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Dealer's sentencing postponed

Lawyer gets time to seek documents on alleged CIA-crack link

Published: Sept. 14, 1996

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SAN DIEGO -- U.S. District Judge Marilyn Huff postponed the sentencing of former Los Angeles cocaine king "Freeway" Rick Ross on Friday and agreed to allow Ross' attorney to seek classified government documents relating to the potential involvement of CIA operatives in selling cocaine in black neighborhoods during the 1980s.

Huff, who said it "would be outrageous for the government to infect this country with drugs," also suggested that federal prosecutors seek a sworn statement from CIA Director John Deutch regarding the spy agency's knowledge of such activities.

Deutch, in a press release last week, disclaimed any CIA involvement in cocaine trafficking.

Ross' defense lawyer, Alan Fenster of Los Angeles, filed motions this week seeking a dismissal of Ross' recent cocaine-trafficking conviction, based on the Mercury News series "Dark Alliance," which detailed how members of a CIA-run guerrilla army imported thousands of kilos of cocaine into South-Central Los Angeles during the past decade, helping touch off the nation's crack cocaine epidemic.

Dealer was key witness

One of those drug dealers, former Nicaraguan government official [Danilo Blandon](#), was the key witness against Ross during his trial last March. Blandon, who now works as an undercover informant for the Drug Enforcement Administration, has admitted under oath that he began selling cocaine in Los Angeles in 1982 to raise money for the Nicaraguan Democratic Force, the largest component of the rebel force commonly known as the Contras.

Fenster, during a three-hour court hearing Friday, argued that [Ross'](#) conviction should be thrown out on the grounds of outrageous government conduct, because Justice Department lawyers withheld information about Blandon's involvement with the Contras and cocaine until it was too late for him to make any use of it at trial.

The only reason he had any idea of Blandon's past activities, Fenster said, was because one of his investigators spoke to a Mercury News reporter about Blandon two weeks before the trial.



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"If I had had that information when I needed it, I could have convinced a jury of 12 U.S. attorneys to dismiss this case," Fenster argued. Instead, he said, the Justice Department "stonewalled it. They kept you in the dark and they kept me in the dark. (Ross) is a victim of the most outrageous government conduct known to man."

Government lawyer scoffs

But Assistant U.S. Attorney L.J. O'Neale scoffed at Fenster's claims of CIA involvement, calling them "the worst sort of supposition ... it's all innuendo and supposition." He also said the Mercury News' series did "not make a solid case" of CIA involvement.

Moments later, though, O'Neale acknowledged that "when Blandon says he sold cocaine for the Contras, yeah, he did ... we have never found his credibility to be lacking in the slightest."

O'Neale also agreed that "Mr. Blandon thought the CIA was running things. Whether that's accurate or not, I don't know, but that's what he thought."

In March, Blandon testified that before he began selling drugs for the CIA's army, he met in Honduras with [Col. Enrique Bermudez](#), a longtime CIA operative who was selected by the agency to be the Contras' military commander. Also attending that meeting, Blandon testified, was Nicaraguan cocaine trafficker [Norwin Meneses](#), who was the head of intelligence and security for the Contras in California.

Inner-city dealings

Blandon said Bermudez told him the Contras needed money and that "[the ends justified the means](#)," after which he began dealing cocaine in inner-city Los Angeles. During that time, he testified, he was receiving instructions "from ... other people."

He told a [federal grand jury in 1994](#) that at some point the CIA decided it didn't need any more drug money because the Reagan administration had begun giving the Contras taxpayer dollars.

While O'Neale strenuously denied that the CIA was in any way involved with Blandon or his cocaine dealing, he also admitted to Judge Huff that he did not know if any CIA documents existed regarding Blandon or Meneses, who was Blandon's boss in the Contra drug ring.

"Whatever files the CIA has are not available to an assistant U.S. attorney," O'Neale said. "I'm not privy to that."

Before Blandon's testimony at Ross' trial, O'Neale [filed a motion](#) asking the judge to bar defense lawyers from questioning Blandon about his involvement with the CIA, saying that

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if it were true, "it would be classified and if false, should not be allowed."

Huff told Fenster on Friday that she had taken the motion under submission and had never actually made a formal ruling; Fenster said he was under the impression that he was not allowed to ask about the CIA, and he never did.



[Motion to preclude references to CIA](#)

Huff agreed to let Fenster file a motion under the Classified Information Procedures Act (CIPA) seeking documents regarding the CIA's connections to Blandon.

Timing at issue

But O'Neale argued that it didn't have any bearing on Ross' case if Blandon was involved with the spy agency, since Ross' conviction involved crimes committed in 1994 and 1995, not during the Nicaraguan civil war.

Ross, whom O'Neale called "the Wal-Mart of crack cocaine," was arrested after Blandon lured him into a DEA sting [involving 100 kilos of cocaine](#).



[Drugs used in DEA's bust](#)

No matter what Blandon did in the past, O'Neale argued, it did not excuse Ross' involvement in crack dealing.

"If there was great evil, and there was, regardless of who started that evil, (Ross) was Santa's little helper," O'Neale said.

"If the United States government was involved in selling cocaine in the United States," Huff asked, "don't you think that would be outrageous government conduct?"

"In this case, no," O'Neale answered, prompting laughter and loud grumbling from the courtroom spectators.

Huff set another hearing for Nov. 19.

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