

The Miami Herald

March 19, 2003

Section: Local

Edition: Final

Page: 3B

'NO CONSPIRACY, NO CONSPIRACY, NO CONSPIRACY'

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Federal prosecutors failed to prove that 11 Miami officers conspired to plant guns at the scenes of four disputed shootings and then perpetuated a mammoth cover-up, four defense attorneys said Tuesday during closing arguments.

"There is no conspiracy, there is no conspiracy, there is no conspiracy," said attorney John Thornton, representing defendant Jorge Garcia.

The 11 officers, who were assigned to elite tactical teams, are accused of planting guns on unarmed suspects or lying about it after the fact. Three suspects died and one was wounded in the 18-month span covering the four shootings.

Thornton focused most of his argument against the government's case on the November 1995 shootings of fleeing robbers Derek Wiltshire and Antonio Young, who leaped 20 feet from Interstate 395 onto North Miami Avenue.

Garcia, who fired at the pair, is accused of meeting the next day with four fellow officers and concocting a story that justified the shootings.

Thornton ripped into former Officers John Mervolion and William Hames, who pleaded guilty and agreed to testify against their colleagues. He said Hames and Mervolion couldn't even get their stories straight - particularly about a meeting at a barbecue restaurant where the shooters supposedly coordinated their stories.

"The government's case is hitched to John Mervolion and Bill Hames," Thornton said. "Just because Hames and Mervolion say it's so, doesn't make it so."

Similar themes were sounded by attorney Jay Moskowitz, whose client, Israel Gonzalez, also fired shots in the I-395 incident.

Hames, who didn't put Gonzalez at the restaurant, said the meeting started around 2 or 3 p.m. - which was impossible, Moskowitz said, because the officers were with a psychologist at that time for mandatory post-shooting counseling.

Mervolion put Gonzalez at the lunch, which he said started before noon because the officers reported for roll call around 1 p.m., Moskowitz said.

Attorney Albert Z. Levin, representing Oscar Ronda, focused primarily on the June 1997 shooting by police of a homeless man in Coconut Grove.

Ronda, who was at the shooting scene within minutes, is charged with lying to investigators about the incident.

Levin pointed out that Mervolion failed to put Ronda at the scene during his initial testimony and cross-examination, but finally "remembered" Ronda's presence during a second day of redirect questioning by prosecutors.

Attorney Manuel **Casabielle**, representing SWAT Officer Rafael Fuentes, focused solely on the March 1996 shooting of 72-year-old Overtown resident Richard Brown.

Prosecutors say SWAT officers shot the unarmed grandfather through walls and doors with automatic machine guns. Later, prosecutors say, they planted a .38-caliber gun on the man, tossed cocaine near the apartment to justify the botched search warrant operation and then perpetuated the cover-up through lies to investigators, grand juries, judicial inquests and in depositions.

Casabielle walked through an array of eyewitness, forensic and expert witness testimony, arguing that Brown was armed, officers fired "pristine" shots through an open door and the entire event was justified because lives were in danger.

"Nothing went wrong - except Richard Brown shot at them," **Casabielle** said.

The last three defense attorneys are expected to give closing arguments today. Prosecutors will follow with the final word. U.S. District Judge Alan S. Gold will instruct the jury - probably Thursday morning - followed by deliberations.