



FBI official labels the crime inquiry a 'whitewash'

THE controversial missing submission to last year's Serious Crimes Commission — about a collapsed Bermuda police investigation into a Cuban-American drug trafficking ring which murdered a pregnant woman and her brother — had nothing to do with the inquiry's terms of reference, the Commission chairman claimed last night.

The lost submission was made by a former high-ranking Bermuda police officer who wanted the Commission to investigate the collapse of the Bermuda end of an investigation involving the New Jersey State Police, the US Drug Enforcement Agency and the Federal Bureau of Investigation.

Now he wants to know why his detailed submission was never even acknowledged by the Commission and what happened to it.

This week a senior FBI official in Washington, DC told the *Mid-Ocean News* the mystery surrounding the missing submission smacked

of an official "whitewash". In an e-mail to the *Mid-Ocean News*, Bahamas-based Justice Stanley Moore — who chaired the Serious Crimes Commission — strongly indicated there was no need for the inquiry to reconvene.

In an e-mail to the *Mid-Ocean News* which was forwarded to the Deputy Governor and another commissioner, Don Dovaston, Justice Moore wrote: "The Commission did its work within its terms of reference.

"See the opening statement of the report and particularly paragraph three where serious crimes have been defined as those which involve serious personal injury such as the use of violence or endangering life — and for which the offender could be sentenced to ten years or more.

"The Commission worked extremely hard for many long and late hours to complete its task and submit its report within the relatively short period of approximately six weeks.

All documents received were submitted with the report.

"I believe that I speak for my colleagues when I say that we have faithfully discharged the mandate given to us.

"With the greatest respect therefore, it does not appear that the matters to which you refer were even remotely within the terms of

EXCLUSIVE
by Jessie Moniz

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reference given to us."

But last night Government House appeared to contradict Judge Moore, leaving the door open for a further probe.

A Government House spokesman said it had not yet been decided whether to reconvene the Serious Crimes Commission or to hold another Commission concerning the charges made in the missing submission.

"We are still looking into the matter," said Peter O'Brien, registrar at Government House. "We have not made a decision about holding another Commission of Inquiry. We are still investigating the matter."

Both Deputy Governor Tim Gurney and Commission chairman Justice Moore maintain they have no recollection of the controversial submission. But Commission counsel Richard Hector told this newspaper last week he saw the submission going into the chairman's briefcase.

The submission pertained to a Bermuda investigation which looked at a Bermudian lawyer's involvement in a 1980s and '90s drug-trafficking and money-laundering ring that included among its members a number of men sentenced to lengthy terms in American prisons.

They include:

- Marcus Cohab, who was sentenced to 30 years in prison for the murder of pregnant drugs courier Deborah Owens — who smuggled drugs to Bermuda aboard cruise ships — and her brother Harry, who was allegedly "fed to the crocodiles" in Florida.

- Cuban-born drug kingpin Antonio Miranda, who was sentenced to 20 years in 1993 for heading the Miami-based drug ring which smuggled kilos of cocaine to Bermuda for the previous decade. He also admitted to ordering the Owens siblings' deaths. His sentence was later re-

duced to seven years and it is believed he is now a free man.

A senior official at the US Federal Bureau of Investigation — indirectly involved in the American probe into the Cuban-American drug ring — this week said he was "bemused" by recent developments in Bermuda.

Speaking to the *Mid-Ocean News* on the customary basis of anonymity, he said: "I'm saddened but not really surprised by what's happening in Bermuda. You've got to realise that from a US law enforcement point of view, this case was never satisfactorily resolved at your end.

"I think at the time of the investigation it was felt Bermuda's squeaky-clean reputation as an offshore financial centre would be damaged if the book was really thrown at the Bermudians involved in bringing drugs into the island and then laundering the proceeds.

"You've got to realise a hell of a lot of money was involved — and Bermuda, of course, was keen on maintaining the myth that such things just didn't happen there.

"So the whole thing was just allowed to collapse. I believe those responsible for this were more interested in saving Bermuda's face than the faces of those Bermudians who were involved. But the net result was that some very prominent people down there were allowed to avoid some very serious criminal charges.

"Obviously things haven't changed much. To say the least, I'm bemused by how very crassly the authorities down there are dealing with this 'missing' submission. Do they think the Bermuda public is comprised entirely of idiots?

"By the sound of things, this Commission's brief was to whitewash the truth rather than to disclose it — to maintain this fantasy that money laundering isn't one of

Bermuda's offshore industries.

"A dossier on the single largest drug-trafficking and money-laundering case in Bermuda's history 'doesn't ring a bell' with Government House or the chairman of the (Serious Crimes) Commission? Get real, Christ, it should have set alarm bells ringing all over the place. Probably did — and that's no doubt why the submission was 'misplaced'."

Earlier this month Justice Moore questioned why the former high-ranking police officer who compiled the dossier waited a year to pursue the matter. This week the former officer explained that he had been off the island frequently during the period following the Commission's hearings. He also did not want to rock the boat in terms of Bermuda's clean position on international money-laundering lists.

"When the Organisation for Economic Co-operation & Development (OECD) initiative began to collapse, and Bermuda was sailing again I thought it was time to get a resolution to this matter. I am not a whistle-blower, I am just a concerned citizen," he said.

Former Solicitor General and Appleby, Spurling & Kempe money-laundering expert Barrie Meade said he could not comment on the specific case mentioned in the submission, but he could say Bermuda deserved to be left off international money-laundering lists.

"Many of Financial Action Task Force countries have lower standards than we do," Mr. Meade said. "They say \$500 billion a year passes through the system through money laundering and drug trafficking. But you never know the real figure until you catch these people. I don't know how much money laundering really goes on in Bermuda."

"I think we have an excellent police investigation unit working very hard with limited resources."