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IN MY OPINION
Dan Le Batard
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Thrills, terror in Heat's journey

It somehow keeps building. All of it. The terror, the interest, the stakes. This seems impossible, given where we started three years ago. It feels like jumping up in the air and never coming down, just continuing to elevate, with your stomach feeling exhilaration/nausea as the Earth keeps getting smaller and smaller below.

The Miami Heat have somehow made three straight interminable NBA regular seasons hypnotizing. You know how hard that it is to do for one regular season? They've captivated us by losing big, and winning big, and it was important that it be done in that order the first two years. Because now the upside-down-right-side-up story arc keeps spinning and climbing and hurtling through the clouds . . . to this dizzying place where you can feel the I-can-touch-the-sky joy while also being forced to take inventory of just how far there is to fall.

Miami had to lose the first year to create doubt here and hope for the rest of basketball's fans . . . and to make last year's championship somehow feel like a surprise (Oklahoma City was actually favored in The Finals) . . . and to bring us to this uncertain place in the clouds where there is a very thin atmospheric gap between feeling like a dynasty controlling a basketball era and feeling like a failure crushed by these delirious heights.

Six more victories, and it'll be bliss. Two losses in the next three games, and

• TURN TO LE BATARD, 7A



Heat's LeBron James has mostly ignored pestering from Pacers' Lance Stephenson, 1D



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TV: TNT
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KEY LARGO

PHOTO COURTESY ERIC DOUGLAS

UP CLOSE AT LAST: Gabe Spataro, 80, now legally blind, makes his first underwater visit to the statue of Christ that he arranged to be brought to the Keys a half-century ago.

A dive into the past

In a testament to tenacity, Gabe Spataro got a statue of Christ to Florida, and sees it at last in its watery home

BY CAMMY CLARK
cclark@MiamiHerald.com

It was a reunion 51 years in the making. When Korean War veteran Gabe Spataro was relearning how to scuba dive, he told his instructors a riveting tale about his wheeler-dealer role in an effort half a century ago to bring the now-famous "Christ of the Deep" underwater statue to the United States from Italy.

Spataro, 80 and legally blind from macular degeneration, described his wine-tasting trip to Europe, his father's connection with an Italian steamship line, his coordination of the Underwater Society of America's third national convention and his dilemma: how to get the 1,100-pound bronze statue of Jesus up one floor to the Grand Ballroom of the Palmer House in Chicago without paying the house union to do the work.

"It was a wacky story," said Jim Elliott, president and founder of the Chicago-based nonprofit group Diveheart, which teaches children, adults and veterans with disabilities how to dive.

So wacky, Elliott said, that he didn't believe it until Spataro produced 1962 photographs of

• TURN TO STATUE, 2A



JERRY WILKINSON COLLECTION

IN 1962: Gabe Spataro with the statue when, after a great deal of finagling, it arrived from Italy at Navy Pier in Chicago.

Drone attack kills a Taliban leader

■ A \$5 million bounty was on Waliur Rehman Mehsud's head when he was taken out, but his death has raised questions about whether the Obama administration is following its own rules.

BY TOM HUSSAIN AND JONATHAN S. LANDAY
McClatchy Foreign Staff

ISLAMABAD — Missiles from a CIA drone killed a Pakistani Taliban leader Wednesday who was carrying a \$5 million U.S. bounty on his head, Pakistani security officials said, an indication that the Obama administration and the Pakistani military still are cooperating on the top-secret U.S. targeted-killing program.



MEHSUD

The strike against Waliur Rehman Mehsud was the first in Pakistan since President Barack Obama outlined tighter rules for the controversial targeted-killing program in a speech last week, and some experts questioned whether the criteria used to target Mehsud conformed to the president's pledges of greater accountability and transparency.

In Washington, White House spokesman Jay Carney declined to confirm a U.S. hand in Mehsud's death. But he contended that Mehsud "has participated in cross-border attacks in Afghanistan against U.S. and NATO personnel and horrific attacks against Pakistani civilians and soldiers."

Carney noted that Mehsud also was wanted in connection with a Dec. 30, 2009, suicide bombing at a CIA base in Khost, Afghanistan, that killed seven Americans working for the CIA and a

• TURN TO DRONE, 7A

RAYMOND HERISSE CASE

A day of odd twists in probe of Beach shooting

■ Miami Beach police said crucial evidence in the shooting of Raymond Herisse was destroyed. That startling revelation was later denied.

BY JULIE K. BROWN
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The investigation into the shooting of a motorist and four bystanders by police on Memorial Day weekend two years ago took an unexpected detour

on Wednesday. In one eight-hour interlude:

• Miami Beach P.D. told The Miami Herald in an email that a key piece of evidence — tapes containing radio chatter between officers on the street and police

dispatchers — had been destroyed as a matter of routine housekeeping. The department cited state law stipulating that such records can lawfully be disposed of after 30 days.

It was a startling revelation. The dispatches, which would indicate what Miami Beach and Hialeah officers saw, heard and did before

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miami-beach
Read more about the shooting

they fired 16 shots at an erratic motorist during Urban Beach Week 2011, killing him and wounding four tourists, are crucial to determining whether police acted properly.

• Informed that the city had said the records were destroyed, the attorney for the dead motorist expressed outrage. "Those recordings of police transmissions represent the unedited truth of what happened, and that's all we're asking. The family wants to know

• TURN TO TAPES, 2A

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KEY LARGO

A long time coming, for statue and diver

• STATUE, FROM 1A

himself as a young man standing next to the Christ statue. In some, he was dressed in a trench coat while the statue was in a crate on Chicago's Navy Pier. In others, he was sporting a tuxedo and Hawaiian lei while the statue was displayed in the Grand Ballroom as the convention's guest of honor.

"Oh my God, this guy is for real," Elliott said after seeing the pictures.

Spataro, who began diving in 1956 during the sport's pioneering days, also told Elliott another surprising tidbit: He had never made the trip to John Pennekamp Coral Reef State Park to see the statue in its permanent home.

That changed two weeks ago, when two diving buddies working with Diveheart helped Spataro make the 25-foot descent to meet Christ again.

Spataro couldn't see the statue while looking straight at it because of his eye disease, whose onset was about three years ago. But he could see it through the side of his mask with his peripheral vision.

"Christ of the Deep" was in the familiar pose — hands raised and head looking up at heaven, offering a blessing of peace. But almost five decades of marine growth had changed the statue's once-shiny bronze appearance.

"It looked a little messed up," Spataro said. "I brushed his hair. . . . We were buddies."

Divers are told not to touch the statue because it is now covered with fire coral, which can cause stinging and burning pain. But Spataro said he wore gloves to touch it again.

Spataro's passion for diving began a year after he returned from Chuncheon, Korea, where he served as an Army supply sergeant in a helicopter battalion. He was working at the family pizzeria when two customers told him about their plans to go scuba diving. He decided to try it the next day.

He was given fins, a weight belt, a mask and snorkel and an air tank to wear on his back. "The one instruction: Don't stop breathing," Spataro recalled.

Despite having to surface quickly because no one told him he needed to turn on the valve to the air tank, he fell in love with swimming with the fish and other marine life of Lake Geneva.

Soon, a new group called the Illinois Console of Skin and SCUBA Divers was meeting at the pizzeria. In 1960, their president, Carl

Hauber, also was slated to become president of the Underwater Society of America. Spataro says Hauber named him to head the society's 1962 convention because "I was in the restaurant business and knew how to throw parties."

That's when the wacky story began. Hauber mentioned to Spataro that Italian dive equipment manufacturer Egidio Cressi was having another replica statue made from the mold of Italian sculptor Guido Galletti's *Il Cristo degli Abissi*. Hauber thought it would be a great draw for the convention.

The first replica made headlines when it was submerged in 1954 in San Fruttuoso Bay, Italy, near where Dario Gonzatti, the first Italian to use scuba gear, died seven years earlier.

The second replica was placed under water in 1961 near St. George's Harbor in Grenada. It was a gift of the Navy of Genoa to the locals who helped rescue the crew of an Italian vessel that was destroyed by a fire in that harbor.

While the third replica was being constructed in 1961, Spataro traveled to several countries in Europe to taste wine. He ended up in Genoa to meet with Cressi. By this time, Cressi had decided to donate a third statue to the Underwater Society of America.

"I asked him, 'How are you getting it to Chicago?'" Spataro said. "He said: 'That's your problem. I'm just giving it to you.'"

The convention budget had no money for that, so Spataro got creative. His father knew someone who worked at a steamship line, and he was able to wangle free passage for Jesus from Genoa to Navy Pier in Chicago.

Another friend had a trucking company, and Jesus got another free ride from the pier to the Palmer House. But when the union would agree only to halve its usual charge — to \$900 — to take the statue up one story to the Grand Ballroom, Spataro said he enlisted another friend, a union baggage handler for TWA.

A minister who had escaped killings in Africa and was a friend of his cousin's wrote the litany that was read at the convention's dedication of the statue on Aug. 18, 1962. "I wish I could find it," Spataro said. "It said this statue was for the ones who lived and worked and played and died at sea. He really did a nice job."

After the convention, the statue was trucked to the TWA hangar at O'Hare airport, awaiting transporta-



PHOTO COURTESY ERIC DOUGLAS

CORAL-COVERED IMAGE: Gabe Spataro dove to see the Christ statue earlier this month, more than half a century after he helped bring it to the United States.



ERIC DOUGLAS

VETERAN DIVER: Gabe Spataro has been diving since 1956. At right, in the tuxedo, Sparano poses with members of the Underwater Society of America.



COURTESY OF GABE SPATARO

tion, 1,500 miles away to Pennekamp State Park.

At this point, according to a 1987 article published in several diving newsletters by Eva Mills Dunlap, the first 6,000 miles of the statue's journey from Genoa to Chicago had cost only \$25 — for insurance while it was displayed at the Palmer House.

With no funds to ship it to Florida, the statue sat at the airport. Within a month or

so, it was moved to the Illinois National Guard hangar because one of Spataro's pizza customers was a captain in the Guard and was willing to take the statue in a transport plane — if a plane were to be needed to fly to Florida during the Cuban Missile Crisis.

But the missile crisis was averted. Finally, Spataro said, he got a call on a snowy December night while working a banquet that a Na-

vy Reserve plane could take the statue but was leaving imminently. A tuxedo-clad Spataro called the National Guard captain and friends to meet him at the hangar.

Using a forklift, the group got the statue to the Navy Reserve plane. The cargo opening was about 10 feet off the ground and at an angle. Because the statue was much heavier at its base, Spataro and the captain climbed onto the crate near

the head to balance the weight.

As the forklift raised the crate, the weight shifted and the statue barely caught the inside of the plane, or it would have smashed to the ground. "We almost crashed," Spataro recalled the captain saying.

"I said: 'Yeah, but we would have crashed with Christ.'"

The military plane took off for Orlando. It would take a couple more years and lots of volunteer work before the statue eventually was trucked the rest of the way to Key Largo and submerged on the ocean's floor on Aug. 25, 1965.

By that time, Spataro said, he had no desire to see the statue again. "I got teed off at the Underwater Society of America and could care less about them," he said.

He was angry about money. He said he had spent \$80,000 on the convention, which included boats to take attendees out on the lake for "food and booze and dancing." After the Underwater Society of America fell \$5,000 short of paying all the bills, he wrote letters to all the dive organizations that belonged to the society, asking them to chip in \$100 or \$200 to help. None did, he said.

But years later he thought about the statue when he heard that atheists wanted to have it removed from the public park.

"It's not a statue for religious groups," he said. "It's for the heart."

The last time he saw the statue was during a snowstorm. This time, it was an 85-degree day in the subtropics. The water was warm and clear as he dove to the ocean floor, where the statue is secured in a sand channel on the southeast side of Key Largo Dry Rocks. It is surrounded by spectacular, colorful corals.

"It was really inspirational and left me with a good feeling in my heart," Spataro said.

Thousands from around the world have come to see it by diving, snorkeling or looking through the glass bottoms of tourist boats. A few couples have gotten married beside it. And now Spataro truly appreciates the statue's importance.

"They made me feel like a celebrity when I went down there," Spataro said of the other divers and crew aboard the boat. "But I was happy to see people having fun and to see a 10-year-old girl make her first open water dive on it so she could get her certificate. She wanted me to sign her logbook. That made my day."

RAYMOND HERISSE CASE

Crucial shooting tapes remain elusive

• TAPES, FROM 1A

why their son was killed," said Marwan Porter, representing the family of Raymond Herisse.

Porter and lawyers representing the four wounded bystanders are demanding various police records, including the dispatch tapes, in hopes of proving that police acted recklessly when they opened fire.

The announcement by records custodian John Babcock was immediately contradicted by the Miami-Dade state attorney's office. Spokesman Ed Griffith called the information "completely erroneous" and said the lead detective in the case had just verified that the tapes had been preserved.

• Asked by email to explain the discrepancy, Babcock replied, "What case are you talking about?" then referred a reporter to the city attorney's office, which did not return a phone call.

• Reached on his cellphone, Police Chief Ray Martinez said it was his understanding that the dispatch tapes had already been turned over to the civil plaintiffs.

"I'm not sure why they didn't get them, but I will

make sure new copies are sent out right away," Martinez said.

He called Babcock's statement about their disposal a misunderstanding.

As of Wednesday evening, the crucial tapes remained elusive despite a four-week-old court order that they be turned over.

The Miami Herald had requested the tapes separately, and before Wednesday the city had offered various rationales for not turning them over.

After one such request, Assistant City Attorney Aleksandr Boksner said, to his knowledge no such tapes exist. When the request was resubmitted, Bobby Hernandez, a public information sergeant, explained that the chatter would not be released because the law exempts from public scrutiny any "video or audio recordings that depict or record the killing of a person."

In response to that, the newspaper narrowed its request to seek chatter up to but not including the moment Herisse was hit by 16 bullets.

That request prompted the reply from Babcock.

"The tape was destroyed IAW [in accordance with] the disposition instructions

in the Florida General Schedule 1 #335," Babcock said in the email to The Herald Wednesday morning.

Whether or not the newspaper is entitled to the tapes, Miami-Dade Circuit Court Judge Victoria Sigler has already ruled that they must be turned over to the plaintiffs as part of their public records lawsuit.

"The families here are entitled to autopsy reports, autopsy results and any audio and/or visual recordings that took place shortly before, during or after the shooting, including 911 calls and dispatches . . ." Sigler said.

The misinformation about the police transmissions is the latest in a series of issues that have dogged the investigation — and caused plaintiffs to question whether Miami Beach should be conducting the probe or whether an independent investigation is merited.

During last month's civil court hearing, a police sergeant supervising the criminal inquiry testified that he was among the officers responding to the scene that morning, a potential conflict of interest.

"The Miami Beach Police Department's investigation

into the Memorial Day Urban Beach Weekend shooting reeks of corruption at the highest level," said Jasmine Rand, who represents Cedrick Perkins, a bystander who was shot in the chest.

Martinez said he is committed to ensuring that the investigation is complete, fair and impartial.

Police have said Herisse was driving his blue Hyundai the wrong direction on Collins Avenue near 16th Street, when he struck a Hi-aleah police officer on a bicycle. That officer and others from neighboring cities were assisting Miami Beach with crowd control during the 2011 street festival.

The policeman ordered Herisse to pull over, at which point Herisse continued down the street, striking parked vehicles, according to Miami Beach P.D.

After Herisse rolled to a stop near 14th Street, police officers trotted up alongside the Hyundai and 12 of them opened fire, shooting 116 times, a scene captured on video by multiple witnesses and posted on YouTube. Three days later, police announced a search of the car had located a gun under a seat, concealed in a towel. A gunshot residue test indicated it had not been fired.

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Imaginando La Florida

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