

A resident of Nassau County, Matarazzo has been married to his wife, Fran, for 36 years. Together they have 5 children and 6 grandchildren.

A 42-years veteran police officer, Ron Devito has been a PBA delegate since 1972. He joined the force in 1957 and was assigned to the 103rd precinct where he worked in uniform for 20 years, before being elected to the Executive Board of the Policeman's Benevolent Association.

In 1977, he was elected as the Financial Secretary for Queens County, Treasurer, and then 2nd Vice President of the PBA. During his time with the PBA, Devito has served on the Pension Board, the Tellers Committee; was an original member of the Committee on Political Action; was director of the "Cop of the Month" Committee and served as the Chairman of the Board of Directors Executive Board.

Devito has been awarded one exceptional Merit Citation, two Meritorious Police Citations, four excellent Police Citations and the Nassau Shields "Cop of the Month" Award.

A former sergeant in the U.S. Marine Corps, Devito is married to the former Patricia Guinan. They have three children and three grandchildren.

Mr. Speaker, I ask my colleagues to join with me in honoring these two outstanding men.

ARGENTINA'S DEMOCRACY FACES STRUGGLES

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 14, 1999

Mr. TOWNS. Mr. Speaker, I rise today to share with you my concern towards the struggles that a young democracy in Latin America is facing. I am referring to Argentina and its questioned judicial system, still so tainted by the memories of past dictatorships. I would like to talk to you about a small Buenos Aires based non-governmental organization that has to bear the harassment and persecution of a corrupt judiciary. I hope that after I share with you my concerns you will then be in a better position to discharge our responsibility of expressing some words of caution to our citizens and U.S. based corporations that are considering whether to make investments in Argentina.

On February 1st, President Clinton responded to a missive in a salvo of bipartisan letters from colleagues legislators concerning the Buenos Aires Yoga School case. Clinton began his response by observing: "I share your commitment to the protection and enforcement of human rights in Argentina and around the world." Our U.S. president then went on to note that: "Our embassy in Buenos Aires has been closely monitoring this matter [the BAYS case] for the past several years, and has raised it on several occasions with appropriate officials in the Argentine Ministry of Justice. Like other cases in the Argentine judicial system, this case has taken too long to resolve. While I agree that we cannot intervene in the Argentine judicial process, we will

continue to follow the case and urge the Argentine government to resolve it as expeditiously as possible."

The BAYS case has been high on my agenda and that of many of our colleagues for much of the past year where we have expressed our unease over the treatment of this Argentine group. Many of our colleagues, in order to seek justice for BAYS, have sent letters to President Menem calling for his intervention—never receiving an answer, the case has achieved significant leverage among us, U.S. policy makers, as an important component in the hemispheric policy formulations.

Clinton's letter about BAYS's plight pointedly referred to this highly controversial case. One which was initiated over six years before when faculty and students of the Yoga school became a chosen target for Argentina's notoriously flawed judiciary vindictiveness of several relatives from BAYS members. The philosophical and culturally-centered educational institution was accused of "sexual corruption of adults" and has attracted unprecedented prosecutorial and judicial misconduct from Argentine authorities since then. Almost all outside observers who have examined the case considered it unfathomable why so much negative energy has been dissipated against such a small group which, in fact, has won considerable renown abroad for its artistic accomplishments and social programs. One compelling explanation is that the case has triggered a bundle of latent and overt ultramontaine, neo-Nazi and deep-seated anti-Semitic strains lying just below the surface of Argentina's historic memory, which may be fundamental to why this largely Jewish organization of 300 members has been subjected to its extraordinarily protracted ordeal. In the playing out of the case, it was also shown that the indignation of the Argentine media—to much of which venality is no stranger—is highly selective and that the press, in this case, has been revealed as a lapdog of the political establishment. It has not shown itself as a forensic lion when it came to confronting the slavishly purchased performance of the country's court system in general, and its outrageous behavior regarding the BAYS saga, where under-the-table subventions must have become the rule in forcing the prolongation of this case.

Over much of the past six years, members of BAYS have been experiencing unrelenting harassment at the hands of Argentine judicial authorities, including totally unjustified and violent illegal searches of their homes and offices, imprisonment of innocent members, the hectoring of their children, and the seizure of their personal property which to this day has not been returned. All this has transpired even though no compelling incriminating evidence has been presented by the prosecution against the Yoga School, the statute of limitations has since expired, and the Argentine Supreme Court has nullified the original charges. Some of the prosecutors and judges engaged in hounding the BAYS systematically have engaged in unprofessional behavior, which at times has included resorting to the use of scurrilous anti-Semitic remarks made in public settings—enough to result in the first judge being impeached by the national legislature. In this case, reputedly, justice has been for sale.

The BAYS affair provides a telling example of the corrosive role that corruption may have

played in the form of payoffs to court personnel overseeing such cases as the one involving BAYS, from several wealthy and alienated relatives of BAYS members. Even one of the more controversial judges involved in the case is ready to acknowledge that the alienated relatives have a psychological, if not neurotic need to establish that it was the organization rather than themselves who had generated their family's personal travails. In fact, a close examination of each of these plaintiffs conduct reveals that in a number of these cases, much of the social anomie brought on by intrafamily strife existed even before the founding of the organization. The harassment of the BAYS also provides an insight into the role played by an extremist ideology in Argentina's tainted judicial system, and how little has changed since the era of military rule beginning in the 1970's, when government authorities murdered, with impunity, upwards of 20,000 innocent civilians in the country. Many of the judges now on the bench were appointed to their relatively lucrative positions at that time, with their modus operandi still reflecting the low standing that people of their political persuasion traditionally have accorded to democratic practices, judicial guarantees and the notion of civil rectitude in public office.

My concern continues to grow as each week brings even more disturbing developments in the case. We are disappointed that Justice Minister Dr. Raul Granillo Ocampo's assurances, made while he was ambassador to the United States, have not been followed up on. Despite the July 1997 rulings of the Court of Cassation confirming the earlier decision of the Supreme Court condemning the actions of the judicial authorities, the lower courts have refused to cease their continuous penal persecution.

The three documents from the Court of Appeals, Chamber VI on March 2, 1999, revoked the dismissals ordered by the lower court and ignored the decision by the Court of Cassation. The Appellate written by Carlos Alberto Elbert, Luis Ameghino Escobar and Carlos Alberto Gonzalez ordered the continuation of an investigation which has long exceeded its statute of limitations. If we add to this the lack of legal controls and malevolent obsession to persecute by the State Attorney's office the opening of a new case with the identical charges which originated the BAYS case in 1993 the denial of the right to a fair trial for the defendants, and the continuance of the processes already declared null, the picture becomes very alarming.

We have shown our concern and wish to help strengthen Argentina's democracy, but we seem to be ignored by the country's authorities. For me this is yet another opportunity to depict a number of disturbing instances where injustice has been done; where the courts have served as a persecutor of the human spirit, rather than its defendant. Let our citizens be aware of this situation, let us take care of our interests—both in the economic and the humanitarian field—and let's hope that this can break the silence that rests over this serious matter of a group of philosophers that have the admirable strength to keep on wishing to live in a democracy, like we do.