters.

Federal prosecutors agreed to recommend reduced prison terms for both men after a large amount of weaponry was surrendered earlier this year, including 200 pounds of dynamite, 14 pounds of C-4 plastic explosives, 30 automatic or semiautomatic guns, a grenade launcher and grenades and 4,000 feet of detonator cord.

The military hardware was given to the U.S. government by anonymous individuals who had likely been storing it away in homes, garages and elsewhere in the Miami area in hopes of someday launching an armed assault against Castro's communist Cuban government, defense attorneys said.

“I seriously doubt these were munitions in the hands of terrorists,” said Alvarez lawyer Kendall Coffey, a former U.S. attorney in Miami. “More than likely, they were in the hands of freedom fighters for a beautiful land 90 miles away.”

Alvarez has been a longtime supporter and financial benefactor of Posada, who is blamed by Cuba for the 1976 downing of a Cuban jetliner and for a string of bombings at tourists sites in Havana in 1997. Posada, a former CIA operative who trained for the

1961 Bay of Pigs invasion, also was convicted in a plot to assassinate Castro in Panama in 2000 but was later pardoned by Panama's president.

It was Alvarez who organized a news conference after Posada surfaced in Miami in spring 2005, which was followed by Posada's arrest on immigration charges. U.S. efforts to deport Posada have failed and a federal judge in Texas last month dismissed the immigration case, prompting the U.S. government this week to appeal.

Although labeled a terrorist by Castro and Venezuelan President Hugo Chavez, Posada is seen as an anticommunist hero by many in Miami's Cuban exile community. And many in Little Havana view Alvarez and Mitat in the same light, their attorneys told the judge.

“You're dealing with affable gentlemen who are committed to a great cause that went too far, and they admit that,” said Robert Josefsberg, another Alvarez lawyer.

The reduction approved by Cohn was higher than the 25 percent cut recommended by federal prosecutors. Coffey described at length the destructive power of the weaponry turned over, noting that it would easily be enough to level the federal courthouse where the hearing was held.

“This would have been a treasure trove for our nation's worst enemies,” Coffey said.

“What would have been a treasure chest for al-Qaida is a godsend for this community.”

Alvarez and Mitat still face federal contempt of court charges for refusing to testify before a grand jury in El Paso, Texas, that was investigating Posada's entry into this country. Trial in that case is set for Aug. 20.

Law enforcement officials and defense lawyers have said a grand jury in Newark, N.J., is also investigating whether there was a financial conspiracy among Cuban-Americans there to assist Posada in the 1997 bombings in Havana, one of which killed an Italian tourist. No charges have been announced in that probe, which was mostly dormant until Posada's return to the United States in 2005.