

# Pursuit of justice doesn't stop at border

## OUR OPINION: NO DOUBLE STANDARD IN PROSECUTING TERRORISTS

The Miami Herald  
May. 07, 2007

When it comes to the investigation of alleged terrorist Luis Posada Carriles, the Justice Department just can't seem to catch a break. When a federal judge orders Mr. Posada freed over the objections of prosecutors, the Justice Department gets blamed for not trying hard enough. Message: They're soft on anti-Castro terrorists. But when the FBI sends agents to Cuba to search for evidence, Justice is criticized for dealing with the Cuban government. Message: Now they've gone too far.

### Follow every lead

Here's our message to the Justice Department: Don't let this back and forth wear you down. Go after the evidence, be scrupulous about it and let the chips fall where they may. In this country, everyone is entitled to due process and the presumption of innocence -- that's why a federal judge allowed Mr. Posada the limited freedom of house arrest in Miami while he awaits trial on immigration-fraud charges. At the same time, investigators should not be swayed by political pressure, even when handling politically sensitive cases. They know Cuba is not to be trusted by any means. Still, they have to follow leads, whether the trail takes them to Cuba or any other country led by a doddering, 80-year-old dictator.

Do critics believe that the FBI can't tell when it is being supplied with phony evidence? If that's the case, they should say so plainly, instead of disparaging the "Bush administration Justice Department" for its "profound ignorance of the nature of terrorism."

This Justice Department, under Attorneys General John Ashcroft and Alberto Gonzales, can be accused of a lot of things -- and has been -- but not understanding the nature of terrorism? That simply is not the case. If anything, this Justice Department has been all too zealous in going after terrorists, locking them up without trial or due process and throwing away the key.

Ironically, critics on the left who bemoan the release of Mr. Posada into house arrest are the same ones who loudly protest the imprisonment of terrorists at Guantánamo because of the absence of due process. They would be only too happy to see Mr. Posada locked up forever, due process be damned.

### Not guilty so far

The case of Luis Posada Carriles is a gut-check for civil libertarians. No U.S. court has ever found him guilty of a terrorist act, and that is a fact, inconvenient as it may be. At the same time, this country cannot have a double standard for terrorists. The idea that "one man's terrorist is another man's freedom fighter" died on 9/11, or should have. Investigators need to know if Mr. Posada's anti-Castro zeal led him to commit terrorist acts that violated U.S. laws. They should follow every lead, and check and recheck every detail. No matter the heat, they have a job to do.