

# Puerto Rico sues FBI for stonewalling probe of independentista's murder

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30 March 2006

The government of Puerto Rico went to federal court last week, accusing the Federal Bureau of Investigation and the US Justice Department of obstructing justice by stonewalling a local investigation of the FBI's killing of a leading figure in the island's independence movement during a raid last September.

An unprecedented legal challenge to the dominance that the US has exerted over its Caribbean colony for over a century, the court action reflects growing anger within the Puerto Rican population as a whole over the strong-arm tactics exercised by Washington, employing the methods of the "war on terror" against its nationalist opponents on the island.

The case stems from the September 23, 2005 raid carried out by the FBI against the home of Filiberto Ojeda Rios, founder of the militant independence *Macheteros* group in the southwestern municipality of Hormigueros.

At least 100 agents backed by helicopters and military sharpshooters surrounded the home where Ojeda, 72, and his wife were living. Ojeda, convicted in absentia of having participated in the planning of a \$7.3 million armored car robbery in Connecticut in 1983, was a well-known political figure who regularly addressed pro-independence meetings and rallies by means of recorded messages.

After wounding him in a shootout, the FBI cordoned off the area surrounding the house, refusing to allow in emergency medical personnel, attorneys and even the Puerto Rican police. He was left to slowly bleed to death on the floor of his home over the course of many hours.

Outrage over the killing was heightened by the FBI's decision to launch the raid, dubbed "Operation Order," on the 137th anniversary of the "Grito de Lares," which marked the beginning of the struggle for independence from Spanish rule and which is commemorated each year as a milestone in the struggle against colonialism.

The methods used in the raid strongly suggested that the FBI's aim was to carry out an extra-judicial execution.

The case filed by the Puerto Rican Department of Justice charges US Attorney General Alberto Gonzales, FBI Director Robert Mueller and other officials with an "unjustified, arbitrary, illegal and unconstitutional denial of the demands to reveal information that is materially necessary to complete the local criminal investigation into the violent death of Mr. Filiberto Ojeda Rios."

In a press conference announcing the suit, filed exactly six months after the FBI killing in Hormigueros, Puerto Rican Justice

Secretary Roberto Sanchez Ramos declared, "Faced with the repeated and inexplicable refusal of the FBI to cooperate it was necessary to bring these charges in seeking to have the federal court oblige the FBI to carry out its legal duty to cooperate with the Justice Department of the ELA [Estado Libre Asociado—Free Associated State, the formal title given to Puerto Rico's colonial status]."

The FBI has denied requests by the Puerto Rican justice officials to interview agents involved in the raid and has refused even to identify them. It has also stonewalled the authorities in San Juan over their request for documents related to the raid and its planning.

In a related case, the FBI has also refused to make available or even identify its agents who were involved in a violent and unprovoked attack on reporters and bystanders during a raid on the home of a Puerto Rican independence activist in Rio Piedras, one of several carried out on February 10. That incident, which was videotaped and broadcast on local television, saw armed paramilitary agents shoving and kicking members of the local news media, spraying them with pepper gas and beating some of them after they had been forced to the ground.

While the FBI claimed that the raids were initiated to thwart a "domestic terrorist attack," no evidence of such an attack was forthcoming and none of the targets of the raids were arrested. The Puerto Rican government said it was aware of no such threat.

The Puerto Rican justice department issued the local federal prosecutor and FBI chief with subpoenas for information in this case, prompting federal authorities to go to court demanding that the subpoenas be thrown out.

The case filed by the Puerto Rican government is based on the premise that it has the authority to conduct its own criminal investigation into the actions of federal authorities and that the federal government is obliged to cooperate.

Federal authorities, however, have treated the demands with contempt. A spokeswoman for the local US attorney told the San Juan daily *El Nuevo Dia*, "We don't have time to listen to [Sanchez Ramos's] press conference because we are working actively to combat crime in Puerto Rico."

The reaction reflects the reality of Puerto Rico's colonial status as well as the general conviction of the Bush administration that it can act with impunity in carrying out police-state measures. The US government has carried out political repression, harassment and imprisonment of independence supporters in Puerto Rico for

many decades, and now feels emboldened to conduct even more aggressive actions in the name of the war on terror.

To be sure, the challenge of the Puerto Rican government amounts to a rebellion on its knees. This was made clear Monday with the appearance of the island's representative in Washington before a hearing convened by Democrats on the House Judiciary Committee into the controversy over the FBI's actions.

The representative read out a statement from Puerto Rican Governor Anibal Acevedo Vila. "We have been and continue to be, willing partners of any federal agency in pursuing the war against terrorism and protecting the safety of our citizens." Acevedo Vila said in the statement. "It must be clearly stated that in no way does the Commonwealth [of Puerto Rico] wish to impinge on any FBI investigation related to domestic terrorist activity nor to infringe on the FBI's ability to do its job."

The Acevedo Vila administration's concern over the FBI's police-state tactics is that they are throwing into sharp relief the real colonial status of Puerto Rico and the fundamental impotence of the commonwealth government. A member of the Partido Popular Democrático—Popular Democratic Party (PPD), which favors continuing Puerto Rico's present status, Acevedo Vila's concerns have been heightened by apparent moves in Washington to stage another referendum on the island's political future.

Last December, a White House task force initiated by the Clinton administration and continued under Bush proposed a two-stage vote, with the first round offering a choice between maintaining the current commonwealth, or moving to a new permanent status. If the latter choice is supported by a majority, a second round would be held to choose between independence and becoming the 51st US state.

The proposal, which implicitly recognizes the current status as an illegal colonial relationship, also calls for holding periodic votes in the event that no permanent status is chosen.

The PPD has charged that this arrangement implicitly favors statehood and has sought to enlist US Congressional Democrats to push for an alternative plan that would call a "constitutional convention" in Puerto Rico to decide the nature of the referendum.

Supporters of Puerto Rican independence, meanwhile, have charged that the FBI repression is directed at suppressing their movement in advance of any such referendum.

Under the current commonwealth arrangement, Puerto Rico's nearly 4 million people are denied many of the political rights and benefits of US citizenship. While serving in the US military—and suffering disproportionate casualties, with at least 50 Puerto Ricans having been killed in Iraq—they are denied the right to vote for president and have no representation in the US Congress.

With almost no notice in the US media, the US Supreme Court last week rejected an appeal seeking to grant Puerto Ricans the right to vote in presidential elections. The decision was handed down without comment.

In addition, while a narrow layer constituting the local financial and business elite has profited off of the commonwealth arrangement, the bulk of the island's population lives in poverty, with income levels less than a third of the US average. Annual per capita income on the island currently stands at \$12,000, half that of Mississippi, the poorest US state.

These conditions have pushed many to leave the island for the US, where the population claiming Puerto Rican background has grown steadily, reaching some 3.2 million according to recent census data.

The FBI repression has struck a deep chord within the Puerto Rican population, leading to major protests and widespread expressions of outrage. Throughout the island political slogans have been painted along the roadside declaring "No to the FBI murders, no to the colony" and "Wanted, for murder, the FBI."

During the recent World Baseball Classic in San Juan, demonstrators lined the road to the stadium for a half a mile carrying signs denouncing the FBI repression and many wearing T-shirts bearing the face of the assassinated Ojeda Rios.

Anger over the killing and the raids is fed by mounting discontent over the social crisis in Puerto Rico, characterized by a continuing decline in manufacturing jobs, an uninterrupted attack on the large state sector and growing social polarization.

None of the choices proffered in the proposed referendum offer a solution to this crisis. Even if the majority were to vote for statehood, it is highly unlikely that the US Congress, which would have to amend the constitution to annex the island as a state, would act on such a mandate, given opposition within the ruling establishment to the increased expenditures such a change would entail as well as right-wing hostility to incorporating a Spanish-speaking territory.

Despite broad sympathy for the independence movement based on hostility to colonial subjugation, there is considerable reluctance to embark upon the project of forging an independent Puerto Rican nation, both because of the dispersal of much of the population to the US and because of the failure of other mini-states in the Caribbean to achieve any genuine independent development from imperialism.

The only way forward in putting an end to political repression and social inequality on the island lies in the social struggle of Puerto Rican working people in alliance with workers throughout Latin America and in the US itself. This combined struggle must be armed with a socialist and internationalist perspective independent of all of the competing bourgeois factions and based on the fight for the United Socialist States of the Americas.



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