

SAN JUAN DUMPS DRUG DEALERS HERE - LOCAL AUTHORITIES NOT TOLD OF RELOCATIONS BY PUERTO RICO WITNESS PROTECTION - PROGRAM

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By Henry Pierson Curtis and Jim Leusner

Dozens of drug dealers have been dumped in Orlando and other U.S. cities for years by Puerto Rican authorities without the knowledge of local law enforcement, The Orlando Sentinel has learned.

No one monitors the dealers, who have been witnesses in major drug and murder cases on the island and relocated for their own safety. And Orlando remains the favorite destination for moves to the mainland.

The little-known Puerto Rico Witness Protection Program, operating since 1987, is another dimension of the growing drug pipeline between San Juan and Central Florida.

About half the witnesses moving to Florida are low- to mid-level drug dealers who typically have no job skills and do not speak English. An unknown number are suspected killers.

The rest are a mixture of suspects' friends and innocent bystanders who would be too afraid to testify without the promise of new identities. Each collects up to \$1,400 a month from the Puerto Rican government. They have been witnesses to murders, smuggling and other drug-related crimes.

Despite sending career criminals to the mainland for almost 10 years, Puerto Rican prosecutors never warned anyone.

"Does the federal witness protection program tell the local authorities? They don't say anything," Miguel E. Gierbolini, head of the program, said in an interview in his San Juan office.

"It's likely that some of them might go and do what they did before, but I'm not exporting crime."

No one is aware of any arrests in Central Florida of the relocated witnesses.

The news stunned Central Florida law enforcement officials.

"I'll be on the telephone with the governor's office right now," said Osceola County Chief Deputy Sheriff Ken Baker. "What if I bought an airline ticket for every murderer in our jail and sent them to San Juan? What they're doing is getting rid of their problems by sending them here."

Orange County Sheriff Kevin Beary voiced similar disbelief.

"This is just astounding to me. . . . If we know a major drug pusher is being released from prison and going somewhere, we always call to alert someone," he said. "I have some problems when I'm being told by (a newspaper) and not by the federal government about what's going on."

U.S. Department of Justice and federal investigators in Orlando also say they were left in the dark.

Late Thursday, Florida Department of Law Enforcement Commissioner James "Tim" Moore said his agency briefed Gov. Lawton Chiles' staff about the relocation issue this week. FDLE agents in Orlando first learned about it this summer.

Moore said he hopes Puerto Rico and Florida officials will work out a "protocol" on the matter, ultimately allowing local communities the "right to refusal" of such witnesses.

Puerto Rico lately has led the United States in murder per capita - more than 800 a year - and island officials say they can't solve them without offering immunity to drug dealers in return for their testimony. Without protection, Puerto Rican police say, witnesses have been killed, threatened or harassed.

The president of the Hispanic Chamber of Commerce of Central Florida, lawyer Victor Diaz, also expressed concern. "I think it's an issue of concern no matter where the criminals come from."

The program came to light June 15 when Florida Highway Patrol troopers and plainclothes Puerto Rican cops moving a witness nearly shot each other in Osceola County.

The troopers thought the Puerto Ricans were criminals posing as FBI agents. The Puerto Ricans thought the troopers were assassins sent to kill their witness.

Known now in Puerto Rico as "The Osceola Incident," the near-shooting prompted FDLE agents to visit the island last month and question officials about the program.

They returned, however, believing that witness protection was a low-budget program involving only a couple of dozen people around Orlando. But interviews by The Orlando Sentinel in Puerto Rico and Florida indicate otherwise.

Central Florida is the favorite destination for a program costing Puerto Rican taxpayers \$3.8 million this year. The requested budget for next year includes a 37 percent increase to \$5.2 million.

"I don't think anyone knew the magnitude of what this would become," Gierbolini said. "We're developing this thing as we go with better ideas on managing."

After Central Florida, the most popular destinations are South Florida, followed by New York, Massachusetts and northern New Jersey. Around Orlando, the concentration of witnesses is so heavy there's a fear they may start bumping into each other.

"A lot of them go to Florida because it's close, warm and Spanish-speaking. . . . That's the allure," Gierbolini said. "I'm having problems because with so many it's not safe there."

No one knows how many witnesses received new identities and moved to the mainland.

Records before 1994 are misplaced, lost or not easily found, Gierbolini said.

The number relocated probably involves hundreds, Gierbolini said. Since taking charge in 1994, he has overseen the relocation of 127 witnesses and 187 of their relatives to the mainland, he said.

Special Investigations Bureau Agent Miguel Luciano, who was involved in the Osceola incident, said Thursday from San Juan that he knows of about 40 witnesses being moved to Orlando in recent years.

Detective Roberto Figueroa, who has worked the homicide beat in San Juan for eight years, said he has sent 20 to 25 witnesses into the program. He refused to say where the witnesses went.

"Maybe five of 25 are murder suspects given immunity to testify against persons who are killers," Figueroa said. "Some are drivers, people who know about killings. Others are gang members. Most of them from the gangs - some are drug dealers, maybe killers, or they have been at other murders, too."

Gierbolini, however, said he knew of only one suspected killer in witness protection. That witness, who calls himself "Baby Trampa," boasts of killing about 20 people. He will not be moving to the mainland soon because a judge ordered him held for 18 years in a government-run safe house.

"You're not getting an infusion of murderers in Orlando," said Gierbolini, deputy director of the Puerto Rican Department of Justice's Special Investigation Bureau. "We do not relocate people who were criminals a week ago. They stopped their criminal behavior a long time ago."

The island's main safe house is a converted motel in a San Juan suburb, where witnesses usually stay for about a year. It is protected by at least three sets of fences and heavily armed guards.

More than 100 people live there now, and there are plans to expand the facility, Gierbolini said.

Once in the states, witnesses' only regular contact is a monthly check to cover up to \$900 for rent, up to \$500 for living expenses and money to buy furniture.

Puerto Rico's program is unlike the federal Witness Security Program, operated in the United States since 1970, which regularly monitors participants after their release from prison.

The federal program screens applicants and rejected more than half in the past three years. It also does psychological screening, requires drug testing for known drug abusers and monitors violent offenders through a variety of federal or local agencies, said U.S. Marshals Service spokesman Dave Branham.

Even with such supervision, about 19 percent return to crime, Branham said. By law, local authorities must be notified when a protected federal prison witness is released to their area, he said.

So far, Gierbolini knows of only one problem involving a relocated witness: a wife abuser who continued to beat his wife after moving to Worcester, Mass.

Worcester police Chief Edward Gardella said he was upset no one notified him.

Gierbolini said witness protection's only major problem involves the shooting deaths of two transvestites outside the safe house in a San Juan suburb last year.

On Feb. 5, 1995, about a dozen agents and police officers moving a high-profile witness noticed a car parked outside the safe house gates in an industrial neighborhood. Shooting broke out, and investigators later found more than 130 shell casings scattered around the riddled car.

Both men inside, who were on the way to a nightclub, died.

"To make a long story short, two people died, and eight of our agents are accused with second-degree murder," he said. "That's the only sorry story we've had."