

Ruling Released on Noriega Evidence

U.S. Drug Collusion Allegations May Be Allowed; Bush Meeting 'Irrelevant'

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MIAMI, Sept. 6—Lawyers for former Panamanian dictator Manuel Antonio Noriega may be permitted to raise allegations in his drug-trafficking trial that the U.S. government colluded with drug smugglers to supply the Nicaraguan contra guerrillas, a federal judge hearing the case has ruled.

However, in a 41-page ruling dated Aug. 7 and released today, U.S. District Judge William M. Hoeweler barred trial discussion of a December 1983 meeting in Panama between Noriega and then-Vice President Bush. Hoeweler called the defense description of the meeting, one of two known to have occurred between Noriega and Bush, "irrelevant" to the issues.

Allegations that the federal gov-

ernment worked with known drug dealers to arm the contras have been raised for years, but congressional investigations in the late 1980s found little evidence to back charges that it was an organized activity approved by high-level U.S. officials.

In pretrial motions, Noriega's lawyers contended that he actively assisted the Central Intelligence Agency's contra supply effort, which they described as a "drugs-for-guns" policy.

Hoeweler said he may permit some evidence about such matters, but only if it relates directly to alleged drug shipments identified in the indictment against Noriega.

"To the extent that Noriega seeks to prove U.S. government involvement in the importation of narcotics . . . in connection with the contra supply effort . . . he should

be permitted to present evidence which goes directly to the question of transportation of cocaine from Panama to the United States," Hoeweler wrote.

"Whether this evidence is ultimately admissible at trial will depend entirely on the connection between such U.S. government activity, if any, and the charges against Noriega," the judge concluded.

Hoeweler's order was aimed at resolving disputes between both sides about what kinds of classified documents will be permitted into evidence at the trial.

The defense will not be permitted to present evidence of a wide array of other covert activities that Noriega purportedly conducted for the U.S. government as a means of explaining his millions of dollars in overseas bank accounts, Hoeweler said. Noriega has

said these funds came from the U.S. government, but prosecutors have asserted that they are drug-deal proceeds.

Hoeweler said he will permit evidence that Noriega regularly served as an "intermediary" between the United States and Cuban leader Fidel Castro. One charge against Noriega is that he met with Castro in Havana in July 1984 to resolve a dispute with Colombia's Medellin drug cartel. Both have denied that the discussion was about drugs.

Hoeweler said that, to present their defense, Noriega's lawyers should be permitted to tell the jury about an ongoing relationship between Noriega and Castro that sometimes benefited the United States.

"Evidence that Noriega had several contacts with Castro unrelated to narcotics would make his version of events more credible," the judge wrote.

As jury selection continued today, prosecutor Michael Sullivan told prospective jurors that Castro may testify in the trial, although probably not in person.