

Molina and 3 Others Free In Exchange With Havana

By MARTIN ARNOLD

Three Cubans and a Cuban-American were released from prisons here yesterday in exchange for the freedom of United States nationals held in Cuba. One of the four was Francisco (the Hook) Molina del Rio, a Fidel Castro supporter who killed a 9-year-old girl during a shooting fray with anti-Castro Cubans in 1959.

The three others had been under indictment in a sabotage conspiracy.

Of 27 Americans freed in Cuba, 21 flew to Miami yesterday, three left Havana for elsewhere in Latin America and three, natives of Cuba, chose to remain there.

At the Federal Government's request, Governor Rockefeller commuted Molina's sentence of 20 years to life, "with the express condition," the Governor said, "that Molina del Rio be deported and never again re-enter the United States."

"If he does so," the Governor added, "he is automatically deemed an escaped convict and compelled to serve the balance of his life sentence."

Flown to Florida

Molina was taken last night to Idlewild Airport, and placed aboard an Immigration Department plane bound for Florida, where he was to be transferred to a Cuban airliner.

Also aboard the plane were the three others being released in the exchange. Their indictment for conspiracy to commit sabotage was dismissed earlier in the day at the request of the Justice Department.

They are Roberto Santiesteban Casanova, 27 years old, a Cuban United Nations mission attaché; Marino Antonio Esteban del Carmen Sueirro y Cabrera, 22, of 35 Hamilton Place, and José García Orellano, 42, of 139 West 82d Street, a naturalized citizen of the United States.

The men had been held in \$50,000 bail each since their indictment Nov. 16 by a Federal grand jury.

They were accused of being part of a sabotage ring that intended to blow up defense installations and public utilities

in the New York metropolitan area.

Explosives Seized

Agents of the Federal Bureau of Investigation seized arms and explosives in their possession. Santiesteban was pictured as the instructor of the two others "in the use of said incendiary devices and other explosive materials."

When the three known pro-Castro conspirators were indicted, the State Department said that "in view of the fact that the Cuban Government mission to the United Nations was involved, the connection between the Cuban Government and the attempted sabotage is clear."

The Department of Justice applied for their release late yesterday on the ground "that the

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ship by serving in the United States Army, was not asked to leave but elected to go to Cuba with his wife, Josephine, and his two daughters, aged 12 and 7.

Federal Judge Thomas F. Croake granted the Government's application following a ten-minute hearing in which the prisoners chatted together in the courtroom. Heretofore, the three had never publicly admitted knowing each other.

Discussed With Donovan

It was learned that Premier Fidel Castro had brought up the names of the three men during discussions with James B. Donovan, New York attorney who negotiated the release from Cuban prisons of participants in the Bay of Pigs invasion and of American prisoners.

Premier Castro did not say, it was learned, that their release was a necessary condition to the release of the final group of Americans, but he left that implication with Mr. Donovan.

Mr. Donovan reported the conversation to officials in Washington, and it was decided to release the three men.

The Molina release apparently came as a surprise to District Attorney Frank S. Hogan, whose office prosecuted the case, and General Sessions Judge Mitchell D. Schweitzer, who sentenced Molina on June 29, 1960.

At the time, in reference to suggestions that Molina be exchanged for prisoners in Cuba, he replied that his court was "not a trading post in human beings."

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State Department has suggested to the Department of Justice that it would be in the national interest if the three defendants were released, with the provision that Santiesteban and Sueirro leave the United States immediately.

There were reports last month that Attorney General Robert F. Kennedy had visited Santiesteban in the Federal House of Detention here, and had possibly discussed a trade with him.

Santiesteban had refused to put up bail pending trial because he claimed diplomatic immunity.

Garcia, who gained citizen-

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Rockefeller Comment

Governor Rockefeller, in announcing the commutation of sentence last night, emphasized that he had acted "at the request of the Federal Government and upon its representations that it is necessary in the national interest," and even then, "only upon the assurances of the Federal authorities" that the release would be helpful in obtaining the freedom of the Americans held in Cuba. A Washington spokesman had said earlier that the release of the others had been in exchange for the Americans freed in Cuba.

The Governor said:

"This action is based upon a formal request in writing by the United States Department of Justice and is with the express condition that Molina del Rio be deported and never again re-enter the United States."

Molina, who is 30 years old, had been serving his sentence for second degree murder at Green Haven Prison, a maximum-security institution at Stormville, N. Y.

The two Cubans who were released yesterday in the sabotage plot agreed that if either returned to the United States the indictments against the three would be reinstated by the Federal Government.

Garcia had said he operated a custom jewelry shop. Hand grenades and other explosives were found in his shop when the three men were arrested.

Molina shot the 9-year-old girl, Magdalena Urdaneta of Caracas, Venezuela, during a brawl between pro-Castro and anti-Castro Cuban groups in a restaurant on Eighth Avenue. The child, who was visiting this country, was having lunch with her parents in the restaurant when a stray bullet struck her in the back. She died the following day.