

ARIZONA SANCTUARY DEFENSE FUND

WEEKLY UPDATE FOR THE SANCTUARY TRIAL, NOVEMBER 19-22

Tuesday

There was heated conflict Tuesday in the Tucson Sanctuary trial as defense attorneys delivered opening arguments. Courtroom tension increased throughout the day, culminating as Judge Earl H. Carroll warned A. Bates Butler III, counsel for Phil Willis-Conger, that he could be cited for contempt of court.

The day began calmly with a motion by defense attorney William Walker for a mistrial on the grounds that prosecutor Don Reno's opening statement Friday had been improper and unethical. Walker called Reno's comments Friday on government informant Jesus Cruz and attempt to "bootstrap Cruz' testimony". However, Judge Carroll dismissed the motions, saying that "Reno's comments did not stray beyond permissible bounds."

The pace picked up however, after defense attorney Robert Hirsh began statements for the defense team. Hirsh opened with a bit of levity, telling the jury that he agreed with some of the prosecution's opening statements on Friday, namely Reno's admonition to the jury, "Nothing I am about to tell you is fact."

As in most of the opening statements given by the defense team Tuesday, Hirsh told the jury of his client's background and of his history of involvement in Sanctuary. Each of the five defense attorneys who addressed the jury Tuesday made note of the Sanctuary workers' long history of active concern for the poor, as well as their frustrating attempts to work with the INS to help refugees before deciding to engage in public Sanctuary. Hirsh closed by saying, "If anything, you'll find this is a conspiracy of thousands [of Sanctuary workers everywhere] to help others."

The credibility of government star witness, Jesus Cruz, came under frequent attack by defense counsel throughout the day. James Brosnahan, attorney for Maria de Socorro Aguilar, questioned Cruz' integrity on the grounds that Cruz was paid according to how much information he obtained for the investigation. Bob Hirsh placed the total amount of Cruz' compensation by the government at about \$15,000. Solomon Graham, the other principal government informant in the case, received about \$12,000 from the government for his services.

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