

*Couple's Photo Studio Entered*

# Fairfax Break-In Is a CIA Whodunit

By Allan Frank  
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A former propaganda official of the Castro government who opened a Fairfax City photo business with an ex-CIA file clerk was the target of a 1971 break-in by CIA employes aided by Fairfax City police, according to informed sources.

The break-in, carried out without a warrant to copy records in the Cuban immigrant's photographic studio, was mentioned in the Rockefeller Commission's report on CIA domestic activities as the only instance of "active cooperation" with the CIA by local police. It occurred at night at the now defunct Roland Studios, on the second floor of the Graham Building, 10419 Main St., Fairfax City, three sources told The Star.

A CIA spokesman questioned about the break-in said yesterday, "We are not commenting on any part of the Rockefeller Commission report. We will not amplify it or give any details."

Before the break-in, the studio operated by the former CIA employe, Deborah Fitzgerald, and the former Cuban official, Orlando Nunez de Villavicencio del Toro, had been under

surveillance for at least several days by agents who were staked out in a second-floor apartment above a diner across the street, sources said.

Details of the break-in reportedly are being furnished to Justice Department officials by a Fairfax City police officer who was involved in the break-in with at least one other police officer and two CIA men, sources said.

THE OFFICER reportedly is seeking immunity from prosecution should federal officials decide the surreptitious entry violated the civil rights of the photo studio operators,

the sources added. A conspiracy to violate the civil rights of an individual can be punishable with a \$5,000 fine and up to 10 years in jail.

Reached by telephone at a New York hotel early today, Nunez and Fitzgerald said they had not been aware of any break-in at the three-room studio they had rented from a Fairfax lawyer for \$100 a month from late 1970 through mid-1971.

Now married and running an audio-visual film company in Washington, the two said they had met in October, 1969 at the funeral of a

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mutual friend, a University of Maryland Spanish instructor who was killed when struck by a manhole cover thrown from a bridge overpass by a group of juveniles on Piney Branch Road in Northwest Washington.

According to news accounts at the time, the friend, Pedro F. Entenza, was well-known in the Cuban communities in Washington, New York and Miami as an active leader in JURE, a large group of anti-Communist Cuban refugees who hoped to overthrow Castro.

**SHORTLY** after she met Nunez, Fitzgerald, who was a part-time employe at the CIA while attending George Mason University, told the CIA's Office of Security that she had met a foreigner and that they were becoming friends.

She said CIA regulations required any employe who met a foreigner to notify the security officers to make certain that no foreign intelligence agent was attempting to extract classified information.

As an employe of two years in the CIA's file section and the daughter of a CIA officer, Fitzgerald paid little mind to what she considered a routine report to the proper authorities.

The commission's report discussed a Fairfax City break-in, then made a reference to another chapter in the report which mentioned that "On at least one occasion, physical surveillance was placed on a citizen who had approached an Agency employe under circumstances suggesting he was attempting to penetrate the Agency."

Shortly after Fitzgerald reported her friendship with Nunez, FBI agents ap-

peared at the Washington apartment of a cousin where he was staying and tried to discourage him from continuing to see her, Nunez said today.

**THE** FBI also contacted the couple after they opened the Fairfax studio, but they said they considered it a routine check, perhaps relating to their friendship with James M. Shea, an anti-war activist who had been an assistant professor of philosophy at George Mason University before going underground in 1970 to avoid serving a jail sentence for falsifying his tax return.

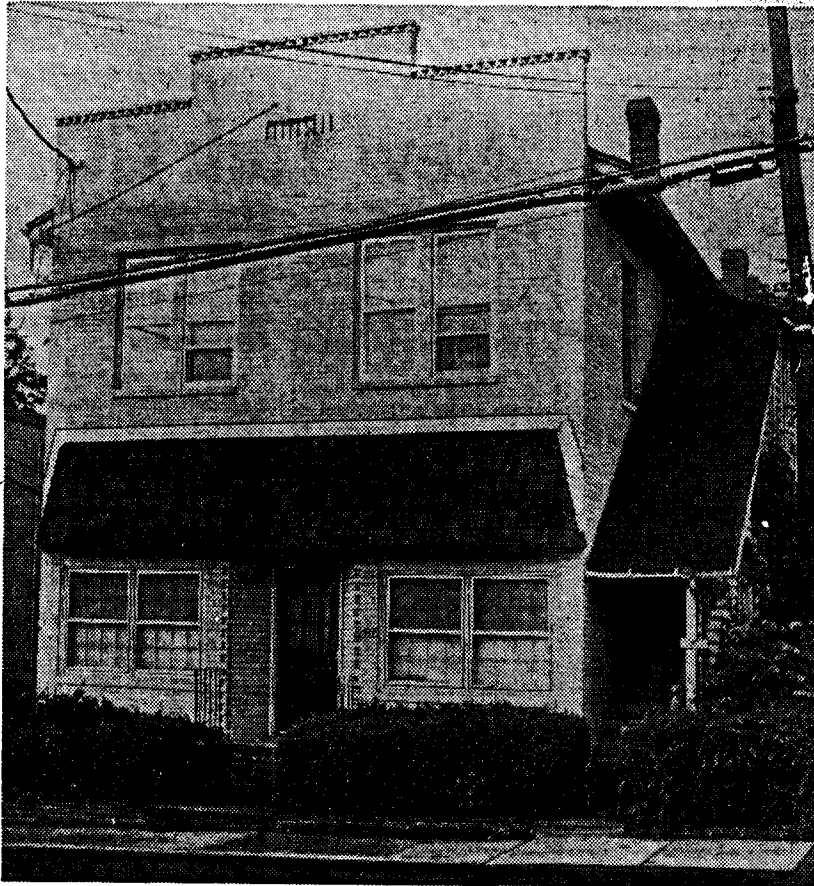
"I was just a supporter of Shea's very pure ideals that some of the young people were following at the time," Nunez said. "I was somewhat active in the anti-war cause in Fairfax, but I wasn't a leader."

Nunez said he was born in 1940 in Marianao, Cuba, the son of a life insurance salesman who fell into disfavor with then Cuban dictator Fulgencio Batista. He said his parents fled Cuba and now live in the United States.

Nunez said he attended schools in Cuba, then two military academies in the southern United States before returning to high school in Havana, where at 17 he became a first lieutenant in Castro's underground army fighting Batista. He said he became disenchanted with Castro and came to the United States in 1965.

**IN CHICAGO**, where he lived in 1966-1967 with his first wife and two children, Nunez met Bernard Barker, a Cuban refugee later convicted in the Watergate break-in. He said Barker at that time was a foreman supervising three shifts at a Zenith Corp. factory.

"We worked together for eight or nine months while I was a quality control foreman on one of the shifts,"



—Washington Star Photographer Geoffrey Gilbert

The Graham Building, 10417-19 Main St., Fairfax City.

Nunez said, adding that he then lost touch with Barker.

But it is possibly Nunez' work as a propaganda officer for the Havana Waterworks that might have interested the CIA. "There was a big campaign to keep the people from wasting water. My job was to tell the people to save water and that's where I learned the trade I have today."

He said he left Cuba for Mexico City in 1963 because he had decided he was a "capitalist" and was joined in the United States in 1965 by his family who took a Freedom flight out.

Now, with Deborah, his second wife, he runs Voice and Vision Productions, a film company which he said

has won eight awards for its documentaries for government agencies about problems of Spanish-speaking peoples.

**HIS BIGGEST** problem, he said, is the apparent unwillingness of the U.S. Immigration and Naturalization Service to approve his application for U.S. citizenship made here in 1973.

"They (immigration officials) claim that they are still investigating my case, but with what you are telling me right now about the fact that they broke into my studio," Nunez said, "maybe they consider me a suspect."

Nunez claimed he never talked to Fitzgerald about

her work at the CIA because he knew "that it would be nothing but headaches." His wife, Deborah, said, "I had already quit the CIA when we went into business. I didn't do anything special at the CIA, just file."

**QUESTIONED** on the break-in yesterday, Murray Kutner, who was Fairfax City police chief in 1971, said, "At this point, I will neither confirm nor deny anything. Why don't you ask the CIA what they did? I don't feel at this point that I have to defend myself . . . You don't even know whether I was there or not. Right?"

Kutner, who retired from the department in January, said eventually he may issue a press release on the break-in.

Maj. Leonard P. Kline, currently the Fairfax City police chief and who was the number two man under Kutner, declined all comment yesterday.

At its meeting next Tuesday, the Fairfax City Council will meet in executive session with City Manager George E. Hubler, Jr. to discuss what steps, if any, it should take with regard to a possible investigation of the police role in the break-in.