

Defense attorneys argued to no avail that the because the alleged offenses occurred while Cruz was being retained as an informant by the government, they were indicative of the general level of confidence that the government should have in Cruz. Pointing out that Cruz probably used his special immigration status as an INS informant to facilitate his illegal activities, the defense also claimed that Cruz would conceivably do or say anything for money.

Also Thursday, it was revealed that as late as 1983 Cruz had knowingly transported illegal workers for profit -- again while also working as an informant for the INS. Cruz admitted that although some of the persons transported had temporary legal status, he knew that others were simply illegal. In addition, the government witness stated under oath that James Rayburn, chief INS investigator in the Sanctuary case, was aware that Cruz was transporting workers who were illegally in the United States.

Late in the day, the defense tried to show that Cruz and Salomon Graham, another informant in the Sanctuary case, had been biased against the defendants from the start, and therefore should not be relied upon to provide accurate evidence.

To demonstrate the bias, defense attorneys produced a segment of a taped recording by the informants on July 5, 1984 after Cruz and Graham had left Southside Presbyterian Church and had forgotten to turn the "body-bug" recorder off. During the ensuing conversation, Cruz and Graham referred to the defendants as "suckers" and "bastards".

However, prosecutor Reno tried to convince the Court that Graham and Cruz were actually referring to other persons, perhaps government agents, when they made the remarks. Carroll did not make any sort of decision on the matter, but said that he would consider holding a special hearing later.

In other matters, James Brosnahan, counsel for Maria de Socorro Aguilar, probed Cruz' and INS agent Rayburn's contact with refugees since the end of the investigation. The refugees could be called by the government to testify against the Sanctuary workers.

Proceedings shut down for the day after Brosnahan started into a statement made by defendant Phil Willis-Conger during one of the meetings Cruz' testified about earlier in the trial. The statement contained material pertaining to conditions in Central America -- a topic barred by Carroll in pre-trial rulings.

Carroll said he would take the matter up again on Friday morning at 8:30 before he calls the jury in at 9:00.