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## **Cable News Network Release Of Recorded Conversations Between Noriega & Attorneys: Summary Of Developments**

*by Deborah Tyroler*

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In early November, the US Cable News Network broadcast excerpts of taped conversations between Manuel Antonio Noriega and his attorneys. The tapes reportedly included segments in which Noriega discusses revealing the involvement of President George Bush and the CIA in illegal activities as part of his defense strategy. Noriega's lawyer Frank Rubino said that the recordings violated attorney-client privilege, and thus his constitutional rights to a fair trial. The start-date for the trial has been set for Jan. 28, 1991. Rubino said he would file a motion for dismissal of all charges against his client. According to Rubino the US State Department turned the tapes to over to the Panamanian government. He added that Panama City, in turn, provided copies to CNN in Washington. CNN refused to reveal its source. Nov. 9: CNN received a court order prohibiting further broadcast of the tapes. CNN spokespersons said the order was unconstitutional and refused to turn over the recordings. The network aired additional segments of the tapes. Panama's Ambassador to the US Eduardo Vallarino, dismissed the incident as a publicity stunt concocted by the Noriega defense team. Panamanian President Guillermo Endara said that should the US drop drug trafficking charges against Manuel Noriega, Panama will seek his extradition. Nov. 10: US District Court Judge William Hoeweler issued an order demanding that CNN relinquish copies of the tapes. Rubino filed a motion to fine CNN \$300,000 for each segment of the tapes released for broadcast. Nov. 12: Panamanian Attorney General Rogelio Cruz told reporters his government is considering asking Washington to extradite Noriega. Noriega faces drug money laundering and other charges in Panama. Cruz said the Panamanian government would also ask Washington for copies of recorded telephone conversations between Noriega and Panamanians in which they presumably discussed destabilizing the government. Cruz said the tapes were evidence of Noriega's "illicit associations" with Panamanians, including a conversation with former legislator Luis Gomez. Gomez has remained at the Cuban Embassy in Panama City since the US invasion. Nov. 13: State Department spokesperson Richard Boucher told reporters that State was not involved in the scandal surrounding release of the tapes made by the US government. Reports regarding the State Department leaking the tapes to CNN are "absurd," and wholly without foundation, said Boucher. According to Boucher, the State Department was not involved in making the recordings, much less leaking them to the press. The Justice Department is investigating the circumstances of the recordings, and the source of the leak to the press. CNN announced that it would request that the US Supreme Court overturn Hoeweler's order. Network spokespersons said the order constituted censorship in violation of the constitutional right to freedom of expression. CNN, however, agreed to await a decision by the Court before airing additional segments of the tapes. Noriega's defense team withdrew its suit against the network. A Washington Post editorial asserted that all censorship is unconstitutional, citing a Supreme Court ruling which said that freedom of the press can be restricted only to avoid revealing secret military maneuvers in times of war. Nov. 14: Attorney Gonzalo Menendes Franco, of the Panamanian government's Property Recovery Administration (DRP), announced plans to investigate Frank Rubino for receipt of \$800,000 in legal fees last year

from the Panamanian Defense Forces. The DRP, a division of the Comptroller General's office, was created after the December 1989 US invasion to investigate cases of theft and other forms of misappropriation of government property over the previous 21 years. Panamanian Attorney General Rogelio Cruz told reporters that Washington will request that his government turn over \$5 million found in Noriega's residence after the US invasion toward payment of his legal fees. The money was turned over to the Panamanian government by US authorities. Cruz said the US government may be forced to provide Noriega with legal counsel, after banks rejected a US demand to release \$5 million from a total \$20 million. The banks' attorneys argued that the cash in Noriega's accounts derived from drug trafficking profits, and thus, was not the defendant's legal property. Nov. 15: At CNN's main office in Atlanta, Ga., FBI agents seized seven tapes, described as stolen federal government property. Nov. 18: The US Supreme Court rejected a CNN petition to lift the prohibition on broadcasting the tapes. Dissenting Judges Thurgood Marshall and Sandra Day O'Connor argued that the ruling may carry extraordinary consequences for freedom of the press. Nov. 20: In Panama City, the Comptroller's Office ordered assets held by Noriega to be frozen and commenced a probe into \$800,000 in state funds spent to finance his legal defense. The Panamanian government also froze assets belonging to Noriega's attorneys including Ramon Arosemena, Raymond Takiff, Joaquin Fernandez, Frank Rubino and Steve Collins. The government informed the banks that the money they disbursed belonged to the state and not to Noriega. (Basic data from ACAN-EFE, 11/08/90; AFP, 11/09/90, 11/12-14/90, 11/20/90; Notimex, 11/11/90; 11/13/90; Xinhua, 11/15/90; EFE, 11/18/90)

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