

# **INS AGENTS FORCEFULLY REMOVE ELIAN GONZALEZ FROM MIAMI HOME**

ABC NEWS ABC NEWS SPECIAL REPORT: ELIAN GONZALEZ (6:54 AM ET)

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## **Body**

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Announcer: This is an ABC News Special Report.

ELIZABETH VARGAS, host:

Good morning. I'm Elizabeth Vargas.

We want to bring you up to date this morning on some breaking news that have (sic) happened. A short time ago, early this morning, federal agents moved into the home of **Eliau** Gonzalez in Little Havana in **Miami** and seized the boy. The boy is reportedly now in custody of federal agents and on an airplane on his way back to be reunited with his father. The raid took place involving about 20 agents shortly after 5 AM, we're told close to 5:15 in the morning. The number of protestors outside the house overnight had dwindled down to about 50. Reportedly it had been up to hundreds earlier than that, and many of the people were in fact taken by surprise. Lawyers for the Gonzalez **family** say, in fact, they were negotiating over the telephone with the attorney general, with the government at the moment that battering rams were used to enter the house.

We are looking right now at a live shot outside the Gonzalez house in Little Havana. People there are obviously very stunned, very upset. A very angry scene, particularly early in the morning when this did occur. At some point, some of the demonstrators grew very upset, holding--throwing debris at not only agents as they pulled out, but at news media, anybody they could see, cars that were pulling out as well. As you can see now, agents felt the need at one point to fire tear gas into cr--into the crowd because so many demonstrators were so angry, throwing chairs as you just saw, other debris.

We also have a series of stills taken by a photographer who was inside the house at the time that **Eliau** was seized. And this is the first one, and it is dramatic. You can see one of the agents in assault gear with a large gun seizing **Eliau** who, at that point, had been taken to a closet by somebody inside the house. Again, this is an agent. Here is the female agent who removed **Eliau** from the home, actually carried him out through the crowd and into a waiting van.

Reportedly, witnesses on the scene, witnesses albeit in the house, say that **Eliau** was crying, 'Help me! Help me! Don't take me away.' Here is Marisleyxis who has been--the 21-year-old cousin of **Eliau** Gonzalez, who has really served as a mother figure of his in the last four to five months along with her uncle Lazaro.

We--right now we're going to go to Mike von Fremd who is on the scene in **Miami**.

Mike, can you hear me?

MIKE VON FREMD reporting:

Yes, Elizabeth. I can hear you. There's still a whiff of tear gas in the air here. There's a group called Mothers Against Repression that is now having a prayer vigil. Frankly, Elizabeth, it might bring some much needed calm

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here. People are trying to vent their anger. They have--some of them have done it at the press here. But I think it also is important to point out that no one here was hurt in the raid. People may have busted down the doors and gone in with guns, but no one here was hurt, Elizabeth.

VARGAS: That's an incredible thing, Mike, especially given the high emotions. I know that you've probably--I don't know if you've had a chance since you've been out on the scene to review some of the videotape. I know you arrived shortly after Eliau was seized, but it was a very dramatic confrontation with obviously tear gas being fired and debris being thrown. If--it--how are emotions now? Are people calming down a bit?

VON FREMD: Well, they did for a minute and now it's erupted again. Part of the problem is that the police were very smart after this, Elizabeth. They 'got out of Dodge' very quickly. They're now, for the most part, about two or three blocks away. They are trying to stop the flow of traffic in here. So we basically have no security, around and there are people that are venting their anger. They are--they're waving clubs, and I'm also hearing that they are trying to call for a general strike here in the Miami area. Now, of course, on Easter weekend that doesn't sound like much, but remember, this is a very busy airport here. There's cruisers going in and out. These people are very angry, and they say they're going to do something about it. Elizabeth:

VARGAS: Mike, all along Miami police have pledged to maintain order. I mean, the mayor of Miami was very vocal in saying we want no part of removing this little boy from the house, but we will maintain order. I'm looking at the same pictures where you are. I don't see very many police officers.

VON FREMD: Well, because they're targets now, Elizabeth. I mean, the people are angry. They want to express their anger, and the easiest person to do it with is law enforcement. There were actually a couple of customs officials that came through, and they had to get out very, very quickly. The mayor has arrived here. He is trying to tell people to remain calm. I've seen him doing a number of interviews on many of the Spanish radio stations. He's appealing for calm, and I think, the people here sometimes just let their emotions get out of control. They come up to us, they want a camera. They say, 'Let me go on live.' They want to--they feel that this was done in a very sneaky, underhanded way. Frankly, I don't know how else the government could have done it. I've been around here, and there was no other time other than just right at the--you know, still the cover of darkness to go in and get out very, very quickly. They did go in with force. I understand that the agents were saying something like 'Bingo. Bingo.' Apparently, Elizabeth, that was the code word meaning that they had Eliau and that they had him safely. So you had a bunch of agents in the house yelling 'bingo, bingo,' as soon as the boy was brought out and taken into that van.

VARGAS: There has been speculation, Mike, all along about how the gov--government might try and execute such a raid, and I think many observers were taken aback by the aggressive nature of it. We had about 20 agents, by all reports, going in with battering rams and guns heavily armed.

VON FREMD: Yeah, they went in heavily armed. They also had fired tear gas at the crowd. Now, many of the people that were here tell me that they frantically tried to get to the door to form a human chain, but they had agents with guns pointing at them and that had a very dramatic effect and people, you know, immediately backed off and listened to the agents yelling 'Bingo' as a female INS officer was able to throw a towel around Eliau. Now, I talked to--to one woman who says she is a child psychiatrist who wanted to be here. She felt that something like this might happen. She claims that she heard Eliau crying a little bit. I haven't heard anybody else say that. For the most part, I think people here were just shocked. It was a lightning quick raid. They had to--apparently, they knocked on the door first. When it wasn't immediately opened, they broke it down very quickly and they pointed guns at everyone. But again, no one was hurt here, Elizabeth.

VARGAS: All right. Mike von Fremd, stand by for just a moment. We're going to go now to Linda Douglass, who is in Washington, DC, and has been monitoring this at the Justice Department.

Linda, good morning.

LINDA DOUGLASS reporting:

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Good morning, Elizabeth.

VARGAS: I--I know it's been an all-nighter for Janet Reno. Any idea how she feels the raid went?

DOUGLASS: The attorney general has put a--first, we're going to hear from the attorney general in just a few minutes. She's going to be coming out and--and talking to members of the press. She did put out a statement in which she said that she went to extraordinary lengths to reach a negotiated settlement, a negotiated agreement between the families to somehow avoid this law enforcement action. The attorney general was up all night, as were all of her people engaged in these negotiations. It is unclear how serious the negotiations ever were because there was such a huge gap between what the Miami relatives would agree to and what Juan Miguel Gonzalez would accept. But we're hearing just a few moments ago that John Podesta, the chief of staff at the White House, did inform the president in the middle of the night that these negotiations were under way and that they appeared to be making some kind of progress. So obviously at some point in the--in the dead of night...

VARGAS: Right.

DOUGLASS: ...the federal negotiators thought they were going to be making some progress.

VARGAS: Linda, one of the lawyers for the Gonzalez family accuses the government of using a ruse here. That, in fact, that this was--these quote, unquote "negotiations" going on were sort of stalling for time while agents and SWAT teams got into place. Do you think there's any merit to the claim?

DOUGLASS: Well, there is some merit to the claim, clearly, because they were--they were moving forward with this law enforcement action while they were on the phone negotiating. As you know, when the agents broke in according to the lawyers there, the negotiations were still under way at that moment. The sticking point always was whether or not the Miami relatives would agree to immediately give custody of Eliau to his father at the moment that the--that the two families met together. That point, that hurdle, was never--was never surmounted. Part of the negotiating team, we hear, in Miami, were representatives from the University of Miami who had come in at the last minute and tried to broker some kind of peace. But obviously, today was always a target day for the law enforcement action because it came between Good Friday and Easter. It was a time at which the crowd, as you know, was very small. So there came a point, obviously, when they thought the negotiations were not going to bear any fruit and they moved in. And, Elizabeth, we do know also that Eliau is--is headed for Andrews Air Force Base where he will be reunited with his father.

VARGAS: All right. Linda, we're going to keep it--we're going to keep you standing by. Actually, we're waiting now for that Justice Department dr--briefing to begin momentarily. But in the meantime, while we're talking, waiting for that briefing to begin, are you at all surprised by the nature of the fact that it was a very aggressive raid, or at least moderately so, when everybody had expected perhaps that they might go in softly?

DOUGLASS: There had always been the advice give by all the law enforcement people involved that you had to use a show of overwhelming force. One--one official--one former official I talked to, who was sort of monitoring all of this, said you had to use the Washington, DC, model used to deal with the IMF demonstrators vs. the Seattle model. In other words, you had to have immediate and overwhelming force to keep the crowd from rising up right away to make the action go quickly...

VARGAS: We are...

DOUGLASS: ...and that was the strategy they used.

VARGAS: We are looking right now at a live picture of Lazaro Gonzalez apparently walking with supporters, going out to talk to other supporters who have crowded behind a fence outside his home in Little Havana.

Linda, how closely did Janet Reno keep the White House updated on this? And did she need President Clinton's approval before the raid began or did she just tell him, 'Hey, it's going--it's about to happen?'

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DOUGLASS: The White House has been monitoring and engaged in the decision-making process of this for the last 48 hours at least. The chief of staff was up at--of the White House--John Podesta, was--was up all night. The president has been in the loop throughout, and he, as we know, made very clear to the attorney general that he felt the father and son should be reunited. And one hears from Justice Department officials that was not inappropriate. After all, this is not an ongoing criminal negotiation in which it would be inappropriate for the president to weigh in with his views. This was a matter of executing policy, and the president made--made very clear what his wishes were. The White House publicly expressed frustration with the Miami relatives' intractability throughout this. So it was clear that those were the orders--at least the--the views that were being expressed to Janet Reno, and her frustration had similarly reached a breaking point.

VARGAS: Linda, I'm going to ask you to stand by for just a second. We're looking at a live picture of Lazaro Gonzalez, the uncle of Elian Gonzalez who had been fighting all these months to keep him here. He's apparently addressing the crowd through a megaphone.

I don't--Mike von Fremd, can you hear me?

VON FREMD: Yes, I can, Elizabeth. I can...

VARGAS: Are you--are you close to him? Can you hear what he's saying? I know he's speaking in Spanish.

VON FREMD: I'm standing about 50 feet away. The problem I've got is that there's a very loud prayer vigil. They're handing the megaphone to him. Frankly, I just can't quite make out what he's saying, and it's probably going to be in Spanish when he does speak.

VARGAS: It appeared, Mike, from his motions, that he was trying to calm people down a bit to get them to listen to him. Do people appear to be calming down at all? Is that--is there still danger of more disruption to come?

VON FREMD: Well, there are people still piling in here, Elizabeth, and, frankly, yeah, there's danger of disruption to come. It calms down for a minute, and then you get one or two people and their emotions bubble over. It seems to be contagious and a few of them begin swinging things, and then they try to police themselves. As I mentioned to you, there's no police here to try and keep the calm. If Lazaro appeals for calm, that will certainly help. A prayer vigil like the one that's going on in back of me helps. But you've got that coupled with others. The leader of the--the very anti-Castro group, that's very powerful here has said, 'We're going to have a general strike.' And of course, that means the threat of tying up the airport and the cruise terminals. This is a pretty smart time to do it. The city's basically closed for the Easter holiday, but there's still going to be a lot of tourists coming in and out. This does seem to be the gathering point right now, and it's very different than it's been in the past. Before there were police all lined up in front of me here. There were police in front of the crowd. There are no police within blocks of here, maybe for their own protection. They're much safer a bit of a distance back. But if Lazaro appeals for calm, I've seen some priests here coming on this Easter weekend, and with people having a prayer vigil, that may have some effect. And you got to remember, people are waking up. Many feel betrayed at the way this was done. And this community, they--they think it was sneaky. They have told me, 'We was on the phone.'

VARGAS: Mike...

VON FREMD: 'We were negotiating with Janet Reno,' and they're upset the way it was done. Yes, Elizabeth?

VARGAS: Mike, hold on just one second if you can. I think we've got Marisleysis who is now addressing the crowd. I--I believe we have a translator on the scene. And is anybody--is anybody able to hear her? We do not have audio at this point. We'll try and get that for you in just a few moments.

Mike, the crowd has swelled from a number of 50, reportedly, now to 500. So as you said all along, the concern has been not so much--or in addition to violence happening at the time the raid took place, but the ramifications and reaction that might occur. In fact, it's already in just the not even two hours since this has happened, the crowd has grown tenfold.

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VON FREMD: Yes. It's grown tenfold, and I suspect it's going to continue to grow throughout the day. People don't have to go to work. They feel very passionate about this. This is called Little Havana for a reason, and the people here spent 40 years hating the Castro government. Many tell me that they feel this is a victory for Fidel Castro, and they're upset about it. That's their view. This is not the view of everybody in Miami. It's the view here in Little Havana. I must tell you that having been down here for a while, there are many others in Miami that are very tired of this, that, frankly, wanted the government to do something and--but in this section of Little Havana, this is, they feel, an outrageous thing that happened this morning, and they're going to gather here to make their views known.

VARGAS: Moments ago, Mike, you were saying that the Miami's mayor, Joe Carollo, was trying to keep the--the crowd calm and giving several--several interviews to Spanish radio stations. However, we heard a live--live interview with him earlier where he was calling the government's action this morning "shameful." Is he, in fact--is that kind of rhetoric going to ratchet things up a bit in this volatile situation?

VON FREMD: Sure--sure. You have to remember the politicians here are very well aware of the powerful vote and also, probably, expressing their own views, do not like the way this was handled. Yesterday, we had the governor, Governor Jeb Bush, appealing that no action be taken. As a matter of fact I've...

VARGAS: OK.

VON FREMD: ...still got a statement here that says it would be unwise...

VARGAS: Mike...

VON FREMD: ...and unwarranted. Yes?

VARGAS: I'm sorry to interrupt.

Just very quickly, I wanted to explain to our viewers, we're looking at a live shot right now outside Juan Miguel Gonzalez's' house, his temporary residence in Bethesda, Maryland. He is going to be reunited with his son. This morning the government released a statement saying that Eliau Gonzalez was, in fact, already on an airplane on his way to Andrews Air Force Base and when he lands, presumably, he will be immediately reunited with his father.

I'm sorry to interrupt you. I just wanted to point out what we were seeing there. But what were you saying, Mike?

VON FREMD: Well, that yesterday Governor Jeb Bush said--said that, 'We understand there were reports that federal officials are going to mobilize to remove Eliau.' And the governor says, quote, "We believe that forcible separation of Eliau and his current caregivers is unwise and unwarranted." Well, less than 24 hours after the governor issued that statement, they took action. And you--you mentioned that the mayor is upset about the way this happened. They don't--those that want the support of the people here in Little Havana are voicing their frustration with this.

VARGAS: Presumably, Mike, there is some sort of a plan should there--should violence erupt or this general strike that is already being threatened happen. I know that police aren't there readily on the scene right now because they've been the target of so much ire from the protesters, but presumably there's something in plan, right?

VON FREMD: Well--well, I should--you--they're not--they're just not here. They're about four blocks away. And they're really here in quite force (sic). They've got riot gear on. They have helmets. They're just not outside the house because there's--there's nothing to protect anymore. I mean, Eliau is gone. No one was hurt. And they don't believe that the people of Little Havana are going to burn down their own neighborhood. So they're not trying to protect anything here. But there is a tremendous police presence outside, and if this should escalate, yes, as you mentioned, there's quite a number that are on hand that are ready to take care of it.

VARGAS: All right.

We're going to look at some stills--some--some new stills we got from--there were apparently photographers that were inside the Gonzalez home, at the invitation of the Gonzalezes, to take pictures and document the raid as they

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were--feared it might happen. This, obviously, is Eliau with--we're told at one point, that one of the fishermen who rescued him was holding him. And we're told that this is one of those two fishermen who found him floating in the ocean on Thanksgiving Day last year. Obviously, Marisleysis, right there, very upset, has been serving as a mother figure to Eliau Gonzalez these past five months. They were reportedly on the phone, according to the Gonzalez family lawyer, speaking with the government, negotiating, and they felt they were making--at least, that's what they're saying--some sort of headway when the battering rams and the SWAT team arrived this morning.

Just to bring those of you who are just waking up, up to date, this morning 20 federal agents, we are told--approximately 20 agents, in SWAT gear moved into the house outside in Little Havana--Havana where Eliau Gonzalez has been staying with his uncle and cousins for the last five months and forcibly removed the boy. They went in fully armed. And in fact, at one point when the crowd outside, which overnight had shrunk to about 50 people, grew upset, people were held at bay with guns, and finally agents felt the need to fire tear gas into the crowd.

We have some other rather dramatic stills as well to show you. One of the first ones that we--we--were taken, apparently, was of one agent who was seizing Eliau from a closet. And you can see there that these agents went in meaning business. This SWAT team wanted to get in there, get this little boy out quickly and--and were--they were not--this was not open for negotiation, as they say. There had been a lot of speculation about how the government might move in, about whether or not they might take a softer approach. In this case, obviously, here there is a female INS agent who was taking Eliau out of the house and into a waiting van. As Mike von Fremd was telling us moments ago, they were--they were out of that area in a matter of moments. That had been a concern for them because they knew that people would, in fact, be upset and could try to stop them.

So we have Linda Douglass now at the Justice Department. Linda:

DOUGLASS: Yes.

VARGAS: Any new information you can tell us?

DOUGLASS: Well, we've gotten a few more details about how the president was briefed. The chief of staff, John Podesta, who has been the point man between the Justice Department and the president, did contact the president at 5 AM this morning and tell him that these negotiations were not going to bear any fruit. And then we are told, he called the president again at 5:30 this morning and said that the raid had--had unfolded. So apparently, these negotiations--really there was some hope throughout the evening that they would be able to accomplish something, and that that just simply was not the case.

We also know, as you pointed out that the father is now going to be reunited with his son at Andrews Air Force Base. There's a very strong feeling on all sides that they want to keep this reunion as private as possible. We don't expect to see many pictures of that. We're going to be getting a statement of some kind from the lawyer for the father, Greg Craig. Interestingly, up until this very moment, the lawyer for Juan Miguel Gonzalez, the father, and all of his supporters, had been extremely frustrated by this process. Just a number of false starts that they felt were going nowhere. You know, the father made a very emotional appeal to the government and to the American people to try to move in and get his son. And they were even considering some kind of legal action on their own if they couldn't provoke the government to act.

VARGAS: Against the government--the US government?

DOUGLASS: A variety of avenues that they were considering, perhaps something in state court challenging the--the suitability of Lazaro Gonzalez and his family to continue to have custody of the child. Just--just a variety of different legal avenues, obviously none of which will have to be pursued now.

VARGAS: Linda, what--what were those negotiations--I mean, this has been going on for five months. In the last five hours, what were the negotiations specifically about that the Miami relatives felt they were, quote, "finally making some progress"?

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DOUGLASS: There was talk of trying to bring the families together, to live in some kind of a compound in a neutral area, perhaps where the Wye River Accords were worked out, some sort of arrangement where all the family members could live together and--and try to work out a peaceful transition of care from--for Eliau from Marisleysis to the father that--that--that would have been approved of by all the psychiatrists who've weighed in on every side. That was--the best thing for the child would be that he would see that the family members approved of this transition of custody, and that all the family members approved, and that he wouldn't be caught in the middle in any way. The sticky point always was this, though, and that is Juan Miguel Gonzalez, the father, insisted, as did the government, that the custody be given to him upon the moment that the reunion was affected. So the minute he had his son back, he wanted to have the custody. That was the sticking point throughout. So while they--they were talking seriously about living together in some kind of an arrangement, that was the point they could never get over.

VARGAS: Linda, we were just listening to Mike von Fremd describe the volatility of the situation down in Little Havana in Miami. And in fact, we can--when we were looking at the videotape, you can see that the crowd there outside that home--the Gonzalez home in Little Havana--has grown from 50 to 500 in just an hour and a half. What is--I'm sure the federal government and Janet Reno are extremely concerned now about the ramifications and reaction in that part of the country throughout this Easter weekend to what has happened.

DOUGLASS: Well, they absolutely have been all along. That's why they did it when the crowd was small. And as Mike has so astutely pointed out, that what they're trying to do now is--is keep away from the crowd any targets upon--you know, at whom the crowd can--can vent their anger. There--there is concern about this Easter weekend logistical operation, that's why--as--as I said to you before, they--they picked Saturday, which is the least of the holy--you know, least holy of the holy days on Easter weekend. On the other hand, they felt that if they waited any longer, that first they would appear to be impotent, that they would appear once again to not to be carrying out their threats, that they would appear to be setting yet another deadline that was going to be ignored. And also the passions of the crowd were just continuing to mount on a daily basis. There was never going to be a good time to do this.

VARGAS: All right. Let's go back--thanks very much Linda Douglass. Stay tuned, we'll be right back with you. But we're going to go now, back to Mike von Fremd who's out on the scene.

Mike, you had described the police in riot gear standing just blocks away. Are--is the crowd continuing to grow? Are people still able to bypass them and get to that house where you're standing now?

VON FREMD: Sure, from my vantage point I can see people continuing to stream down the block. They've got to do it by foot, because you can't drive here anymore.

We also know, Elizabeth, what Lazaro Gonzalez, the uncle who's been taking care of Eliau for so long, said with that megaphone just a little while ago. Tony Moran, my colleague, told me that Lazaro said that, 'If we had been armed this would not have happened. I have lost faith with the government.' Now Lazaro has become a true hero in this community. And in--instead of really appealing for calm, he was telling the people outside here that, in fact, he feels he should have been armed, and if he had been armed, then the government would not have been able to take young Eliau. That's really not going to do much to calm things down here.

VARGAS: I was going to say, you said just a moment ago, that if--if anybody was asking for calm and could--could accomplish that purpose it would be Lazaro. If he's now saying things like that, that is certainly cause for concern.

VON FREMD: I must also say that he has been a real favorite with the Spanish radio stations here because he is tough-talking. He kind of says exactly what he thinks at the moment, and people here love him. They get a kick out of him. And he has fought the government every step of the way, and now he's saying that, if he had been armed, he would have fought some more.

VARGAS: In fact, we have some reports now that some--some members of the crowd near--outside the house--or near where you are, you probably can't see them, because that is an enormous crowd there--we've got reports that they're actually burning the American flag.

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VON FREMD: I--I have not seen that. What--I don't know if you can see in back of me, right now they've got a picture of a cross with a--a young infant nailed to it. And now, they're singing. I mean, it's going to be a very creative display of signs here. And I think this is going to be kind of the venting point for days to come. But I keep pointing out again and again that in what happened here, no one was hurt. And I guess they're doing a smart thing, they're letting the people vent, and I guess they're doing a smart thing. They're keeping the police at a safe distance.

I've got to tell you it's safer now than it was just about an hour or so ago. There were people running around with bats, Elizabeth, and we occasionally would have to turn off our lights here because they wanted to just grab our camera and vent. And they were swinging things, and we didn't particularly want to get struck. That is changing a little bit. I guess the fear is, you know, if the crowd gets bigger, the day gets hotter, who knows? But--but right now, people are--are praying. And that's certainly a hopeful sign.

VARGAS: And we're also looking at an intersection apparently a couple of blocks outside the Gonzalez home where all traffic has been stopped. People are outside of their cars sort of wandering around. Do you know if that's--peop--they're stopped there because of a police barricade or--or...

VON FREMD: Sure.

VARGAS: ...protesters stopping in that traffic?

VON FREMD: People who are--people who are familiar with Miami are going to know the name of this road is Flagler. And you go one block across Flagler, which is a main street throughout Miami, and you come to a dead stop. You can't get any further. That's basically the way you get into Little Havana. So if you want to try driving to Little Havana, you pretty much can't do it. You got to park your car. But it's a nice day. And these people are going to park their car and they're going to--I can see them. They're walking down the street now. They're going to be walking in here all day. This is going to be the gathering point, and I expect this crowd's going to get much, much larger.

VARGAS: Mike, have you had a chance to talk with--are there any--I--I know there are a lot of people out there. But are--have you been able to talk with any of the people out there or anyone who might even, in fact, represent certain groups? You've got various Cuban-American foundations, that sort of thing.

VON FREMD: Yes--yes, I have. It's not hard. They want to come up and talk to us as much as they possibly can, and I spent about an hour doing that. One of the leaders of the Cuban community, I'd interviewed him a couple of times for television spots, he's also very well known here. His name is Ramon Saul Sanchez and he is calling for a general strike. And before, he was the one that tried to orchestrate the airport being closed off. What they were going to do, Elizabeth, was have cars go at just a snail's pace around the airport. He called that off a couple of weeks ago. The community convinced him then that this tourism is very powerful here, that the hostility against Little Havana would be just too much. So he called it off. He's now asking that that be started again. He wants a general strike. As a matter of fact, he collapsed after making that and now he's OK again and walking around. I've had many other people come up and just say they feel betrayed. They feel that they were--people inside the house were on the phone, negotiating with Janet Reno. That's when they came in and took the boy. And they keep talking about how it was done. They keep talking about knocking down the door, pulling out guns and they say, 'This can't be America.' You know, 'We're losing our freedom here.' And they're very, very upset. Upset about it, but again, no one was hurt.

VARGAS: You have said repeatedly that it's--it's almost incredible given the high emotions surrounding this, and, in fact, the number of agents who went in who were so heavily armed, that it's incredible that nobody was hurt. There has--we--there has been much commentary in recent days about Janet Reno and--and the visions of Waco in her head. She must have--that must at least be something for those agents to--to be happy about or--or at least satisfied with, that there was nobody hurt in this.

VON FREMD: Certainly. I--I was at Waco for weeks, and I can't think of anything worse in the way it turned out both from beginning to the end. And I've got to think Janet Reno must be very, very pleased.



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When I said earlier the code name that apparently the agents were yelling when they had Eliau safely wrapped in that blanket and coming out, the people here say they kept hearing the agents yelling, 'Bingo! Bingo!'

VARGAS: Right.

VON FREMD: Bingo must have been the code word that they say they had him. And it only took about five minutes. Four vans, agents, you know, lighting off tear gas, the crowd unable to form a human chain, in and out of the house, and no one's hurt. I would think that the Justice Department is thrilled with that--that outcome.

VARGAS: All right. Mike von Fremd, stand by for us for a second. We're going to turn now to Jeffrey Toobin, our legal analyst.

Jeffrey, what--first of all, the White House said--it has said that it supports today's pre-dawn raid. And it's obviously legally able to do something like this.

JEFFREY TOOBIN reporting:

Yeah. I--I think that's an important point to emphasize. You know, last Friday, April 14th, the Justice Department sent a letter to Lazaro Gonzalez making emphatically clear that he had no more legal right to have custody of Eliau. In the technical term, the Justice Department had 'revoked parole.' So Lazaro Gonzalez had no legal right to custody of Eliau. And now five--seven days later, the government took action to restore custody to his father.

VARGAS: And what happens now with--with this little boy, Jeffrey? Legally, what is his status at this point?

Mr. TOOBIN: Well, the important point to emphasize as a result of the court of appeals decision earlier this week is that Eliau may not leave the United States. He is--is legally prohibited from going back to Cuba. However, the appeals court decision did not say where he should be in the United States. So it's clear the government is in the process of reuniting him with his father in--in Maryland, just outside Washington. And he's going to stay there, I think, for a long time.

VARGAS: What's the next step in this whole legal process, Jeffrey?

Mr. TOOBIN: Well, I think the--the thing that's really going to be striking to a lot of people is that the legal process now, after moving relatively quickly, will probably slow down a good deal. The appeals process about whether Eliau, as a minor, can apply for asylum--that's going to be argued in the court of appeals May--May 11th. It may be several more weeks before there's a decision in the court of appeals. So I think--and then there may be appeals from that decision. So I think it is likely to be a very long time, perhaps into next year, before Eliau is in a position to be free to go with his father back home if, indeed, that's the way the courts resolve it. So I think Eliau and his father are certainly going to be reunited in a matter of hours, but they are likely to be in the United States for weeks, if not many months.

VARGAS: And during this, are they staying in Bethesda? Do we have any information on whether or not Juan Miguel and Eliau will continue to reside there...

Mr. TOOBIN: I--I don't know.

VARGAS: ...in that temporary residence?

Mr. TOOBIN: You know, as--as people know, the United States and Cuba do not have diplomatic relations. But Cuba has what's called an intrasection, which is sort of like a mini-embassy in the United States. He's been stay--Juan Miguel has been staying in the residence that's affiliated with the Cuban intrasection. Presumably, he will continue to stay there. But, you know, they're going to have to settle in. Remember Juan Miguel has a new wife, a--a baby--a baby child as well. So that family is probably going to settle into the United States for--for several months now.

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VARGAS: All right, Jeffrey, stand by, if you will, for us. We're going to go now to Bob Woodruff who is outside that home in Bethesda, Maryland, that Juan Miguel and his wife and new baby have been--have been living in for the last several weeks.

Bob, what's the--what's the mood there?

BOB WOODRUFF reporting:

Well, Elizabeth, Juan Miguel just left here about 15 minutes ago to head down to Andrews Air Force Base. He will there be reunited with his son, Eliau, of course.

I had a chance to talk to Joan Brown Campbell, who is the church leader who has become a very close friend of Juan Miguel. She said that his reaction this morning, he was very happy. He was extremely tearful, she said, also but he was not gleeful. He's very aware, she said, of how--how grave the situation was this morning. He is aware of the gravity of what went down this morning. So he's not really gleeful about this situation. He has not yet had a chance, Elizabeth, to speak with Eliau on the phone. The Justice Department told him this morning that they had tried to put a cell phone to Eliau's ear and have him talk to Juan Miguel but for one reason...

VARGAS: OK.

WOODRUFF: ...or another that--that did work.

VARGAS: All right, Bob...

WOODRUFF: Also...

VARGAS: We've got a little bit of a problem with your signal. We're going to check back with you in just a few moments and see if we can correct that.

Mike von Fremd, if I can go back you to very quickly. There--obviously, as you heard Bob Woodruff--if you can hear through the static of that--that signal just a moment ago--Juan Miguel reportedly not at all gleeful, aware very much of the gravity and the seriousness of the situation. Do you think that that--I mean, obviously, in that crowd where you're standing now, Juan Miguel Gonzalez is not a man who is--is well liked, to put it mildly.

VON FREMD: No, he's not well liked. There are many here that are amazed that he didn't defect. They certainly thought that there was a chance of that when he came, and he certainly showed absolutely no indication that he wants to do that at all. I've met Juan Miguel a couple of times. I was sent to Cuba in the very beginning of this. Actually I had a chance to go to his--his home, which had just had a fresh coat of paint put on it. And he seemed like a very nice guy. There were many, many school children that were brought out for a large demonstration that Fidel Castro had put on, and some of them were little Eliau's classmates, some of the ones that Fidel wanted to send over here, it's a very quiet little community over there.

But as to your point, that they do not like Juan Miguel Gonzalez one bit here, they're dismayed that--that he is holding kind of a hard line of wanting to take his son back to Cuba. And that upsets the people here very much, because so many of them have told me that Eliau's story is kind of their story. There was an operation called Peter Pan years ago in the '60s, where many young kids came to the United States without their parents. And I guess that's--in trying to understand this community, it helps to know that so many say, 'Eliau's story is my story.' And you know, risking your life to come across in boats, some of the people behind me have done that. And they feel passionately that this country is worth it, that you should have the freedom. And they're upset that they can't seem to turn Juan Miguel around on that.

VARGAS: All right. Thanks, Mike.

We have some new information now from the INS and we'll bring everybody up to date. According to the INS, 130 agents from the Immigration Service were involved in this, 15 to 20 US marshals. Eight of those agents actually went into the home shortly after 5:00 this morning, the home of Lazaro Gonzalez in Little Havana, Miami. All of

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those agents were, in fact, INS agents. One female agent--you can see her there in that van holding--holding Eliau--well, now we're on the still photos--but she apparently reportedly said to Eliau, quote, "I am not here to hurt you. I know that you are frightened. I'm here to take you to your papa." She said that all to him in Spanish.

In the airplane on--on its way now to Andrews Air Force Base are that same female agent, apparently trying to console Eliau, a government psychologist, as well as a surgeon. In the van to the airport, Eliau was reportedly calm and playing with toys. So even though you can clearly see an expression of fear and great emotion on his face there, according to the INS, he was able to calm down. He's expected to talk with his father over the telephone from the airplane at any moment now.

You can see these still photos were taken by a--a photographer who was in the Gonzalez home at the time that the raid occurred, there reportedly or purportedly to document what exactly went down. There were only 50 people outside the Gonzalez house in Little Havana when agents--those eight agents from the INS--went in to seize Eliau. That crowd has now grown to 500 and is still growing. Our reporter on the scene, Mike von Fremd, reported that--especially a little bit earlier--and we have a vid--a scene from other videotape taken during the--the darker hours--that in fact that handful of 50 people was extremely upset to see this SWAT team raid go down, had to be held back at gunpoint, according to witnesses. And at one point, INS agents felt the need to fire tear gas into the crowd to keep them back.

As you can see, it's--it's a--still a very volatile situation. We've got some videotape here from earlier this morning. Demonstrators at one point venting their anger by throwing debris at anything they could, whether that be the SWAT team--you can see the INS agents there trying to keep calm and finally feeling the need to--to fire tear gas into the crowd to keep them back.

Other information I'm being handed here from the INS is that Eliau stayed very quiet and observant. He has been reassured he is not being taken to Cuba but to his father, according to the INS. All parties were safe from this raid. Eliau, Lazaro and Marisleyxis, all three. Eliau was reportedly taken from a closet in the home where he was being held by one of the fishermen, we are told, who actually rescued him. Here you can see what has got to be a rather disturbing photograph, one of those INS agents in full riot gear going in to seize--forcibly take that boy from the arms of the fisherman who was standing in a closet hiding, we presume, from those agents as they broke in. Lazaro Gonzalez, Marisleyxis Gonzalez were both reported to be safe. Janet Reno, as Linda Douglass said moments ago, has to be very happy with that. She has visions of Waco in her head--Waco, Texas, a terrible government raid that involved a lot of fatalities several years ago. So the fact that there were no fatalities or injuries reportedly in this, has got to make her and the agents who conducted that raid at least relieved.

What--more information from the INS, that they did--INS agents did everything, it says, not to come to this; the negotiating into the wee hours of the morning. By 4:00, according to the INS, it became clear that the family would not budge.

Linda Douglass, as we have--spoke earlier law--lawyers for the Gonzalez family, in fact, confirmed that they were also on the phone with those federal agents. They say they feel that the government was simply setting them up.

DOUGLASS: Well, it certainly did look that way to them. And it probably always will appear to be that way because they were so--they had such elaborate plans and they were so poised for action. But I actually think it's very interesting that we are hearing from the White House, from the Justice Department, and from the INS that they really felt that they might possibly be able to achieve some kind of breakthrough all through the middle of the night, even as the agents moved in. And there--there--we will find this out as the day progress--there must have come a--a breaking point in these talks at which they really understood that there was absolutely no hope.

One of the things that will also be fascinating to find out is how the child is actually doing. We--we spoke with someone close to Juan Miguel Gonzalez, the father, yesterday, who had witnessed a phone call that took place between father and son the--the day before. It was about a half-hour phone conversation, and this person, who was listening to the father's end of the conversation, said the little boy was pleased to be talking to his father. It was a very friendly, even somewhat jocular conversation with affection, that the little boy said he missed his father, that he wanted to see again his little baby half-brother who he hadn't seen for all the time he's been away. He had been

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watching his pictures on TV and was fascinated by how chubby his cheeks had come and that the little boy was also disturbed by all the noise that he was being surrounded by while being kept in the home with the Miami relatives. So it is very possible that this will be a peaceful reunion between father and son, and that it, with--with any luck, won't be as traumatic as--as certainly it is starting out to seem.

VARGAS: And in fact, Linda, according to that information we just received from the INS, they're saying that by the time--as--as much high drama and high emotion that we can clearly see in those photographs, when the--the agents went in and staged this raid, they said moments later he was calm in that van and that, in fact, he was, you know, very calm and playing with toys on that flight to Andrews Air Force Base.

DOUGLASS: Well, that's right. You have to wonder about the mood that has been under way in that house all along. Donato Dalrymple--the man who runs a housecleaning business and is a part-time Pentecostal preacher, who is also one of the two men who was fishing and picked up the boy in the ocean back in November--he was in the closet with the boy. And he's been a very emotional figure in all of this. He's argued all along that the boy should not be reunited with Juan Miguel Gonzalez. He came to Washington to meet with Juan Miguel Gonzalez and had a fairly contentious encounter with Greg Craig, Gonzalez's lawyer. So--just, there's no doubt--and he's the one that you're seeing right there who was in the closet with the boy. So there had to be high emotion in the house...

VARGAS: Absolutely.

DOUGLASS: ...and had to be stressful for the boy all along.

VARGAS: In fact, we have, Linda, a sound bite from the fisherman, from that man who you see there holding Eliau Gonzalez, who was in the house when this raid went down. We have a sound bite from him right now explaining what it was like.

Mr. DONATO DALRYMPLE: I didn't know what it was, and I heard Eliau scream. And I grabbed him and I ran to the bedroom. I didn't know what to do, just to try to protect this little boy. And I know they were holding the family with guns!

VARGAS: Obviously, as you--as you can hear him there, they--they seemed--it seems, Linda, that when you listen to that fisherman and obviously hear those comments from the family, that despite--as Jeffrey Toobin pointed out moments ago--the fact that--that Lazaro Gonzalez had been officially and thoroughly warned that the government had the legal right to now take Eliau from his custody, that the family sounds like they were surprised that this went down, even though--we had you on "Good Morning America" yesterday talking about the fact that there was a lot of talk that something might go down today.

DOUGLASS: Well, you can imagine that they would be surprised. Because frankly there have been many false starts. That was a term that was used to me by someone in the White House about four days ago, back when the White House was openly expressing frustration with Janet Reno. She had a level of patience that was considered--'maddening,' was the word one of them used at various points in this process--allowing the family to pursue all of its legal options, going to Miami to negotiate with the Miami relatives, putting up a deadline, which was allowed to come and go--one of several deadlines. So it is very possible that the Miami relatives assumed that she really wouldn't act. And I think what they did was underestimate her resolve, which was very clear, after the court of appeal issued its ruling. Janet Reno got off the airplane--she'd gone to Oklahoma City for a--for a ceremony commemorating the--the Oklahoma City bombing. And she made very clear that the court said nothing about prohibiting the transfer of custody that was in her purview to execute. Lazaro Gonzalez, in her view, had been maintaining custody of the boy without any legal authority to do so. That is, after all, at the discretion of the Justice Department. That is, who cares for the boy.

VARGAS: All right.

DOUGLASS: And it was clear at that point that--that her resolve had been strengthened.

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VARGAS: We should tell our viewers that we are expecting to hear from Janet Reno and other INS officials in about 10 minutes. They're going to hold a news conference to explain exactly what went down and their actions and--and fill us on in on more details that I'm sure that we're not at this point aware of.

As we're looking at the--the home of Lazaro Gonzalez, in Little Havana, we're told that the crowd has grown from 50--at which point, when the raid went down, there were about 50 people spending an all-night vigil outside the house as they have been nearly every night since this saga began. That crowd has now reportedly grown to 500 and is still growing. A reporter on the scene, Mike von Fremd, has told us that police are in riot gear. And in fact, just a few moments ago we saw some videotape of police in riot gear standing a couple of blocks away. There's Mike.

Mike, how are--how's the emotion there and the scene now? It looks calm behind you.

VON FREMD: Well, they're--the--right now, people don't seem to know what to do with themselves. Earlier we had some prayer vigils. When they don't have anything to do, frankly, all morning long, that's--every now and then, when a little bit of trouble starts to erupt.

They're--it is getting much more crowded here. As I told you, if you park your car, you're able to walk here. And I suspect all day long, people are going to continue to come. I also mentioned to you that Lazaro Gonzalez came out with a megaphone a while back, the great uncle who was taking care of Eliau for nearly five months, saying that if he had been armed, this would not have happened. People cheered that.

We've had the mayor of Miami come through. They want calm, but the politicians also want to express that they do not appreciate how this--how this went down, how this happened. The governor yesterday pleaded with the government not to let--not to go in by force...

VARGAS: OK.

VON FREMD: ...when, in less than 24 hours, they did just that.

VARGAS: OK. All right. Thanks, Mike. We just need to break way quickly to Jeffrey Toobin.

Jeffrey, now that Eliau has been taken from Lazaro's home, you were talking about the fact that this could go on for months, if not even into the year 2001, this legal battle over Eliau Gonzalez. I'm curious, though, do Lazaro and Marisleysis have any legal right to visit the child in the interim?

Mr. TOOBIN: I don't think they do. I don't think they have any legal right at all. I think that's a very different question about whether some visitation should be arranged in--in the interest of sort of the humanitarian concerns of everyone involved. Of course, Eliau has been living with Lazaro and Mari--Marisleysis. That--there is obviously an im--an important bond there. And anyone who is concerned for Eliau's continued--you know, his mental and physical health, I think would want to keep that bond intact and--and--and arrange some sort of visitation. But as a legal matter, I don't think there is any right that the--that the Miami relatives have to any access to Eliau at all. And--and I think that--that's a--that's a stark reality considering how close Eliau has been to them. But--but they--their rights have expired now.

VARGAS: You said their rights have expired. Is that the letter that you're referring to that Janet Reno sent to Lazaro Gonzalez, sort of officially notifying him that, 'That's it. You don't have custody of this child any longer'?

Mr. TOOBIN: Absolutely. That was--that letter came from the Immigration & Naturalization Service. It came last Friday, April 15th. They--they actually said that, 'Parole had been revoked several days earlier. But in case you have any doubt, parole is--is terminated right now.' So the Justice Department had the legal right to do what they did this morning for some time. Obviously, they had been working, trying, negotiating, to arrange a shift in custody in a more peaceful manner. But their patience finally ran out. And they had the legal right to take Eliau away.

VARGAS: Well, their patience and apparently--you know, look, many people in this whole drama have been very vocal about their opinions on the whole thing--a lot of people's patience. I mean, I think there's been a sentiment

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particularly toward Janet Reno. I mean, Linda Douglass said a moment ago it's been reported widely that many were beginning to regard her as being impotent for not being able to find a way out of this mess.

Mr. TOOBIN: I--I--I think, looking back, we'll see how extraordinary the events of these months were. I mean, here you had the attorney general of the United States--who, of course, is usually just an administrative official, not an action officer--herself going down to Miami the week before last, essentially begging Lazaro Gonzalez and--and the Miami-based relatives to comply with the law. Then Janet Reno being told by those--those Miami relatives, in effect, to get lost, go back to Washington, we're not giving up Eliau. I think that--that incident was a source of considerable embarrassment to many people in the--in the Justice Department. She then, I think, felt--and I think understandably--as a law enforcement official that she couldn't continue to be toyed with in this manner and finally she just ordered a--she ordered this dramatic action. But I--I think, you know, obviously her actions will be second-guessed in--in many respects. But you can't say that she didn't try to resolve this peacefully. She certainly did.

VARGAS: Well, all the arm--all the armchair quarterbacks sort of looking back on this, you know, she has apparently worked for months and--and as you said, personally traveled down to Miami to try and reason with the Miami relatives. It's interesting to note, as we have frequently throughout this--this story, that she obviously is from this area, and I think, had a lot of personal desire to settle this amicably and peacefully. And reportedly, it's been very painful to her that she has become the target of so much criticism.

Mr. TOOBIN: I--I think that's--that's undoubtedly the case. And--and certainly you can understand. I mean, the--the shadow of Waco has hung over this story from the beginning. It was, you know, the seventh anniversary of Waco just a couple of days ago. That was a catastrophic raid with the death of 80 people. Janet Reno, above all, did not want that kind of--a repeat of that kind of tragedy.

And--and as Mike von Fremd has been emphasizing from the very beginning, this was a dramatic raid, it was--it was very upsetting, but no one was hurt. And I think that's something that people in the Justice Department will take enormous satisfaction from. You know, I think all of us have been struck by that really very disturbing photograph of what looks like an assault weapon about a foot from Eliau Gonzalez's face with--with the--with the fisherman in the closet there. But the fact is, that gun was never fired and no guns were fired. And there was a little tear gas used and--and if we're to believe the Immigration &--Immigration & Naturalization Service, as I think we have no reason not to, the situation with Eliau calmed down very quickly. He's going to be reunited with his father before most Americans have had breakfast this morning. I think that's--that--that is a positive development and--and I think the law has taken its course in--in a very emotionally striking but--but ultimately satisfactory manner.

VARGAS: As we listen to you, Jeffrey, we're looking at some pic--pictures now outside Little Havana. This is apparently a main thoroughfare that is, according to Mike von Fremd, one of the main or perhaps even one of the only arteries into that part of Miami. And we've got traffic at a stand still. And--and--and a crowd of--a small crowd, a handful there, obviously angry, upset people, trying to incite something. And...

Mr. TOOBIN: Well, but I--I think what--what they're--what mostly people are doing in--in Havana right now is exercising their First Amendment rights to scream and yell. And I don't think there's anything inappropriate about that. I mean, this is a politically and emotionally very volatile time. But the fact is there has not been violence. It appears, as far as we know, that no one has been hurt. And--and people have...

VARGAS: Nobody's been hurt. I--I think that there has been. There have been some incidents of people throwing debris, that sort of thing...

Mr. TOOBIN: Right.

VARGAS: ...to the point where police felt the need to fire tear gas into the crowd.

Mr. TOOBIN: Right. Right at that--that--it--it appeared, from the video, that was right when--when Eliau was being removed from the house.

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VARGAS: Right after that.

Mr. TOOBIN: But--but...

VARGAS: Absolutely.

Mr. TOOBIN: But so far, you know, there--there--there have been protests and that. And that, it seems to me, perfectly appropriate and--and lawful. But the situation there, while emotionally volatile is not violent. And--and I think that's--that's really a tribute to everyone involved.

VARGAS: This does appear to be well-planned. I mean, when we--we were looking earlier at a--at a--somebody outside that home in Little Havana holding up a sign referencing Waco. But, as you pointed out, this couldn't be more different, dramatically, than that raid. This apparently was an aggressive--much more aggressive than I think some observers had thought would happen, but very well-executed raid. Those agents were in and out with precision, very well armed and were out of that area within moments, and as you said, nobody hurt.

Mr. TOOBIN: And--and there was--Linda Douglass mentioned earlier, I think, is--is an important point, which is that in--in law enforcement philosophy, the way to do these things effectively is usually to bring more force than you need, which you--which means you will be less likely to use it. They went in there with machine guns, they went in there with these bullet-proof vests and--and--and shields over their faces and it was very--and--and--and the pictures were very dramatic. But the sheer show of force, many law enforcement professionals think, means that force will less likely to be used. I think Lazaro--we--we were quoted saying--he was quoted recently saying, you know, just earlier this morning, when he was speaking to the crowd, 'If I had a gun, things would have been different.' Well, boy, if--if he had a gun, I can think only disaster would have--would have--would have awaited everyone involved. The fact that the Justice Department went in in such overwhelming force really, I think, contributed to the fact that force was not used. And--and I think, as the New York City Police Department is--is famous for using more cops than they need, but I think by and large that's been shown to dissuade people from being violent, rather than provoking violence. And I think today's an illustration of the success of that philosophy.

VARGAS: We should say, just to--to keep our viewers up to date, we are waiting for a briefing that is scheduled to happen at any moment now from Janet Reno and INS officials to give us the details on the planning that went into this raid and how this actually all went down. And for those viewers who are just tuning in this morning, let's bring you up to date.

Shortly after 5:00 this morning INS agents--eight of them, very well armed--went into the house in Little Havana where Eliau Gonzalez has been living for nearly the past five months. Several agents were involved, 15-20 US marshals as well as, we're told by the INS, 130 agents, all in the planning. One female agent reportedly carried Eliau to the van as you see right there, saying to him in Spanish, as she--as that boy was seized from a closet where he was being held by one of the two fishermen who rescued him on Thanksgiving Day last year in the ocean. The female agent said to Eliau Gonzalez, quote, "I'm not here to hurt you, I know that you are frightened, I'm here to take you to your papa."

In the airplane, we are told, that female agent you see holding him there is with him, along with a government psychologist, as well as a surgeon. And we are told by the INS that in the van on the way to the airport, Eliau was calm, despite the high drama and the fear that you see written all over that boy's face, that he was able to calm down and begin playing with his toys. He's expected to talk with his father soon, if he has not yet already done so, from the airplane. He is en route at this moment to Andrews Air Force Base where he will finally reunite with Juan Miguel Gonzalez, the boy's father, who traveled here from Cuba weeks ago and has been waiting, at times, impatiently to regain custody of his son. The raid took place shortly after 5 AM, carefully planned, we are told, in between Good Friday and Easter Sunday, two of the most holy days in the Catholic religion. This is a very Catholic--Catholic part of the area and part of the--the city of Miami.

The 50 protesters who were outside the house at the time that the raid went down, stunned by the raid, clearly, and very upset. We--apparently at one point INS agents felt the need to fire tear gas into the crowd. The crowd was held at bay by officers with guns, so that they could not form their human chain that they had threatened for so long

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to prevent agents from taking away Eliau Gonzalez. So, after months of negotiation, Eliau Gonzalez seized from the home of his great uncle, Lazaro Gonzalez, in a precision, aggressive raid this morning.

ABC's Linda Douglass is at the Justice Department. Apparently, Linda, Janet Reno was working all night long to execute this raid?

DOUGLASS: Yes. And we have a little bit more detail about how the--the nature of these negotiations--the tone of these negotiations. A source close to the attorney general said that the Miami relatives really remained fairly inflexible throughout the evening. As they would began to make some progress, a new problem would--would come up. They would suddenly object to where the child was going to be delivered. They said that the little boy was afraid of flying on an airplane, so then the government negotiators offered to put him in a car. And then they said that they didn't want to bring him in a car either. So, finally after about 4:00--she kept moving the deadline back--and finally after about 4 AM this morning, that was--that was it. The--the--the negotiations had collapsed. They called one more time at 5 AM, and by then she'd launched the action.

VARGAS: All right, Linda...

DOUGLASS: All right. Here comes the attorney general in the press room. We'll go to...

VARGAS: Right. We'll go to the attorney general, Janet Reno.

Attorney General JANET RENO: Earlier this morning, federal agents in Miami began to reunite Eliau Gonzalez with his father and uphold the rule of law. As I speak, Eliau is safe and he is on a plane headed for Andrews Air Force Base in Washington, DC, where he will be reunited with his father for the first time in five months. When the two are reunited, they will remain in the United States during the appellate process while the injunction is in place. And in accordance with the court of appeals ruling, we will take every step necessary to ensure that Eliau does not leave the country while the court of appeals injunction is in place.

We have been to great lengths to resolve this case in the least-disruptive manner possible. Up until the last, we tried every way we could to encourage Lazaro Gonzalez to voluntarily hand over the child to his father. Unfortunately, the Miami relatives rejected our efforts leaving us no other option but the enforcement action.

Eliau Gonzalez is a child who needs to be cherished, who needs to have quiet time and private time and to be with his father. And that is what this case is still all about: the bond between a father and son. Juan Miguel Gonzalez wants to be with his son, and that will happen now.

More than three months ago, the INS determined that only Juan Miguel Gonzalez could speak for his son on immigration matters. From that moment, I could have taken action to return Eliau to his father, but I did not. Instead, I gave the Miami relatives a chance to challenge my decision in federal district court. They did, and the court sided with the government. It ruled that this was a federal case, and that the INS was right to say that the father speaks for the child. Two weeks ago, a state family court turned away the Miami relatives as well. In a strongly-worded opinion, the judge said not only that the matter belonged in federal court but that a six-year-old boy is far too young to make life-altering decisions on his own. That same week, I traveled to Miami to try to encourage the family members to work out a resolution. The relatives in Miami said all they wanted was a meeting with Juan Miguel Gonzalez before turning over the child. But when I arranged that meeting, they still refused to produce the child. Every step of the way, the Miami relatives kept moving the goal post and raising more hurdles. That is why I finally directed the relatives to turn over the child nine days ago. That deadline carried great significance. When Lazaro Gonzalez didn't comply, parole and care was revoked. That means that for the past nine days, Lazaro Gonzalez has not had lawful custody of Eliau.

When the INS places an unaccompanied child into the care of an adult, that adult is required to comply with the directives of the INS. To maintain, as the Miami relatives did, that the INS somehow lacks authority over the immigration parole of a minor in the US, simply ignores the law. So this morning, I commenced an operation with the paramount concern, being the well being of Eliau, the safety of the agents and others. After negotiating through the night, I informed the parties that time had run out. At that moment, I gave the go-ahead for the operation. After



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I had set the operation in motion, the intermediaries called back to offer one more counter-offer. I indicated that I was willing to continue to engage in dialogue, but that time had run out. I did, until the final moments, try to reach a voluntary solution. Law enforcement personnel were on the scene, were authorized to and did make the final call as to when to enter the Gonzalez home because, this was a very carefully-timed law enforcement operation.

Eight agents were in the house during the operation. They were there for three minutes. During that time, a female agent picked up Eliau and spoke to him in Spanish. The agents then took Eliau to Watson Island where they boarded a helicopter bound for Homestead Air Force Base. There he was examined by a doctor to make sure that there were no injuries. At that point, he was boarded onto a US marshals plane headed to Washington, DC, where his father is anxiously awaiting for his son.

This has been a very emotional case for everyone involved. The most important thing is that Eliau is safe and that no one was seriously hurt. As we all await the outcome of the appellate process, I think it is important for us all to accept Eliau's long-overdue reunion with his father. It is time to heal wounds that have divided a community. It is time to help this little boy heal from the tragedies that he has experienced. Let us give him and his father the space, the calm, the moral support they need to reconnect and reaffirm their bonds between father and son. Thank you.

Unidentified Reporter #1: Miss Reno, the--the image that was released this morning, a photographer inside the house, of a federal agent with his gun drawn and pointed toward Eliau, and Eliau anguished, looking on is going to summarize this raid. So I ask you now, why was that necessary? Why was that level of force necessary in your opinion?

Ms. RENO: One of the beauties of television is that it shows exactly what the facts are. And as I understand it, if you look at it carefully, it shows that the gun was pointed to the side and that the finger was not on the trigger. It is important in these situations to look carefully and to understand the facts, and to understand that we had received information that there were guns perhaps in the crowd, perhaps in the house. It was unclear. But that the safety of all involved was paramount. And when law enforcement goes into a situation like that, it must go in prepared for the unexpected.

Unidentified Reporter #2: After the--the reunion at Andrews, where will Eliau and his father be staying?

Ms. RENO: Somewhere in the Washington, DC, area.

Unidentified Reporter #3: Will that be in the Cuban mission or--yeah, the Cuban home of the chief diplomat or somewhere else?

Ms. RENO: We shall see. At this point, they--it is important that they be reunited.

Reporter #3: So you haven't set any parameters?

Ms. RENO: I would let Commissioner Meissner comment if there was any further comment to be made.

Ms. DORIS MEISSNER: I think the general marshal and I can answer. He will be in the Washington area. He will be at Andrews Air Force Base for a short period and then he will be somewhere else in the Washington area. There are no plans presently that he be at the home where the--where father--where the father is presently residing.

Unidentified Reporter #4: Are--are you specifically not disclosing that place, or is it undetermined yet?

Ms. MEISSNER: It--it has been determined but we're not yet disclosing it.

Unidentified Reporter #5: Has the intrasection been precluded or is that still a possibility?

Ms. MEISSNER: That--they need more space. They need more space and they need more privacy, and so it's in the interests of space and privacy that the location will change.

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Unidentified Reporter #6: Miss Reno, can you describe a little bit of how negotiations broke down, what was--what was lacking on their part?

Ms. RENO: As it ended, initially, we had tried to put together something that achieved the goals of everybody concerned. For the father to have the parole and care of his son, for there to be a transition period, and we just were not able to work out the details.

Unidentified Reporter #7: Miss Reno, concerning the issue of the weapons, did you give any instructions to the law enforcement officials on the scene about being concerned about the child, agents, things like that?

Ms. RENO: I would ask Commissioner Meissner to address that specifically.

Ms. MEISSNER: The child has been our paramount concern in this operation. We structured the operation around the child's safety as the first, most important priority. We had Spanish-speaking female agents responsible--agent responsible for bringing the child from the home. We had worked out with our team of experts in advance the kind of conversation that the agent responsible for the child could and should use in order to be reassuring. That was carefully worked out as between the experts and the people on the scene. The airplane includes--the flight has Eliau accompanied by a child psychiatrist and a flight surgeon, both of whom are bilingual. There is a play pack on the airplane of Play-Doh, other things--food, to amuse him. One of the things that we learned from our experts was that the squeezing of Play-Doh is the best thing that you can do for a child who might be experiencing stress. I must say, though, that all of our reports, so far, are that the child has been very calm, has not been anxious, has not been thrashing, has not been crying. And the basic feedback that we have from a series of people now, who have been directly with him, is that he's a real terrific, tough kid.

Reporter #7: One follow-up question if I--if I may. If you consult with psychiatrists beforehand to discuss the possibility, the impact of using weapons during the incident, how that might affect the child?

Ms. MEISSNER: We discussed the nature of a law enforcement operation and we knew, of course, that it could be traumatic and so we were very, very concerned to set it up in a way that would minimize that kind of--of fearfulness.

Reporter #7: Did Eliau have the opportunity to speak to his father before leaving or maybe from the plane?

Ms. MEISSNER: He is actually speaking to his father right now.

Reporter #7: Is he?

Ms. MEISSNER: Yes, he is.

Unidentified Reporter #8: Who notified Juan Miguel of the decision--was it--was it--was it before or after it was carried out? What can you tell us about his reaction?

Ms. MEISSNER: Juan Miguel was notified after the--as--after the operation began. The operation was very, very quick, so it was simultaneous.

Unidentified Reporter #9: Was--was he able--was the father able to speak to Eliau at any point during the operation? I know that was a concern--with a cell phone, whatever?

Ms. MEISSNER: No. The operation--the--the operation took, really, only three to four minutes from seeing the child to having him in the van to being on the way to the helicopter, and--and the safety and operational concerns overrode anything at that point. As I say, he is now been able to have a conversation, father and son.

Unidentified Reporter #10: Tell us a little bit about the conversation that the agent was--you said there was conversation that the agent was told would be good for the boy as he was being removed. Can you tell us a little bit about what that was?

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Ms. MEISSNER: The conversation goes along the lines of, 'This may seem very scary right now, but it will soon be better. We're taking you to see your papa'--he calls him 'Papa.' 'You will not be going back to Cuba. You will not be on a boat. You are around people who care for you. We are going to take care of you. Please don't be frightened.' That kind of a conversation.

Unidentified Reporter #11: Can you tell us if there's any concern about letting the--letting the boy or his father get onto Cuban soil through his--his diplomatic mission and if there is such concern if there are any precautions being taken to keep them away from that?

Ms. RENO: The marshal service is taking all appropriate precautions, and we don't--do not foresee those that you described.

Unidentified Reporter #12: Miss Reno, what kind of information did you have about weapons in the house...(unintelligible)?

Ms. RENO: We had been told on occasions that people were threatening to have weapons to prevent it from happening. Again, there were discussions of weapons in the crowd, weapons in the home, whether weapons were present on the grounds.

Unidentified Reporter #13: You said for the past nine days, Lazaro Gonzalez has been essentially in violation of the law. Is there--are there any plans to take some sort of action against him, then? (Unintelligible).

Ms. RENO: Our effort was to reunite the little boy with his father. That has--or will soon be achieved, and I think that it is important for everyone now to move on and to put this time behind us and to do everything we can to see that those involved heal and reunite.

Unidentified Reporter #14: The reports you described about possible weapons in the house and on the streets, do you believe now that at any point in this process the Miami relatives were negotiating with you and your surrogates in good faith?

Ms. RENO: Every time we thought we had achieved what they wanted, it wasn't enough. And at this point, I think it's important for us to move on. It was a very frustrating experience. We were told when he came to this country, we would--he could have the boy. That didn't happen. We were told if they could just meet with Juan Miguel Gonzalez, then they would consider turning over the boy. We made the arrangements for him--them to meet prior to the boy being turned over. That wasn't enough. And it was just one step after another in which they moved the goal post.

Reporter #14: If I could just follow on that one, what is your read right now of what's happening in the streets outside the home? The mayor of Miami called this action a crime. Have you been in contact with him and are you comfortable that the situation has changed by now?

Ms. RENO: I think that law enforcement will do a very good job, a very thoughtful, constructive job of maintaining calm. I think it is important for everyone to understand that this was done pursuant to law, that it was done to reunite a child with his father after there were innumerable attempts and negotiations over a long period of time to try to make sure that this was done voluntarily so that everyone could be involved in planning the transition. It didn't work that way, unfortunately, and so we had to take appropriate action. And from what I have seen to date, the agents did an excellent job, and I want to commend them.

Unidentified Reporter #15: Ms. Reno, there some very strong language in the appellate court's order concerning the likelihood of success on the merits of the underlying asylum mission, and as a result of that there was a lot of talk about the fact that you wouldn't necessarily want to have the boy reunited with his father and then face an unfavorable decision from the circuit court, and then have his future up in the air again. Can you comment on that?

Ms. RENO: The issue that was raised in the court of appeals was not--it was based on the equities of the situation, and the court concluded that there were--as--as I recall, the language was a 'substantial interest' or something

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similar--but that if he were enjoined from leaving the country, the equities would favor such a resolution. The issue in the court of appeals that they focused on was the asylum issue. But here, the father was in this country. Cuba was not the issue. It was not an issue of him going back to Cuba during this period of time. It was here that a fit father had arrived who wanted to see his son, and there was no reason in the world why they should not be reunited.

Reporter #15: But if I could just follow-up, they talked about the asylum question and there was an indication that they saw some likelihood of success on the merits, and so my question really is whether or not you have any concern that the boy's future, after that decision comes out, if it's unfavorable to you, will again be in jeopardy and that Lazaro Gonzalez may, in fact, have some sort of a reasonable claim to address the asylum issue.

Ms. RENO: He may have a cor--if the court rules in his favor, he may have a claim to address an asylum issue, but the issue right now is, this father is here. It is not--he is not claiming asylum and asylum is not at issue because the boy cannot return to Cuba at this point. And there is no reason for those who objected to the fact that he would have to return to Cuba, that doesn't apply in the context in which we're here now.

Unidentified Reporter #2: Miss Reno, what can you tell us about your consultations with the INS last night?

Ms. RENO: I talked to the president yesterday afternoon at about 4:45, again last night at about 8:00, and then this morning after the boy was secured.

Unidentified Reporter #17: Miss Reno, what...

Unidentified Reporter #18: What can you--what can you say...

Reporter #17: ...what can you say...

Reporter #18: Go ahead.

Reporter #17: I'm sorry. Can you tell us anything more about that conversation what he said this morning?

Ms. RENO: He had followed it carefully. I think we had briefed him yesterday afternoon at 4:45, told him about the ongoing negotiations. I had had a chance to talk to him coming back from Oklahoma City. We talked about the developments as of about 8:00 last night. And then this morning, he expressed satisfaction over the manner in which it had been carried out.

Reporter #18: Miss Reno, do you...(unintelligible)...agents inside recovered any weapons or were they aware of any weapons, brandished on the federal agents at all during this process?

Ms. RENO: I don't know.

Unidentified Reporter #19: Miss Reno, earlier on it was said, I think by you, that Eliau would not be removed from the house in the night. This operation took place in the dark, before dawn. What was the reasoning in doing that as opposed to taking him out in daylight and deviating, apparently, from that earlier statement?

Ms. RENO: Earlier, we had hoped that the matter could be worked out, that it could be done in an appropriate way. Then the crowds began to suggest that they were going to prevent it from happening. Lazaro, who had said at one point that he would step aside, said that people might have to run a gauntlet. And there was clear defiance of the law. At that point, with those circumstances that had to be considered, and with so much being unknown, the most important issue was to do it at a time when it would be safest for Eliau and when it could be done in a manner that was safest for all concerned.

Unidentified Reporter #20: Miss Reno, could you describe the coordination with local law enforcement in this operation and how much advance warning were the city of Miami police given for the exact timing this morning?

Ms. RENO: I don't have the exact figures of the timing. I'm sure that that can be provided.

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Unidentified Reporter #21: Was it at 8:00 last night that you felt the negotiations were going nowhere and that you then gave the tentative OK?

Ms. RENO: I negotiated through the night. At times, I was very encouraged, and then at other times it seemed to slip away. But my effort from the beginning has been to try to make sure that we did everything we could to resolve it so that there was a peaceful, thoughtful way of doing it. And it--finally time ran out.

Unidentified Reporter #22: Miss Reno, with whom were you in touch through the night? With whom were you actually negotiating?

Ms. RENO: There were community leaders, the person that I was talking to during the evening was Aaron Pothurst. He is a very fine lawyer in Miami.

VARGAS: That is Attorney General Janet Reno this morning at a news conference in Washington, DC, explaining her decision to launch an early-morning, pre-dawn raid on the home of Lazaro Gonzalez. INS agents going in at gunpoint to seize the little boy from the house of Lazaro Gonzalez. Now we are going to go inside that house, live, to Marisleysis Gonzalez, Eliau's cousin.

Ms. MARISLEYSIS GONZALEZ (Eliau's Cousin): Since 5:00 yesterday, we were negotiating with Janet Reno to take place to meet the father, for him to feel comfortable for this to be done in the best interest of this child, what we've always looked for five months. This family has kept this boy because his father was not allowed to come to this country or didn't want to come to this country. His father was in Washington two hours away. If they really wanted to acted (sic) in good faith and with no violence, they would have made the father come to this house and pick up the boy.

Unidentified Interviewing Reporter: Can you tell me what happened this morning, Marisleysis?

Ms. GONZALEZ: We were on the phone negotiating with her. After they took two hours to call us back, they expected for us to answer them in five minutes.

Interviewing Reporter: And what were they asking?

Ms. GONZALEZ: Where--where--where would we take the boy and return him to the father, to my understanding. As this was taking place, we heard noises, people banging on the door, breaking the door down. Eliau was awake in the living room, and we didn't know what was going on because they never told us the US marshals were going to come in and pick up the boy. So we thought it was maybe a fight outside or something and we ran him in the room with three other cousins that were in--two other cousins that were in the house, kids as well.

And as they entered, they didn't--they came here violently. Because if they wouldn't have been violently, they wouldn't have been armed. They told me, 'Give me the boy or I'm going to shoot! I'm going to shoot! Give me the boy! Give me the boy! Give me the...'--and they said a bad word--'Give me the boy! Give me the boy!' And I said, 'Please, don't let the boy see this. Please, I will give you the boy. Don't let him see this. He's seen enough. He's seen his mother's death. We don't want this. We're not going to do anything. We're not armed. We don't want anything.' 'Put your hands up!' 'We're nothing. We're negotiating. What's going on? I'll give you the boy! Don't let him see this! I'll give you the boy!'

They ran in my room, they broke the closet doors, they broke Eliau's bed. They went in my mom's room, they broke the door down. They got Eliau by here. They put a gun right there and they took him. And there is a picture. And that little boy's fear and scared (sic). So, Janet Reno and everybody else, don't say you came here with no violence and that this boy is OK. How can this boy not be--how can this boy be OK when he had a gun on his head? How can my other little cousins--had another gun on his head, and was an innocent, too? A kid.

This is not now an issue about the Cuban society screaming. They've always been there supporting us, but they've never been violent. And I--I thought this was a country of freedom and a country that seeks for the benefit of a child and that wouldn't psychologically traumatize a child. Now they've really done the harm. They've already psychologically traumatized Eliau when they put that gun and he saw everything that was going in this house. This

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didn't have to happen like this. They could have come and said, 'Get his stuff. He's ready. We need to take him to the father,' and we would have done that. We've always been with the law. We've always been there for the boy. We've always acted in good faith. They came in, they kicked the camera man, they kicked everybody, they banged people on the head with stuff. They didn't have to go in there.

Interviewing Reporter: Marisleysis, as you know, the government has requested numerous times to reunite Eliau with his father. You're here saying that you would have brought father and son together. What was the condition that--that prevented that from happening?

Ms. GONZALEZ: The condition was that they--he never wanted to see us. The Cuban government didn't let him or Janet Reno didn't let him and this is exactly what she wanted to show...

Interviewing Reporter: And why did...

Ms. GONZALEZ: ...that she doesn't have a heart. This lady to me doesn't have a heart. The president of this country, I blame him for it, because he doesn't have a heart. He has kids. Would he like his son to have a gun on his head after seeing the death of his mother and everything that he's going to when the father's two hours away could have come to this house with them to pick him up, with no violence.

Interviewing Reporter: You had no warning that the marshals were coming.

Ms. GONZALEZ: We had no warning that the marshals were coming. We were on the phone with them negotiating, they put us on hold and while we were on hold they banged on the door, they broke everything in, they came in with guns and Eliau saw all of this. There's pictures taken, camera's got it. So they cannot go on and lie to the American people, because they are lying to the American people like Fidel Castro lies to the Cubans in Cuba. They're doing the same regime here.

Interviewing Reporter: Well, the government here said, just a short time ago, that throughout all this, the paramount concern has been the child, Eliau. At this time, Eliau is on a plane on his way to see his father. He's on a phone talking to his father, we are told.

Ms. GONZALEZ: Forced. Forced, because he was screaming and crying, 'Don't take me,' and having a gun on his head. What is he probably thinking? 'My dad probably kills me when I get there.' What are they doing? This wasn't the right way to do it.

Interviewing Reporter: Had you prepared Eliau for this possibility?

Ms. GONZALEZ: We didn't know this was going to happen. We never thought they would come. We never thought this day would come here to pick him up.

Interviewing Reporter: So he--you never told him...

Ms. GONZALEZ: That marshals were coming? No. I didn't even tell him how they would come with guns. Because I never thought they would do this to a kid. And he's not just an only kid. He's seen so much, been through so much. This family has always acted in good faith. We respected the law.

Interviewing Reporter: What is it...

Ms. GONZALEZ: We've always tried to cooperate. There was no need to have a gun in his head.

Interviewing Reporter: What is it that you fear will happen to Eliau? There is a court order that says he must remain in the states.

Ms. GONZALEZ: What I fear--what I fear already happened, that they psychologically traumatized him. And this has been a trauma for everybody in this country, that's been outside here and for everybody in the family. Imagine, to a kid, having a gun in his face. And with people that he doesn't even know. She cannot tell me he's OK, and

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he's not crying, because she's lying. She's lying. And they act like dogs and they're trained like dogs. They're not human beings, because a human being would have done--would have not done what they did.

Interviewing Reporter: And so, as you sit here, what feeling do you have...

Ms. GONZALEZ: And what I--what I say is to every American out there. I was raised here and had the opportunity to be free and live in a free country. But stand up for the rights and the Constitution that they say that exists in this country. This could have been your son, an American son. This came--this kid came to this country on Thanksgiving Day. And look at the day that they took him.

Interviewing Reporter: Do you believe that he is eventually going back to Cuba?

Ms. GONZALEZ: I really do not know, but I really feel that if they did this that's because that's what they wanted. Because they could have done this in good faith. They could have told us, 'OK, you--you don't--you guys don't want to make the agreement. You don't want to do it. OK, at 3:00 or whatever time there will be people coming in the house to take him. Prepare the boy and turn him over.' We would have done that. I've told her personally. I've said it on TV. I told her in her face in Sister Jean's house with Sister Jean as a witness that I didn't want violence. She made a promise on TV that there would be no marshals going into the house. She lied to this country. She lied to everybody. And to me she doesn't have a heart. And neither does the president. And I blame him for whatever happens to Eliau. And I blame him for what Eliau's seeing and the trauma that he's going through.

Interviewing Reporter: Marisleysis, there are literally thousands of people on the streets in front of your home here right now. They're demonstrating. They're angry. What is it that you would say to those people who have been standing here for five months with you and who are so angry that...

Ms. GONZALEZ: I thank them for support us, and we've always thanked them not to be violent. She knows that, because she's seen it in TV when my family speaks, they say don't be violent. But you know what, everybody's that screaming out there are not only Cubans. There are Americans--Americans out there screaming because where is the law? Where is everything? They've lied to this country.

Interviewing Reporter: And explain why it is that you do not want to see Eliau returned to Cuba with his father. What is it about Cuba that you do not want him to return there with his father?

Ms. GONZALEZ: He doesn't want to. He has fear. He says he doesn't want to go back because his mom's not there. We wanted him to feel comfortable with his father. We were trying to get him to a house where his father would come and we will visit. And he would feel comfortable and try to see how they could cooperate and how to see what--how the father would get with the kid. And if he wanted to take--if Eliau wanted to take leave, it was OK. We've been in this for five months. Now the father comes for two weeks and tries to solve everything in 30 seconds, 30 minutes with guns?

Interviewing Reporter: Your--your...

Ms. GONZALEZ: This is not the way to do it to a six-year-old. They treat us like criminals. They don't even do this to criminals in the streets, and they did it to this family, and they did it to an innocent kid.

Interviewing Reporter: Your--your father, Lazaro, great uncle to Eliau, where was he when this happened, and what has he told you this morning?

Ms. GONZALEZ: He--when they came in, I stood in front of everybody and all my family was behind me. And I begged them--I beg you, please don't let the boy see the guns! I'll give him to you. I told the lady that came with a bag--with this bag to stick him in a bag, please--I looked in her eyes. Please, he saw his mother's death. Because she's a mother and she should know how that feels. Don't let him see this. I'll give you the boy! 'Give me the boy! Give me the boy!' I said, I'll give you the boy! Don't let him see this! Don't let him see this, please! 'We'll shoot you! We'll shoot you! We'll shoot them! We'll shoot!' And then they ran in the room, broke the door. You can go inside the house. See everything broken. And that's not violent? That is not violence? Breaking into a door of a kid that was awake because he couldn't sleep because he was scared. Seeing people breaking into his house. That

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wasn't violence? Then what do they call violence, killing him, and taking him to his father dead? Because now I believe they are able--capable of doing that. And I want to tell every American out there, that the president of this country dishonored this country. He dishonored this country and he's a father.

Interviewing Reporter: There are those in this country...

Ms. GONZALEZ: He already dishonored his family. Now he dishonored mine. He dishonored his family in Washington and the White House. Now he disb--now he dishonored my family and he dishonored again this country. And he should be ashamed because he was the one that gave the order when he said this boy needs to be returned in 48 hours. Today makes the 48 hours. He made that order. He made it, and I'm sure he pressured Janet Reno to do it. And if she had a heart, I would have retired my job right there and I would have said I wouldn't do this to this boy.

It's a shame that they came to this house with violence, guns, and especially point a gun in Eliau's face. And there's pictures and there's pictures how he left screaming and crying that he didn't want to leave. So they cannot tell me he's not crying. They cannot tell me that because he cannot be without me, not even two seconds.

Interviewing Reporter: Do you have any chance, do you believe, to talk to, not only Eliau, but to his father. Have you tried to called anybody?

Ms. GONZALEZ: I would love to just, and for the last time, to let me see this boy, to see he's not harmed, because after what I saw, I feel they're capable of doing anything to this kid.

Interviewing Reporter: The government has...

Ms. GONZALEZ: Yes. What the government's done I feel that they're capable of doing anything to this kid. Even giving him things to calm him down, OK. I want to see him. I want to see his father, and I want to know if his father was part of this. If his father said take my boy like that, because I'm sure my cousin didn't want this to happen like this. And this country violated the rights of my house breaking into my door.

Interviewing Reporter: Now, you said that inside the house here...

VARGAS: You've been listening to Marisleysis Gonzalez, obviously very emotional, very angry and upset about a raid that happened this morning shortly after 5:00 o'clock this morning, a pre-dawn raid by INS agents. We heard just moments ago from Attorney General Janet Reno, who told us eight agents entered that house and were in that house all of three minutes. It was an incredibly precise raid with agents entering the home, demanding to know where Eliau was. According to Marisleysis they threatened to shoot if they were not told where the boy was. And in fact, they found him inside a closet being held. You see him there being taken out by a female INS agent who reportedly took Eliau and said to him, quote, "I'm not here to hurt you. I know that you are frightened. I'm here to take you to your papa," in Spanish.

At the time that the agents found Eliau, he was being held in a closet in the home by one of the two fishermen who rescued him when he was floating in an inner tube in the ocean last Thanksgiving, after his mother and others had drowned trying to come to the United States from Cuba.

Apparently the raid happened, as we said, moments--just a few moments ago, in a matter of moments. Police did go in in riot gear, and Janet Reno has defended this photo you're looking at right there showing the INS agent with the gun. She's saying that the gun was not pointed at the boy's head and the agent did not have his finger on the trigger.

Obviously, about 50 people have been maintaining a vigil that they had been maintaining for months now outside the home of Lazaro Gonzalez. But within a matter of an hour, hour and a half, that crowd had grown from 50 to 500 people. Attorney General Janet Reno saying that she was very happy with how the raid went.

Immediately after the boy was taken out of the home there, he was taken by helicopter to Homestead Air Force Base where he was evaluated by a doctor and then put on an airplane for Andrews Air Force Base, where he's en



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route now to meet up and finally reunite with his father, Juan Miguel Gonzalez. He apparently spoke with his father on the telephone from the airplane at about 8:00 this morning. And we are told by the INS that Eliau is calm and is, in fact, playing with toys on board the plane. On the plane with him is a surgeon in addition to a child psychologist and that female agent who, apparently, has been trying to soothe him ever since this happened.

You are also looking, at this moment, at live pictures of a bonfire that was started in one intersection in Miami, near Little Havana, we assume. The--that's a very volatile situation out there. The crowd has grown substantially. In addition, Miami police, we are told, got very little notice, but apparently are now out en masse in riot gear. And there have been several arrests in Little Havana by the riot police just a few blocks from the home.

Outside the home of Lazaro Gonzalez right now, our reporter in the field, Mike von Fremd. He's been there for several hours.

Mike, what's the mood like now. It's gone from very volatile to a little calm and back to angry?

MIKE VON FREMD reporting:

Well, more and more people keep coming here, Elizabeth. The people outside the home were unable to hear Marisleyis. A colleague of mine, Terry Moran, who is just a few blocks away where the police are--are in great numbers, but they're not here outside the house, he tells me that there's beginning to be incidents of rock throwing. He says it's not too serious yet. We're certainly going to be watching it, though.

The city of Miami police, as you pointed out, say they just had a moment's notice before this. I talked to the public information officer. He says they've now called in every available person they have. They're going to keep the traffic blocked off around here, but he says he does not want to make it look like too much of a military siege. But, you know, when you've got police in riot gear, it does look a bit like that.

But here, outside the house, it is not that tense anymore. It was very tense several hours ago. People were swinging things. That seems to have calmed down here. It's apparently a little bit worse a few blocks away.

VARGAS: In fact, Mike, we have videotape from early this morning when--when people got very upset. Apparently while the INS agents were inside trying to retrieve the little boy, other agents were outside having to hold people back with--at--by using guns. Holding, you know--keeping them back at gun point while people hurled objects. And finally, INS agents say they felt the need to fire tear gas into the crowd to keep things under control.

VON FREMD: Yes. About 5:30 this morning when I was here there was tear gas in the air and people's eyes were all red. They were obviously very excited then. The whiff of tear gas is now dissipating. It's very strong right by the front door which they broke down. But here just about 50 feet away it's going away. It is beginning to get hot and the people continue to crowd around here, Elizabeth.

VARGAS: All right, Mike von Fremd, stand by for just a moment. We're going to go now to Linda Douglass who is at the ABC Washington, DC, bureau with a statement from Juan Miguel Gonzalez about the raid.

Good morning, Linda.

LINDA DOUGLASS reporting:

Well, good morning, Elizabeth.

Yes, we just got a statement just a little while ago from Gregory Craig. He's the lawyer for Juan Miguel Gonzalez. He talks about how--how they did negotiate in good faith last night and said, "We agreed to virtually all of the demands in the Attorney General's proposal." These were negotiations going on between the families over how to transfer the--the care and custody of Eliau to his father. He said, "But we would not compromise on the most critical issue of custody." And he says in Miami the relatives were intransigent on that issue.

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Now, what that means is that Juan Miguel Gonzalez has said all along that the only condition he would accept--he would accept many conditions but--but there was one he wouldn't bend on, that is he wanted to take custody of the child the moment that he got the child. The Justice Department backed him up on that, and the relatives would not bend. Now, the attorney general said while we were listening to Marisleysis Gonzalez there a little while ago, in her news conference, she talked a little bit about those negotiations and said the Miami relatives were demanding that Juan Miguel Gonzalez come to Miami, move into a compound with them there, have the child evaluated on a regular basis by their medical experts, and then at some point determine whether or not to hand over the custody to the father. That obviously would not be acceptable to Juan Miguel Gonzalez.

And Janet Reno did say that at 4:00 she determined that the negotiations were fruitless, launched the operation after that. And when the family called back and wanted to talk some more at five, the operation was already under way.

She also explained, Elizabeth, why it is that they sent agents with guns in, that there had been word sent to the federal officials that people in the house might be armed, and people in the crowd might be armed. That explains what may be a--certainly bad public relations picture of the--of the agent with the gun facing the child.

Another point is that Janet Reno has always said that she did not want to engage in what the Miami relatives called a 'night snatch,' that is going in, in the dead of night when the child might be asleep and frightening him further by taking him then. Reno said in her news conference that since Lazaro Gonzalez, in her view, had defied the law, they felt they didn't have much choice. They had to act in the way they felt was safest for the child and that would be, of course, when the crowd was smallest then and least poised for action.

VARGAS: It's interesting, Linda, that Janet Reno said, in fact, contrary to what the--the lawyers for Lazaro Gonzalez have maintained that this was all a ruse, these overnight negotiations, while agents got into place for the raid. Janet Reno said this morning at this news conference, just moments ago, that she tried up until the very last moment to reach a peaceful solution to this but, quote, "ever step of the way the relatives--the Miami relatives moved the goal post and raised the hurdles."

DOUGLASS: That was--that was a phrase that she used over and over. It's hard to imagine that either Juan Miguel Gonzalez, the father, or Lazaro Gonzalez, the Miami relative, ever felt that they were really close in these negotiations, but Janet Reno was--just had this fervent wish to work this out and was serious enough about it to have talked to the president three times herself since last night, in addition to all the other communications that were passing him by his staff. It--it was the moving of the goal posts that finally caused her frustration just to reach the breaking point.

VARGAS: All right. Interest--interestingly enough, one of the other things--thank you, Linda--that Janet Reno said in that news conference, immediately when she took the podium, was to reassure everybody involved that Elian will, in fact, stay in the United States pending this appeals process. He will not return to Cuba. We are told that when Juan Miguel spoke to his son on the airplane from Washington, DC, when Elian was on that--that US marshals airplane in the air, that Juan Miguel told Elian that he was coming to see his father, that he was not going back to Cuba. ABC's legal analyst Jeffrey Toobin is standing by.

Jeffrey, how long might this appeals process last, that Juan Miguel and Elian will wait out now in Washington, DC?

JEFFREY TOOBIN reporting:

It could last a long time. It will last at least weeks. The appeals court will not even hear arguments until May 11th, and there's no clue how long they will take to decide that. Once that appeals court decision is made, depending which way it goes, there could be fear--further appeals to--to the full circuit court, to the Supreme Court, or there could be more proceedings in the district court. The important point to emphasize is though these legal proceedings may stretch out for weeks or even months, while they're under way Elian will be with his father in the United States. He's not allowed to leave, but he will be with his father in the United States. And that's what Janet Reno said she wanted all--all along, and at long last that's what she got this morning.

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VARGAS: Janet Reno also said when she talked about the precision and the aggression of the raid and that fact that she felt she finally did have to take action, she pointed out that Lazaro Gonzalez for the past nine days has not had legal custody of this child.

TOOBIN: That's right. The term that--that lawyers use is--is Lazaro Gonzalez had temporary parole of--of--of Eliau which was awarded right after Eliau was found--was found in the ocean. But that was very clearly and emphatically revoked in--in--in a letter seven days ago. That letter established that Lazaro had no right to custody of this child. And what happened this morning was simply that the agents executed removing his--removing custody--removing custody from him.

VARGAS: She also pointed out, Jeffrey, in this news conference that this is not a case about Cuba. She went to great length and expended great effort to say that this is a case about a bond between a father and a son, because at this point, a court has ordered Eliau to stay in this country pending this appeals process, that there is no danger from the a--Cuban-American community in Little Havana and in Miami of Eliau being whisked back to Havana.

TOOBIN: That's--that's true. But there was an interesting exchange between Janet Reno and one of the reporters there. I think one thing that we're going to have to keep an eye on as this case moves forward is that the issue of whether Eliau can apply for asylum--apply to stay here, that's very much up in the air legally. The court of appeals in its decision Thursday suggested that--that he really might have that right through the Miami relatives. So there remains a possibility--a growing possibility in light of the court of appeals decision on Thursday, that Eliau might be allowed to ask for asylum and that he might stay in the United States. So, while it is completely clear, and I think will remain clear forever, that Eliau will be reunited with his father, the--the question of whether Eliau remains in the United States with his father is by no means resolved and that's, I think, going to be the focus of legal appeals as they continue.

VARGAS: All right. Thank you, Jeffrey Toobin.

And we're looking at live pictures right now of protestors upset with this morning's raid who have now taken into the streets nearby Little Havana, nearby the Gonzalez home, stopping traffic, as you can see, walking around.

Mike von Fremd, we're watching the scene--I don't know--I don't know if you can see this--if you've got a monitor there to see this kind of thing--but obviously people are--are intent on trying to tie up traffic as much as possible. This is a threat you--you heard made earlier. A general strike in Miami?

VON FREMD: Yes, one of the leaders of that actually a couple of weeks ago vowed to tie up the Miami International Airport and then at the very last minute called it off, minutes after this happened, he was here with tear gas still in the air saying, you know, we need a general strike. Now, many people think, you know, on a holiday Easter weekend there's not much that would happen that you would be stopping, but you've got to remember that there's cruise ships going in and out of the port of Miami and also this is really the airport that's the springboard to all of Latin and South America.

If--we do not understand if the airport is tied up yet, but they've called for it before. They may try and do it again. I'm--I'm being told that there actually may be some slowdown at the airport right now. And--yet, one of the reasons that they called it off a couple of weeks ago was--because I spoke to them when we used them in a television spot--he said that they realized that tourism is so important here, and you don't want to just savage the economy of this community.

VARGAS: That's--hit them where it hurts.

VON FREMD: It appears--it appears that--yeah, it appears they're ready to hit them where it hurts. The people out here express almost identical the same emotion that Marisleyis expressed inside. They feel that the government tricked them, that they came in and used force. They seemed to think they had a promise that wouldn't happen. I never heard a specific promise to that. But they feel that they've been betrayed and that's why they're so angry.

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Again, as I've pointed out, there are no police here, except for one public information officer that had informed me that they had just had a moment's notice before this happened, that they brought in ever available officer. But what is happening is a few blocks away, that's where the police are.

I've also mentioned that they tied up all the entrances to Little Havana. It's right across a very well-known street here, Flagler. You can't drive your car. You certainly can park your car and walk, but the streets getting in here, people are going to have to park their cars and make an effort to walk. And as the crowd grows, many are doing just that, Elizabeth.

VARGAS: All right. All right, Mike, we'll check back with you in just a moment.

We want to check back in right now with Bob Woodruff, who is outside the Bethesda, Maryland, home where Juan Miguel Gonzalez has been staying for the past several weeks since arriving from Cuba to come--finally reunite with his son.

Bob, Juan Miguel had to be at least pleased that he finally will get to see Eliau after waiting all these long months.

BOB WOODRUFF reporting:

Well, Elizabeth, to say the least, he was very happy. I did speak to Joan Brown Campbell this morning who is a close friend of Juan Miguel's now. She said he was happy. He was tearful, in fact. But he was not exactly jumping for joy. He knows just how grave the situation is for his son, that this could have profound impact on him. But as Campbell says, you know, he has given and he has given, he has waited here for over two weeks thinking he would soon be reun--reunited with his son and yet he wasn't. And so he could not give anymore. And you heard Doris Meissner say, the head of the INS, Eliau and his father probably will not be coming back to this house. They will go to a third location.

And it's interesting, Elizabeth, now we will see a new battle of images. From this morning you saw this image of Eliau being taken out of the house, and now you will see possibly a reunion of father and son, if it is happy. If--if they're hugging, if they're kissing and they look like they're getting along well, this could change the debate in the public mind very significantly. And I talked to some immigration lawyers, who say it could even have an effect on the legal case even though it is very much a legal question of whether or not Eliau should be able to apply for political asylum. A judge may look at this situation, the father and son together in this country, and say what are we talking about? Why are we even talking about political asylum?

VARGAS: So much of this, Bob, has been a--a--a media battle, in fact. We've had the Miami relatives taking to the--to the airwaves, in fact, allowing media, including ABC News, to come in and--and take pictures of Eliau and speak with Eliau. Earlier you had reported that probably Juan Miguel would try and reunite with his son away from cameras. Is it possible that, in fact, that is, as you said, might be something that would happen in front of people who could take pictures?

WOODRUFF: Well, it's possible. You know, as you say, Juan Miguel's major criticism of the family--one of the criticisms of the family down in Miami, is that they paraded Eliau around in front of the cameras and made him, essentially, a pawn in a much broader political battle between Cuba and the United States--the Cuban American community down there. So it's very possible he will shy away from the cameras. But on the other hand, it could benefit him to show that type of image of he and his son getting along very well.

VARGAS: And, in fact, there have been reports from the airplane, according to the INS, that Eliau is calm and in fact playing with toys after speaking with his father via the telephone from the airplane. Thank you, Bob. We'll be checking back in with you in just a few moments. We'd like to go now to the White House where Andrea McCarren is standing by.

Andrea, when did the president exactly learn about the raid and was he informed or was permission requested?

ANDREA MCCARREN reporting:

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Well, Elizabeth, President Clinton was kept informed throughout the night of the status of the negotiations, primarily by his chief of staff John Podesta. And as late as 2:15 this morning, John Podesta called the president, told him there was still hope that the negotiations would proceed and the boy would be turned over voluntarily.

The president said go ahead with those talks, but if they should ever deteriorate to the point that they would no longer bear fruit, to go ahead with the operation. Just before five in the morning, the president was informed that the talks had broken down to the point that they were not going to move forward and that they would go ahead with the operation. Then the final call Janet Reno made to the president directly was just before six this morning to tell him that Eliau had been removed safely from the home.

VARGAS: Andrea, there had been a lot of speculation that the president, with his very public comments in recent days, that Juan Miguel should be reunited with his son, was, in fact, putting pressure on Janet Reno to act. Was there--is there a sense of that there?

McCARREN: Elizabeth, the White House has been very careful this morning to say that it was, indeed, Janet Reno's decision, but one that the president fully supports. Of course, the president was in a position to call off the raid entirely, which he did not.

VARGAS: It--it--do you have any idea--I know that the president had hoped at the same time that he had said publicly that it's time for father and son to be reunited. He had also maintained publicly that he hoped this could be done peacefully. Is there any sense of disappointment at the White House that, in act, it did take agents armed with guns breaking into the home to retrieve this boy?

McCARREN: Very much so. The president is characterized this morning as being disappointed. But again, he does support the attorney general's decision. All along he has said publicly that he believed that the boy should be reunited with his father. The president, as you know, canceled a trip to Camp David last night where he was going to spend the holiday weekend, so he could stay at the White House and keep informed of the negotiations. He is expected to head to Camp David later today and is also expected to make a public statement when he leaves.

VARGAS: All right, thank you Andrea McCarren. We'll be checking back in with you as more information comes.

As you can see an angry crowd outside the Little Havana home of Lazaro Gonzalez, much more subdued than earlier when the boy was actually taken from the house and the crowd actually erupted, throwing chairs, debris, and--and--and police--INS agents had to fire tear gas to try and keep order.

ABC's Linda Douglass, who is at our Washington Bureau, you have information on the demeanor of Eliau. He's on board this plane, now, en route to Andrews Air Force Base to be reunited with his father. What can you tell us about him?

DOUGLASS: Well, we are getting a little bit more information from federal officials who are describing, as you've been hearing all morning long, his demeanor as being very calm. We're told that in addition to the Play-Doh they gave Eliau, Play-Doh is apparently recommended by experts as something children can squeeze that--that can give them sort of a soothing sense when they're under stress. They also gave him a map to show him where he's going, and they showed him a watch to try to explain to him how long it would take. And then as soon as they got him on board the plane where they felt he was safe, that is when they put him on the telephone in touch with his father.

There is, as you've heard, a child psychiatrist and also a child therapist on board the plane. There are, of course, discussions about whether or not to bring his primary caretaker in the home of the uncle, Marisleysis Gonzalez, along on this trip. But in the end, the officials--Janet Reno and all of her various lawyers decided that the element of surprise in this operation was absolutely paramount, That it would be a mistake to tip off any of the family members that they were coming in, and therefore they didn't exactly have time to invite them to come along. There--it has not yet been decided whether the--the Miami relatives will have any opportunity to have regular visitation contact with Eliau. Those details are still being worked out, Elizabeth.

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VARGAS: And--and certainly, Linda, we spoke with Jeffrey Toobin a few moments ago and asked that very question. Apparently, according to Jeffrey, our legal analyst here, the--the Miami relatives do not have a legal right. They may--there may be a decision that it is best for Eliau to, in fact, see Marisleysis and even Lazaro Gonzalez, but there is no legal right for them to do so. Correct?

DOUGLASS: Well, that's right. I mean, this--this custody--temporary custody that was awarded to Lazaro Gonzalez was awarded by the INS, by the Justice Department. It is at their discretion to award it and to take it away. This--this really has never been a custody matter. It is an immigration matter. So--so Jeffrey is absolutely right. It may, however, be found to be in the best interest of the child as the psychiatrists have been recommending to make Eliau believe that his family members are cooperative in this--in this transfer.

VARGAS: It is--it is striking, Linda, listening to your information from the INS about the boy's demeanor on the airplane, because if we--if we have a chance to look at some of that videotape from this morning, or those photos from this morning's raid when he was being removed from that home by these agents with guns and--the look on his face is one of intense fear. And I--it's a testament to the resilience of children that within a matter of moments, according to the INS, in that van, in that chopper, and in that airplane, that he can be playing with Play-Doh and speaking calmly with those around him.

DOUGLASS: Well, it is interesting how everyone who's come in contact with this child describes him as a fairly remarkable, strong child. The INS commissioner, Doris Meissner, said that thing in the news conference. But I want to remind you, also, that those around the father, Juan Miguel Gonzalez, do feel that this telephone conversation they had the night before last was really a breakthrough, a half hour conversation. It's not easy to talk to a six-year-old on the telephone for half an hour.

VARGAS: Absolutely.

DOUGLASS: And apparently they kept the conversation going. It was a friendly, affectionate conversation. And the friends around the father really felt that he felt, the father did, that he'd reconnected with his son.

VARGAS: All right.

DOUGLASS: That there was a rebonding that was going--going on.

VARGAS: All right.

DOUGLASS: And that may have added to the child's calm once he got on the plane today.

VARGAS: All right, Linda, we'll check back in with you in just a moment. Linda Douglass in Washington.

Right now, we'd like to go down to Miami to Lieutenant Bill Schwartz with the City of Miami Police Department spokesman.

Lieutenant, good morning. Can you hear me?

Lieutenant BILL SCHWARTZ: (He responds, but there is no audio)

VARGAS: Try again. Lieutenant can you hear me?

Lieutenant SCHWARTZ: Yes, I hear you fine. How are you?

VARGAS: Well, we couldn't hear you for just a moment.

Lieutenant, how much notice did the city of Miami and the police department there get about this raid this morning?

Lt. SCHWARTZ: Well, the chief and his top staff received some notice earlier on. The exact time I don't know. The police officers on the scene only had a couple of moments notice.

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FARAD: The police--I'm sorry. It's very loud where you are so it's a little difficult to hear you. You had only a couple of moments notice?

Lt. SCHWARTZ: That's right. The police officers on the scene here only had a couple of moments notice.

VARGAS: What is the situation now? We've been told there are up to 500 people, many of them upset, outside this home in Little Havana. What are police doing to maintain order there?

Lt. SCHWARTZ: Well, you know, it's a very passionate crowd. The issue is very passionate. It's been passionate for all of us, not only the citizens, but the police department. It's been passionate for the city of Miami. It's passionate for the country, for the whole world. So naturally, they are venting their feelings. But right now they're being peaceful. They're passionate, they're--they're loud in some cases, but no violence.

VARGAS: We have some reports that some folks are attempting to stop traffic on state highway 836 and that Florida Highway Patrol officers are trying to get traffic moving again. There had been a threat, Lieutenant, by the--by some there of some sort of general strike in Miami. Is that what you're most concerned about at this point?

Lt. SCHWARTZ: You know, all along, the only people who have caused the problem have been a small group of hoodlums. The vast majority of the citizens are hard working family people with a very passionate issue. They're not causing the problem. But we will attend to those people that are.

VARGAS: How many--have you called in officers? We were told earlier every available officer had been called in to try and keep things peaceful. Is that in fact, the case?

Lt. SCHWARTZ: That is the case. We're on Alpha Bravo which means two 12 hours shifts. And they are right now forming up into field forces. They will be deployed as necessary. Now, we don't want to deploy them unnecessarily. We don't want to create a military state here. That would send out the wrong message worldwide.

VARGAS: It seems to me, Lieutenant, that the attitude there on behalf of the police department--but I--I don't want to be presumptuous, so please tell me if this, in fact, is the case...

Lt. SCHWARTZ: Mm-hmm.

VARGAS: ...but looking at events this morning, that your attitude has been let's let them vent as long as its peaceful and give them the space to do so.

Lt. SCHWARTZ: Well, so far, this thing has been going on for five months, you know. I think it would be totally impossible for us, and wrong of us, to try to prevent them from venting their very real emotions. Now, as long as that venting remains peaceful, we're going to facilitate it.

VARGAS: Have there been any arrests thus far?

Lt. SCHWARTZ: I'm not privy to that.

VARGAS: We have--we have been told that there, in fact, have been, but I wasn't sure if it was your agency that had made those arrests.

Lt. SCHWARTZ: It's very possible. Right now I'm right here at the Eliau compound, so I really can't see what's going on outside.

VARGAS: We had been told earlier by Miami's mayor that Miami police would not in any way assist federal agents in seizing the boy. I--I take it that that in fact, was the case, that you did not assist this--this whole raid this morning?

Lt. SCHWARTZ: All along, we've been told, and we have been saying that the Miami Police Department is a support agency. The main thrust of this has been run by the federal government, and as far as I know, that has been the case.

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VARGAS: Are you able to do your job well, even though you had very little, if any, notice at all that this raid was going down?

Lt. SCHWARTZ: That's correct. You know, as a support operation, our job is really to let the feds do what they had to do, and that's what we did.

VARGAS: But, I'm sorry, Lieutenant, I--I--perhaps my question wasn't clear enough. How much warning did you get?

Lt. SCHWARTZ: Well, the chief and his top staff had some private notice. How much, I don't know. The officers--the officers in the scene only had a very short amount of time, just a few moments.

VARGAS: All right, Lieutenant Bill Schwartz, thank you so much for that information on the scene.

Obviously, he is right outside the home in Little Havana, but as we can see from our own cameras up in the air around the neighborhood just outside Little Havana, in fact, folks are trying to stop traffic and tie it up, and there have been several arrests taking place, but police seem to be, at this point, stepping back and letting them vent as long as it's peaceful.

Mike von Fremd, we were talking earlier, if you're there--is Mike there? Do we have Mike? OK, we're going to check and try to get him back to the camera, but we had been talking a moment ago about the fact that if anybody could keep the crowds calm it would have been Lazaro Gonzalez or Marisleysis Gonzalez. In fact, both of those people came out and made some public comments. Marisleysis, the 21-year-old cousin of Eliau, who's been sort of a mother figure, went on the television just a few moments ago, very angry, very emotional, and very accusatory, calling this action by the government shameful and that she felt that the family had been lied to by both Janet Reno and is blaming the president. I believe we have a soundbite from that. Let's take a look again.

Ms. GONZALEZ: They ran in my room, they broke the closet doors, they broke Eliau's bed. They went in my mom's room, they broke the door down. They got Eliau by here. They put a gun right there and they took him. And there is a picture. And that little boy's fear and scared (sic). So, Janet Reno and everybody else, don't say you came here with no violence, and that this boy is OK. How can this boy not be--how can this boy be OK when he had a gun on his head?

VARGAS: In fact, there--when she accuses the attorney general and those agents of using violence, that we must point out that no one was hurt, no one, obviously, was killed in this raid, so--and Janet Reno, in defending that photo said that it's a little bit misleading because, in fact, she maintains that gun was not pointed at the boy's head and the agent's finger was not on the trigger.

And Jeffrey Toobin, our ABC News legal analyst, you maintain Janet Reno was well within her legal right to stage that raid, aggressive though it was.

JEFFREY TOOBIN reporting:

I--I think one of the things we--we have to keep in mind is that attitudes towards this raid, towards this whole issue, are very different in South Miami than they are in the rest of the country. I think in--in the rest of the country, the attitude is--has not been 'How dare she do this?' is 'What took her so long?' And fact is, Lazaro Gonzalez has not had legal custody to this child for either seven or nine days depending how you count. But certainly he didn't have it anymore. He--he had been in clear defiance of the attorney general. In fact, you know, we were talking about these negotiations. It's--it's also worth remembering that, after the last round of negotiations, earlier last week, Lazaro Gonzalez said he was never going to give Eliau back to--to his father. I mean, he used the phrase "never," so I think, you know, there really is the ring of truth when Janet Reno said that the--that the--the bar kept moving, that the hurdles kept rising, that these negotiations were really never going to reach success when Lazaro Gonzalez was going to say--had said that he was never going to give up custody.

VARGAS: In fact, Janet Reno admitted that she had a great deal of frustration and hoped until the very last minute in these negotiations that went on overnight that they would be able to reach some solution, but it seems like the



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two sides were intransigent. We had, one, Juan Miguel wanting to reunite with his son, and Lazaro Gonzalez on the other side saying exactly what?

TOOBIN: I--I think they are--that's absolutely right, that these negotiations were destined for failure. You know, we've--we've heard--we haven't heard all the precise details about the negotiations, but always the Miami relatives were saying, 'Well, we want Juan Miguel to come to Miami. We'll have a transition period. We'll meet together. We'll go to a compound.'

Look, the law says that the father gets custody, period. And Juan Miguel and his advisors, Gregory Craig, had said, 'Look, we'll--we'll talk about anything as long as it begins with custody returning to the father,' and that was something that--that the Miami relatives were never going to agree to. So I think, it is true that Janet Reno, you know, may have had a lot of hope, but, in fact, these negotiations were destined for failure, and as amazing as it may have seemed months ago, this violent raid was violent without any injuries, was the only way this was ever going to be resolved.

VARGAS: Are--a--on that subject, ABC's Ron Claiborne reports he was just with the Miami lawyers for Lazaro Gonzalez. Those lawyers are maintaining that yesterday they were working on a framework for an agreement that they say Janet Reno found acceptable. That agreement, apparently, according to those lawyers for Lazaro Gonzalez, would have put the Miami family, Juan Miguel, and Eliau, at a neutral location in the Miami area, and Kendall Coffey says he now believes that all these negotiations overnight were a ruse to make the family think that the agreement was close at hand, and hence minimizing the protests around the house.

It was interesting listening to--not only to that, Jeffrey, but to Marisleysis when she kept maintaining all along, all they had to do was ask for the boy, when, in fact, hasn't the government and Juan Miguel been asking for the boy for weeks, even months now?

TOOBIN: They've been asking for the boy for weeks. In fact, the week before last, there was a instruction in a letter to--to the Miami family saying produce the boy at the Opa-Locka Airport at 2:00, I believe it was last Thursday, and the family rejected that, so I don't think you can really say that--that Janet Reno has not tried to work--work this out...

VARGAS: One of...

TOOBIN: ...peacefully.

VARGAS: ...one of many deadlines that have come and gone with no action. Thank you, Jeffrey.

We're going to go back now to Mike von Fremd, who's in the midst of this chaos now outside the family's home in Little Havana in Miami. We can see a crowd, but, gosh, Mike, at last count, it had swelled to about 500. Is it--is it still growing?

VON FREMD: Yeah, it's--it's--we're so cramped in here, and people are holding signs up, so it's now difficult to tell. It said--they're blocking off one picture that's in back of me, the big American flag that hangs out front, they're now trying to put a black armband around it.

You were talking about Marisleysis, she's a very passionate woman. I--Elizabeth, twice during this five-month period, she has had to be hospitalized for exhaustion. She's bonded with the child. She's been the closest person to him, and it, at times, becomes a bit too much for her. She gets very emotional. Also, the great uncle, Lazaro, was out here earlier with a megaphone and speaking in Spanish, he said that if he had had a weapon, that--that the raid would not have happened. He would have been able to keep Eliau here, and he says he now has lost faith. With talk like that, I think it's--that you need to at least weigh that in with Janet Reno's decision to send in people with weapons.

VARGAS: I--I--I--we had spoken earlier about the fact that there was some concern about the volatility of--of a crowd that size, and the passions that run that deep, and comments like that which can be, you know, which some,

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I'm sure, would find inflammatory. Lazaro Gonzalez saying he wished he had been armed, and Marisleysis accusing the government, in fact, of being disrespectful and duplicitous.

VON FREMD: In--in spending hours here, I've watched the police do a very good job in kind of maintaining this crowd. As a matter of fact, there were a couple of times when they just plain let the crowd break down the police barriers, and the police--we said, 'What's going on?' And they said, 'We're letting them vent. We can see that it's building up. We want to just let the crowd express themselves.'

That was two or three weeks ago here. They've seen this crowd be able, in a--in a moment's notice, be able to ring the house, holding arms. People here have practiced doing that. They knew that if they were to come in at any daylight time, that if people were to have any notice, that there would have been a tremendous number of people here. They would have taken an active response, and at least they had said--promised, and had practiced holding arms around the house. That was what the Justice Department wanted to avoid at all costs.

And then there was even, Elizabeth, real concern about how you would physically be able to get vehicles out of here through the traffic. People here have learned that you can tie up the streets very quickly here, and there's some of that going on now. So, that's been their--the reaction here. The people have been ready, almost, you know, willing to throw their bodies in--in front of anything that happened here. The fact that it happened so early, and it happened so quickly, they never had a chance.

VARGAS: Mike, we're looking--we have the advantage of camera angle that, I'm sorry to say, you do not have, and can see that the crowd has clearly grown over the last couple of hours. But it does appear to be a peaceful one. People appear to be--just be milling about, as opposed to the outskirts where arrests are occurring on that freeway. People appear to be in control.

VON FREMD: They are in control, and they--they want to vent. I mean, when you're not talking to me, there's just a stream of people who come up, and they want to express their opinions, and we listen to them, and we try and record what we can. We're obviously going to have an awful lot of that later on today when we're able to put our pieces together. But the people want to talk. I must say the opinion is exactly the same. They feel that they've been betrayed. They feel it was sneaky. They feel that it was an attack with...

VARGAS: Attack...

VON FREMD: ...out--that wasn't necessary.

VARGAS: All right. Mike von Fremd outside the home in Little Havana in Miami. Thank you so much.

And we are going to now update. Good morning for those of you on the West Coast. I'm Elizabeth Vargas here in New York. We want to bring you up to date on the events of this morning, and they have been surprising to many.

Early this morning, shortly after 5 AM, INS agents raided the home of Lazaro Gonzalez in Little Havana, Miami, going in, in three minutes total, seizing Eliau and escaping very, very quickly from that home. You can see there the boy being carried out by a female INS agent who reportedly told the boy to remain calm, not be frightened, she was there to take him to his father.

It was a tense moment, that three minutes, however, inside the house. You can see there one of the two fishermen who rescued Eliau Gonzalez last Thanksgiving from the ocean where he was floating after his boat had gone down, holding him inside a closet, to the point where an INS agent, armed with an assault gun, it appears, needed to come and wrest the boy from the fisherman's arms, this photo obviously already causing a great deal of controversy. Attorney General Janet Reno saying the gun was never pointed at the boy, and the agent's finger was never on the trigger.

Eliau was taken out of the home very, very quickly, as I said, eight agents inside a matter of three minutes total while other agents try to keep the crowd at bay outside. In fact, we are told that many of those agents needed to keep the crowd at bay at gunpoint. Fifty people, apparently, had been maintaining a vigil outside the home early

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this morning at 5 AM. Many grew very, very angry and began throwing debris, chairs, that sort of thing to the point where INS agents needed to fire tear gas into the crowd to maintain order.

Eliau was taken by helicopter to Homestead Air Force Base where he was examined by a doctor, and then put on board a US marshals airplane headed for Andrews Air Force Base and a reunion with his father Juan Miguel.

You can see here scenes from earlier this morning, and now the scene right now outside the Little Havana house of Lazaro Gonzalez, and outside in that crowd also is our Mike von Fremd.

Good morning, Mike.

VON FREMD: Good morning, Elizabeth. To bring some of our West Coast viewers up to date, there's a bit of a breeze now, you can't smell it anymore, but at 5:15 this morning, there were tear gas canisters that were fired off right as the four vans pulled into this place, and at 5:30 you could still smell it very much in the air. People's eyes were red, and it was--people were just dumbfounded that in just a matter of a few minutes they were able to go inside, take Eliau out.

I'm told that they--that many of the agents were shouting 'Bingo.' Maybe they--that that apparently may have been the code word that we have the boy safe, and it was immediately after the boy was out that the greatest anger occurred. There were some people that were flailing chairs, that were throwing sticks. Since then, the crowd has basically just been gathering, been growing larger.

The police presence is absolutely minimal here. The police, for the most part, are three or four blocks away. They're stopping traffic from getting in and out of Little Havana, but you can, at least, park your car. You're free to walk here, and as the day goes on, more and more people, Elizabeth, are choosing to come and vent their frustrations, mostly peacefully here. My colleague Terry Moran says there's a bit of rock throwing that's going on out on the perimeter now though.

VARGAS: There have been threats of a general strike, and we should say that now police have closed off 35 blocks around the Miami home trying to maintain order. Miami police telling us just moments ago, they were given very, very little notice of this federal raid, and we have been seeing through the vantage of our helicopters in the air around the area that many arrests have been taking place as people have been running onto roads, trying to snarl traffic, that sort of thing.

The crowd outside the house, Mike, has grown from about 50 when the raid took place to we're--we're told by some people, it well is over a thousand. But at this point, it re--it is peaceful despite some very inflammatory remarks from the Miami relatives.

VON FREMD: It's peaceful, and it's--it's actually very creative now. I mean, I'm seeing some very interesting signs coming in. People are expressing themselves. One was a cross with a young child nailed to it, and many people are now waving the American flag with an armband around it. They feel that something like this wasn't supposed to happen in America.

It--it's important to remember this is Little Havana. Many of the people that are here have come over in boats. They have very strong feelings against Fidel Castro, and this morning many of them come up and tell me today that this is a victory for Fidel Castro. They--he's their arch enemy. They're very upset about it. They're passionate about it. They feel betrayed, and they're letting their frustrations be known to us. But, as you pointed out, it--it--it's not violent here now.

VARGAS: All right, Mike, thank you.

We should note that Janet Reno held a news conference just a few moments ago in which she was very careful to say that this is not about Cuba, that this is, in fact, about a boy being reunited with his father, that, obviously, Eliau will stay in the United States until the appeals process is finished, but she made it very clear that this is not political, this is about a parent--a parent and his right to see his son. We have a soundbite from that news conference now that was held just a few moments ago.

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Ms. RENO: Eliau Gonzalez is a child who needs to be cherished, who needs to have quiet time and private time, and to be with his father, and that is what this case is still all about--the bond between a father and son. Juan Miguel Gonzalez wants to be with his son, and that will happen now.

VARGAS: That was Attorney General Janet Reno just a few moments ago. There had been much talk that she was very concerned and still haunted by the doomed Waco raid--Waco, Texas, several years ago in which 80 people were killed--and wanted this to go as peacefully as possible. Linda Douglass at the Washington bureau, she couldn't have asked for a better result. No one was hurt in the raid, and they were able to get Eliau out in a matter of moments.

DOUGLASS: That's absolutely right, and you are so right that she was haunted by the specter of Waco, and that is why she kept negotiating and negotiating for these many weeks and through the night. Janet Reno, the attorney general herself, was on the telephone negotiating with the Miami relatives and also with the representatives for Juan Miguel Gonzalez through the night, trying to reach some kind of settlement in which the families could perhaps come together and live in a compound and try to work through their differences with the child sort of in between them.

We are told that there were lawyers in suits on the floor with pizzas all night, but this all came to naught because the Miami relatives would simply not agree to hand over the actual legal custody of the child, which, after all, wasn't theirs to begin with, to the father when they met with the father. Reno finally felt that the negotiations had broken down at 4 AM this morning and launched the operation. And then, an hour later, at 5 AM, when the operation was already beginning, one of the lawyers for the Miami relatives called back and tried to get the talks started again, but she said it was simply too late.

VARGAS: In fact...

DOUGLASS: She...

VARGAS: ...in fact, Ja--Linda, Janet Reno said that at every step over--at every step along this process, those Miami relatives, she said, quote, "have moved the goal posts and raised the hurdles." She sounded, frankly, frustrated, and--and fed up.

DOUGLASS: She--she clearly was frustrated and has been frustrated, but the breaking point for her was the passage of the 2 PM deadline last week, at which point, as Jeff Toobin has pointed out to us before, Lazaro Gonzalez lost custody--custody awarded by the federal government--of Eliau Gonzalez. It was, in Reno's view, a defiance of the law at that point, and she felt that they really--that the Miami relatives could not be trusted. One of the reasons, for example, she said in her news conference, that she sent them in with guns, is that she had, you know, gotten intelligence they--federal agents had, that there might be people with guns in the house and in the crowd. And that is also why they decided to go in at night after having said they wouldn't do that because she felt that--that she simply could not trust the Miami relatives...

VARGAS: All right.

DOUGLASS: ...any longer.

VARGAS: All right. Thank you, Linda. We're looking now at a crowd--at the crowd outside that Little Havana home that Laz--of Lazaro Gonzalez, the crowd swelled from 50 at 5:15 this morning when the raid took place, to well over a thousand, but mostly peaceful at this point.

Obviously watching these proceedings even more closely than many of these people is the father of Eliau Gonzalez, Juan Miguel Gonzalez. Bob Woodruff is live outside the home in Bethesda, Maryland, where Juan Miguel has been staying these past several weeks waiting to be reunited with his son.

Bob, Juan Miguel had expressed some frustration in the last couple days with the government, the US government and Janet Reno. He must be feeling better this morning about all of this.

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WOODRUFF: No, he was very frustrated, Elizabeth. He waited here over two weeks with promises that he would be reunited with his son very quickly. This morning we talked to someone who had spoken to him, and they said that he was extremely happy. He--they tried--the government tried to get a cell phone to Eliau in the car on the way from Miami to the airport down in Miami, but for some reason that phone call did not go through to Juan Miguel, his father. But at 8:00 this morning Eastern time, he was able to talk to his son on a cell--on the phone from the plane. Again, at 8:00 Eastern time this morning.

Now, at this point, we don't know exactly where father and son will be heading after they reunite at Andrews Air Force Base. Eliau is expected to be there any time now, but the commissioner of the INS said this morning that it will be at some third par--third location, not the house here in Bethesda, but somewhere else here in the Washington, DC, area.

VARGAS: All right. Bob Woodruff, we'll be checking back with you. I'm sure that's a very happy and relieved Juan Miguel Gonzalez, finally to be reunited with Eliau.

We are go--now going to go to a recap on the entire history of these events, these past nearly five and a half months since little Eliau Gonzalez, five years old at the time--he's turned six since coming to this country--was rescued in the water outside Miami on Thanksgiving Day of 1999. ABC's Bill Redeker has a recap.

Donato Dalrymple: And I didn't know what it was, and I heard Eliau scream, and I grabbed him and I ran to the bedroom. I didn't know what to do, just to try to protect this little boy, and I know they were holding the family with guns.

(Scenes of INS agents leaving Miami home with Eliau in their arms and leaving the scene in a white van)

BILL REDEKER reporting:

(VO) It began just before dawn. Armed federal agents stormed the house in Little Havana and took six-year-old Eliau Gonzalez from the arms of the fisherman who rescued him five months ago in the waters off Miami.

The agents left tear gas and angry protestors in their wake as they raced the boy to Andrews Air Force Base and an eventual reunion with his father.

Eliau's cousin, Marisleysis, who has acted as surrogate mother to the boy during these months, was distraught.

Ms. GONZALEZ: Forced. Forced, because he was screaming and crying, 'Don't take me,' and having a gun on his head. What is he probably thinking? 'My dad probably kills me when I get there.' What are they doing? This wasn't the right way to do it.

Ms. RENO: We have been to great lengths to resolve this case in the least disruptive manner possible. Up until the last, we tried every way we could to encourage Lazaro Gonzalez to voluntarily hand over the child to his father. Unfortunately, the Miami relatives rejected our efforts, leaving us no other option but the enforcement action. As I speak, Eliau is safe, and he is on a plane headed for Andrews Air Force Base in Washington, DC, where he will be reunited with his father for the first time in five months.

VARGAS: And that was ABC's Bill Redeker with a report wrapping up the raid this morning, and this is a live shot of the scene outside Lazaro Gonzalez's Little Havana home in Miami, the Miami community. The crowd there has swelled from 50 to well over a thousand. Peaceful now, but certainly a different scene from early this morning in the pre-dawn hours when that raid took place.

Jeffrey Toobin, our legal analyst is standing by. Jeffrey, in spite of the fact that this controversy has been so much in the news, and we've been hearing so much debate and talk about whether or not this raid should and would take place, when you watch that--those pictures and see that video, and see that boy being whisked out, it still is incredible.

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TOOBIN: It is. It's--it's incredible. It's just--it's--it's such a scary thing for everyone involved. When--when you think about the risks to everyone, it's just incredible because, you know, when agents go into a situation like that, they don't know if there are guns in the crowd, they don't know if there're guns in the house, and--and, you know, you have to think about the effect of this sort of action on--on Eliau.

You know, I--I look at this in many ways, but I'm also the father of a seven-year-old boy and, you know, it is an incredibly disruptive event for any child, much less one who has watched his mother die before his eyes.

VARGAS: Now...

TOOBIN: You can certainly understand why Janet Reno wanted to avoid this kind of thing at all costs.

VARGAS: Janet Reno took great pains to say today that, not only was this not about Cuba, not about politics, but about a boy and a father, and a bond, and something that should be respected legally, and went to great pains to reassure everyone, once again what has been widely reported, which is that the boy will stay in the United States pending this appeals process. How long might all of this take?

TOOBIN: Well, that's--that's--that's really an important question. What--what the appeals court decided last Thursday is basically to put the--the case on hold, the issue of whether Eliau has the right to remain in the United States, but the important fact is that while this legal fight goes on now, custody will be returned to his father. And the fight could go on for quite some time. The appeals court has not even scheduled to hear this argument until May 11th. After that, it could be several weeks until there's a decision from the court of appeals. Once that three-judge panel decides, there could be further appeals, or there could be further proceedings in the district court. So I think this legal battle may well stretch out even for months, even to next year, but while that legal fight goes on, Eliau will be with his father in the United States.

VARGAS: All right. Thank you, Jeffrey. We--we should say that among the other things Janet Reno said in her news conference just a little while ago, she commended the INS agents who went in and conducted this pre-dawn raid, saying that they did an excellent job. And she ha--said, in fact, that she negotiated through the night, stayed up all night on the phone with the lawyers for Lazaro Gonzalez family, trying to bring this to a peaceful conclusion, but that, in fact, they kept moving the standard and that she felt that there was nothing left to do but stage this raid. ABC's Mike von Fremd is in the crowd outside the Lazaro Gonzalez home, where it continues to grow, Mike.

VON FREMD: It continues to grow and it's getting pretty noisy. We've got competing megaphones. We've also got radios coming in. I'll tell you, I saw a sign just a second ago, that a gentleman was holding up saying, 'Why another Waco?' And I actually think nothing could be farther from the truth. This was nothing like that, and that the Justice Department, I'm sure, they're just thrilled at the outcome that no one in all this was hurt. And the people here don't seem to be taking that into account in Little Havana. They feel that this was a--a violent raid, but it's hard to see how it was a violent raid when nobody was hurt. There was tear gas, though, that was set off in the crowd. As you've pointed out so many times, there were only 50 people here at the time. Some of them said that they were desperately trying to form a human chain in front of the house, and I think that points out exactly why they wanted to do it at 5:15 in the morning when there was the fewest number of people here, where they could get in and out because, I don't know if you can see it, but the crowd's getting thicker and thicker behind me. I don't think that there's another time of day they could have picked without people that were prepared to throw their bodies in front of anything that happened. They had practiced throwing--putting up human chains, and I think that their hostility about what happened shows what would have happened if they had tried to do it at any other time of day. It was...

VARGAS: We can certainly hear that crowd growing behind you, Mike, and a lot of the people who were upset and calling this a, quote, unquote, "violent" raid are upset with the fact that agents used guns, and there is that one very disturbing photo of Eliau cowering in a closet in the arms of one of the two fishermen who rescued him from the water that Thanksgiving Day in 1999, and an agent pointing a gun, at least in the general direction. And we should point out that Attorney General Janet Reno said that the reason that these agents were armed was because she had intelligence that people in the house or in that crowd might be armed. Correct?

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VON FREMD: Yeah. I've already seen that photo being circulated here. It's been made up in a flash, and it's being circulated around. They're doing a number of things. They're putting black arm bands around the American flags. I don't know if you can see it above my house. They've also got a black arm band the Cuban flag, and there's just--they've got bull horns now, speakers, but this is what the police really want the people to do. They have--they're keeping themselves about four blocks away. They're prepared to let the people vent. They want them to go ahead and come here and passionately make their opinions known. People are constantly coming up to me, telling me what they think of this, and we listen and we try and record much of it. And as far as the police are concerned, as many people can come here as they want to. They're going to have to have a little bit of a walk though because, as we've mentioned, all the streets around here are blocked. There are police cars, and the police, at least early in the, you know, 5:30 hour this morning were all wearing riot gear. They're trying to make this not look like a siege, so they--that may have changed, particularly as the sun goes up and it gets hotter, it would be pretty tough to wear those helmets. But right now the police are perfectly content to let this be the gathering spot for people to come and vent and say very nasty things about Janet Reno.

VARGAS: All right. Thank you, Mike von Fred. We should point out once again that police have bro--closed off 35 blocks around the Little Havana area in Miami where you can see a very large crowd of well over a thousand people, boisterous and expressing their disappointment and anger toward the government at this pre-dawn raid.

The INS reports that Eliau, for all the fear and terror you could see clearly on his face in those photos taken at the time of the raid, within moments was calmed down. They say when he was in the car on the way to the airport, he was calm and speaking to the other agents there and playing with his toys. And that, in fact, on the airplane flight over, he was again calm in the company of a child psychologist and playing with Play-Doh, we're told, which is great for children in trying to relax and relieve stress.

Right now the boy is on his way to Andrews Air Force Base for a reunion with his father, and that is also where ABC's Martha Raddatz is standing by. Martha:

MARTHA RADDATZ reporting:

Good morning, Elizabeth. We're being kept far away from the runway here at Andrews Air Force Base, and they're telling us very little. Juan Miguel Gonzalez arrived here well over an hour ago in his motorcade, a six-car motorcade, about a 45-minute drive from the Bethesda home where he has been staying, but they've given us no information as to where the plane is at this point, whether it's possibly arrived at this point. They clearly want this reunion to be private. As Janet Reno said, she wants them to have space. She wants them to have privacy to reaffirm the bond between father and son.

VARGAS: Martha, I'm not sure if you just said this. I lost your audio for just a second, but did you say whether or not Juan Gonzalez has arrived at that airport yet?

RADDATZ: He arrived about an hour ago, a little over an hour ago, Elizabeth, in a six-car motorcade. They passed right by the main gate of Andrews Air Force Base where we are standing. We don't know what entrance they used. There are several entrances here, and again, the runway is quite a ways from where he are. We wouldn't really see the plane from our location.

VARGAS: All right, Martha Raddatz at Andrews Air Force Base. Thank you. That is going to be the site this morning of a long-awaited reunion by Juan Miguel Gonzalez who's waited, he says, five long months to finally see his son.

ABC's legal analyst Jeffrey Toobin is here. Jeffrey:

TOOBIN: Yes? It--it--it's just--in the--the--the amazing thing to think about as on this day of the reunion is that there remains the possibility that Eliau's Miami relatives may yet win this legal fight and assert that--that they can apply for asylum on his behalf.

VARGAS: That sets up an interesting dilemma, doesn't it?

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TOOBIN: It certainly does because you have potentially two people speaking for Eliau Gonzalez as we--as--as this--this process unfolds, the Miami relatives saying that he has a well-founded fear of prosecution back in Cuba. That's a standard for asylum. And his father saying, you know, he has no fear of prosecution. I have custody. I want to take him home. That's--that's one of the issues that the court of appeals is going to have to confront, and the--the beginning of that process will be May 11th when the case is argued in--in the court of appeals and the three-judge panel in Atlanta. That--that process will likely take several weeks, if not months. But there is this possibility of the Miami relatives winning in court and perhaps having some claim to get Eliau back.

VARGAS: And until they do, Jeffrey, they have no legal visitation rights, correct?

TOOBIN: Absolutely. I mean, it was--certainly the status quo is--is two things are very important to emphasize. One is that Eliau's father has sole and exclusive custody. That's clear. The other point that's clear is that Eliau is not allowed to leave the United States. That's what the court of appeals said. The--the Miami relatives have no legal rights to visit Eliau at this point. I think that will likely be a subject of negotiation, and given, in--in--in the humanitarian interests of everyone involved, it may be a good idea for Eliau to have contact with this family that cared so much for him...

VARGAS: OK.

TOOBIN: ...over these past months, but they don't have any legal right to see him.

VARGAS: All right, Jeffrey Toobin, thank you so much.

We're going to a live shot right now inside the house of Lazaro Gonzalez where Marisleysis, Eliau's cousin, is showing us exactly where they were hiding. She maintained--where Eliau was hiding early during the raid. She has maintained that agents came in and she feels that it was--she calls the raid violent, even though, in fact, no one was hurt, because--maintains that there was damage to the home. And we can see here the bedrooms, I don't know if that was her bedroom or Eliau's bedroom, but obviously very upset, distraught, upset about the entire process.

She maintained, somewhat surprising to some observers, that she had never felt that this would happen, despite the fact that this had been a topic of much discussion and debate. She said, 'We never thought that they would come,' and that she never told Eliau of the possibility that there might be police or agents of some kind trying to take custody of the boy.

Ms. GONZALEZ: On that side, Julely (ph) the wife of my cousin, with her five-year-old son who also had a gun on his head, told his mother, 'Don't move!' And he had a gun...

Unidentified Man: Let's have--let's have--let's have Donato pick up at this point, OK?

So, Donato, you have scooped...

VARGAS: This is the fireman, excuse me, the fisherman who rescued Eliau.

DONATO DALRYMPLE: In the middle of my sleep, I thought I was dreaming. I heard Eliau scream and I didn't know, and I just--I just ran to him. I don't even know how he got in my arms, and I grabbed him and I ran into this room, and--and Angela was here, which is Marisleysis' mother, and I don't remember the other face. But I remember Alan Diaz from the Associated Press, and I said, 'Alan, where can we go?' And Alan just didn't know what to say. He said, 'There's nowhere to go, Donato.' And--and I--they--they closed the door and they put the lock there, which is--was normal. These people had guns and we can hear them banging all over the house, and I heard people screaming and screaming.

So, I--I stood this far. People say I was in the closet. I wish I could have got in here to protect this little boy. And I was holding him and Eliau was screaming in English, 'Help me! Help me!' That was in one ear, and then he was looking at Mar--at Angela and he was saying, 'Que pasa? Que pasa? Que pasa?' What's going on? And I just held his head like this. My god, America, what did you do to this boy?



## INS AGENTS FORCEFULLY REMOVE ELIAN GONZALEZ FROM MIAMI HOME

VARGAS: We are listening to a...

DONATO: I mean, I held him and they came in with guns. Now, I don't say they were put on my brain, but the gun was pointed right to me. 'Give me the boy! Give me the boy!' And there was a lady with a--with a blanket, and she took it and she put it over his face.

VARGAS: You are hearing, obviously, the very distraught man who was holding Eliau at the time that agents took him from the home in Little Havana. Emotions running very, very high inside this home as relatives deal with the fact that what the government threatened to do has, in fact, now happened. Eliau Gonzalez forcibly removed by agents armed with guns in a pre-dawn raid, a pre-dawn raid that we must say, according to the attorney general, was superbly done. Agents were in and out of that house in just three minutes. There were no injuries to anyone involved--agents, Eliau, or family members, and Eliau was whisked away very quickly to a helicopter and then to an airplane where he is on his way to Andrews Air Force Base to reunite with his father who has come here from Cuba.

Outside the home, where you can see right now, the crowd has grown from 50 people who maintained a vigil over night, to well over a thousand, and that's also where ABC's Mike von Fremd is again.

Mike, even though it's very emotional inside the house, outside it looks pretty calm.

VON FREMD: It's pretty calm, Elizabeth. I'd like to say something about the fisherman. There's a very big local story here. It hasn't been picked up that much nationwide, but there were two fishermen that rescued Eliau at sea. The two of them were--one of the few people that were allowed to go to Washington and visit the father, Juan Miguel Gonzalez. He wanted to personally thank them. But since that meeting has happened, the two fishermen are no longer speaking to each other. These are--I believe they're related, but they feel that the one that was inside the house that you just heard speaking, the other one feels that he is mischaracterizing how the father responded. The other fisherman feels that the father thanked them passionately, seemed like a father that desperately wanted his son back, and they have a very different account of that, so the two fishermen who rescued the boy so dramatically at sea are very much at odds with what should be done. One believes that the boy should be returned to his father. The other one, that you just heard from, feels exactly the opposite, and now the two are no longer speaking to each other.

VARGAS: Mike, we understand. We spoke earlier with the PIO, the Public Information Officer for the Miami Police Department, and he said the police there got very, very little notice that federal agents were about to move in and execute this raid this morning shortly after 5 AM. They've obviously moved into place at some--on the perimeter, but where you are you're not seeing a big police presence?

VON FREMD: No, and that's intentional because when they were here earlier, the police were the targets, and actually there were two, I believe, customs agents that walked through here--at least that's what we are told--and they had to scoot very, very quickly. They were targets. They were a focus point where people could direct their hostilities. So it--it's actually pretty smart. They're several blocks away.

The only way people can vent are both to look at the house, and also talk to the news media, and the news media has a constant parade of people coming by wanting to say how they--how they feel. My colleague, Terry Moran, does tell me though that on the perimeter, there is some nasty things going on--some rock throwing. He says it's not very serious yet, but he's monitoring it, watching it, and as we've mentioned, the traffic's all stopped. So the people that are here for the most part either live here or they've had to park their car very far away and come and walk here.

And I don't see people leaving. I think people are coming here, they're bringing lots of water. They're prepared to spend the day here. We've also talked, Elizabeth, that I don't think that they're just going to stay here and do nothing. The--one of the leaders of an anti-Castro movement has called before for a--a general strike...

VARGAS: OK...

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VON FREMD: ...and specifically, his target was the airport before.

VARGAS: OK. All right, Mike.

VON FREMD: ...and keep your eye on what happens at the Miami International Airport.

VARGAS: We certainly will. Mike von Fremd, thank you for keeping us so well up-to-date on the events happening outside that home.

To recap, very quickly, a pre-dawn raid shortly after 5 AM. Federal agents went into the home of Lazaro Gonzalez in Little Havana in Miami and forcibly siezed six-year-old ELIAN Gonzalez from the arms of a fisherman who rescued him and from the family, the custody of the Miami relatives, who've been holding him there. The raid lasted all of three minutes. Tear gas was fired to crowds outside, but order was maintained. No one was hurt, and Attorney General Janet Reno says 'job well done' vis-a-vis the agents.

Stay with ABC News throughout the day for any developments. I'm Elizabeth Vargas in New York. Good day.

Announcer: This has been a Special Report from ABC News.

## Classification

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