

It Couldn't Happen to **A NICER GUY**

Friends rallied around Conan Owen—the one person, they said, who would never do what Spanish courts say he did. Now he's home.

BY JOE D'AGNESE

CONAN OWEN SENT A LETTER from Spain not long ago. He said he was fine and fit and working on his tan. When the weather is warm, he wrote, he sits with his typewriter on the patio of Barcelona's La Modelo prison and bangs out letters home. At age 24, Conan was working on his memoirs.

"I would like to see about borrowing the title of a recent bestseller, *Presumed Innocent*, and using it as the title, printed backwards," he wrote. "That would be very symbolic . . . I have been a presumed spy, a presumed drug runner, a presumed photographer, but I have never been presumed innocent."

At the time, Conan Owen was serving a six-year sentence for drug trafficking. The Spanish government said that he knowingly smuggled two kilograms of cocaine into the country while on a photo assignment in March 1987. All available evidence suggested otherwise.

In the United States, Conan's innocence had been proven beyond the shadow of a doubt. Edwin Meese, while attorney general, personally delivered the proof to Spain—a transcript of testimony given in U.S. District Court by Conan's employer, George E. Barahona, who confessed that he and six others in a Bolivian drug ring used the young photographer as an "unwitting courier."

Despite the evidence, Spanish courts convicted Conan Owen. He received a six-year-

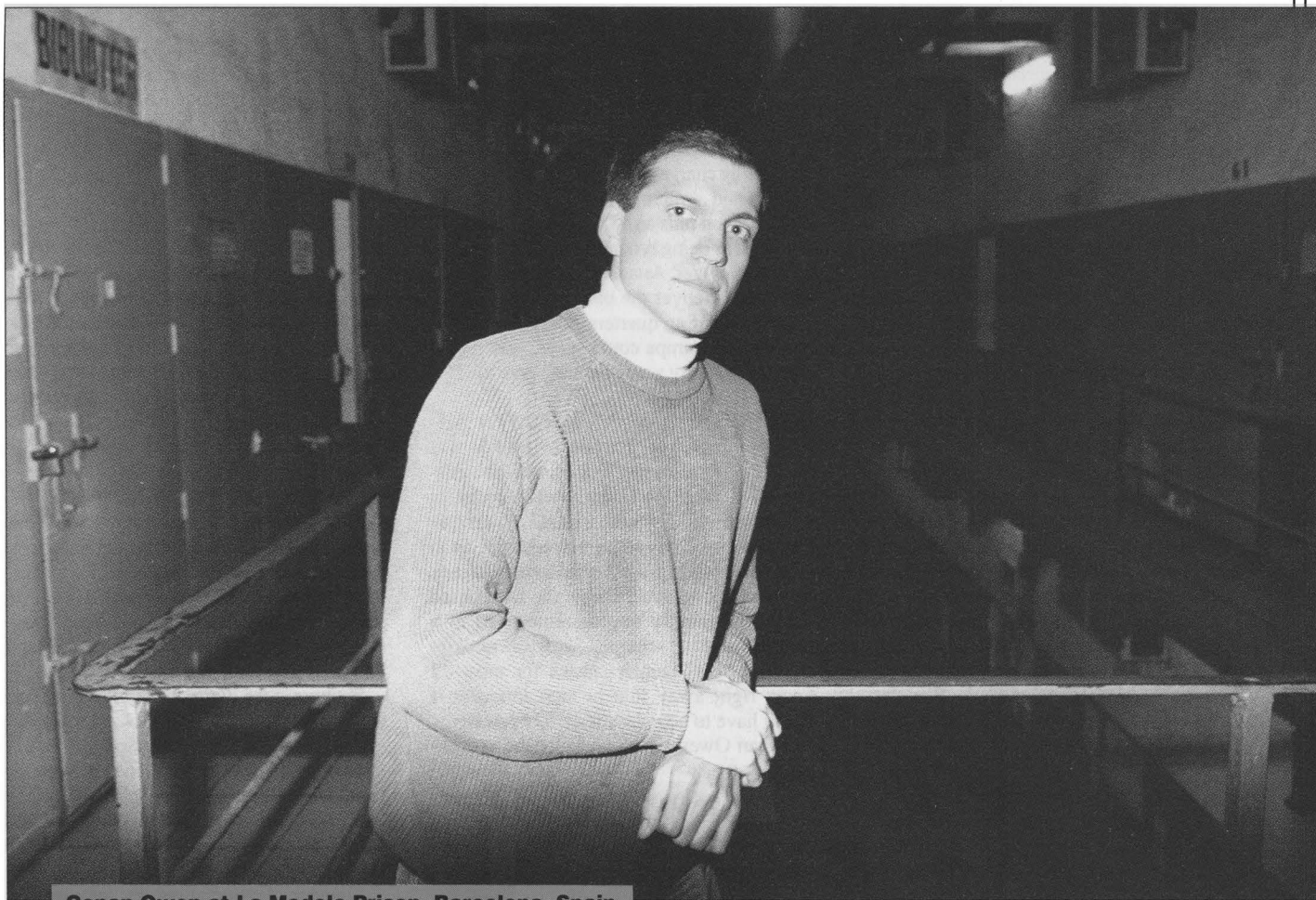
and-one-day sentence, which the Barcelona prosecution immediately attempted to increase.

Outrage over Conan's plight became a national phenomenon. His story appeared in the pages of the *New York Times* and the *Washington Post*, and was reported by broadcast journalists from Dave Marash to Peter Jennings. His parents, Ernest and Raquel, told their son's story to TV hosts such as *Today's* Jane Pauley and CNN's Larry King. The Owen family won the support of high-ranking Americans, among them Representative Jack R. Kemp (R-N.Y.), Senators Alfonse M. D'Amato (R-N.Y.) and Edward M. Kennedy (D-Mass.), and more than 20 other congressmen.

Alongside the congressmen and diplomats, though, are supporters of a different kind. In the 20 months since Conan's imprisonment, his family has been assisted and consoled by an army of people that the Owens never dreamed existed—hundreds of friends whose lives their son touched at home, at school, in the Army, at the White House, at every place he ever worked. They've held raffles, sold tee shirts, written hundreds of letters, spread the Conan Owen story throughout the media.

Finally, on October 28, the Spanish government announced that Conan Owen would be moved to an American prison, under the terms of a rarely utilized transfer agreement. Once on American soil and—

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AP PHOTOS

Conan Owen at La Modelo Prison, Barcelona, Spain

more important—within American jurisdiction, Conan could be paroled or even pardoned. Ten days later, on November 7, Conan arrived in America and awaited his first parole hearing.

According to Conan's father, it is unclear why his son was allowed to return to America, but the pressure brought to bear by Conan's many friends is clearly a factor. Spanish officials were unprepared for the volume and endurance of grass-roots efforts to change Conan Owen's fate.

Conan's friends—outraged at his incarceration and joyous at his apparently imminent release—are the other side of the young photographer's story.

WHEN HE GRADUATED from SU in May 1986, having completed four years in the Reserve Officers Training Corps (ROTC), Conan David Owen returned home to Annandale, Virginia, to await his commission as second lieutenant and orders to his first posting, the Army Intelligence School in Fort Huachuca, Arizona. He took a temporary assignment at *National Geographic World*. Then his cousin, Maria Teresa Corrales, a *Geographic* staffer, recommended another job—one she'd heard about

over the phone from a slight acquaintance, George Barahona.

Barahona's offer sounded great. He claimed to represent a Mexican travel agency that needed a Spanish-speaking photographer to take some travel photos. The assignment meant two nights in Santiago, Chile, and two more in Barcelona for \$1,000. Conan, fluent in Spanish, was a perfect candidate for the job. Barahona asked Conan to carry a suitcase of travel brochures to Barcelona. Conan and his family inspected the case and found just that—brochures.

But while in Santiago, Barahona passed the key to Conan's hotel room to a co-conspirator who, as if acting out a bad Hollywood spy tale, sneaked in and switched suitcases. In Barcelona customs officials found cocaine hidden in a secret compartment. Conan's dream job had turned into a nightmare; in days he'd gone from young travel photographer to presumed drug runner in jail.

He would remain there a year awaiting trial, writing letters to friends and family, meeting with visitors, and plotting legal strategies with his Spanish lawyer, Ana Campa. In the United States, Conan's parents and friends campaigned to free him, bombarding the Spanish embassy and government with letters, petitions, and character references on

Conan's behalf. His father, Ernest, an insurance investigator, began a meticulous paper chase that would eventually pin the rap on Barahona. He convinced the U.S. Attorney's office to take notice. Prosecutor Justin W. Williams was interested, but aside from Conan's story to the Spanish officials, there was nothing that proved Barahona's guilt.

Throughout that year there were glimmers of hope that Conan would be freed. Results of lie detector tests he took in Spain were so persuasive that a judge was on the verge of granting bail. But those hopes were dashed when the *New York Times* broke the story May 12, 1987, reporting the interest of the State Department, the Drug Enforcement Administration (DEA), and the vice president's office. Instantly the Spanish press leapt on the story, calling Conan everything from a CIA spy to Vice President Bush's "drug buddy." The judge denied bail.

The biggest break in the case resulted from a clever ploy by Conan's parents. Since the assistant U.S. attorney didn't have enough evidence to prosecute Barahona criminally, the Owen's filed a \$4 million civil suit against their son's employer. "He could only dodge so much," Ernest explains. "If he didn't answer the civil suit he was leaving himself open to a judgment. So he had to make a deal."

Earlier this year, Barahona confessed in a federal court in Alexandria, Virginia. He said that members of the Mexican travel agency approached *him* with the drug-running scheme early in 1987. He named his co-conspirators—four Latin Americans and two Spaniards—whom the DEA recognized as known drug traffickers.

In exchange for his testimony and a guilty plea, Barahona received a two-year suspended sentence and a \$50 fine, which spared him from extradition and prosecution in Spain.

"If Barahona had played it low and didn't do anything he probably could have kept from having been involved," said his attorney, Stephen Picard. "But because he *did* have a conscience and because he *was* greatly upset over what happened to Conan, he came forward and made his statement. . . . I think that's an act of remorse. He has said many, many times how sorry he was that he got this boy involved in all of this."

Even after Attorney General Meese delivered Barahona's testimony to Spain, though, the judges remained unimpressed. After a year in jail, Conan went before the Barcelona Provincial Court on March 26 and sat through a three-and-one-half hour trial. The

tribunal seemed to reject any testimony helpful to Conan—even Barahona's confession, which, as the product of a plea-bargain, was deemed inadmissible in Spain.

A week later, Conan was acquitted of a smuggling charge, but convicted of drug trafficking and sentenced to six years and one day in prison plus an \$18,083 fine. While the verdict was being broadcast on radio and TV, Conan's lawyer, Ana Campa, traveled to La Modelo to deliver the bad news. Conan entered the visiting quarters where she waited and, before Campa could speak, asked simply, "How many years did they give me?"

THE DAY OF CONAN'S ARREST, the reaction of friends was unanimous: There had to be a mistake. The Conan Owen they knew was a clean-cut guy with a ROTC haircut, as law-abiding as they come. Friends say Conan never dabbled in drugs, never sought an easy way to make a buck, and is the last person who'd voluntarily become embroiled in a drug-smuggling scheme. Syracuse photographer Mike Greenlar speaks for most: "I knew right away that he was innocent. I didn't have to hear anything."

Conan Owen's list of credits and creden-

tials is exemplary—like something out of a guidance counselor's fondest dreams. Honors student. Dean's list, four semesters. A photo editor of the *Daily Orange* and *Onondagan*. Graduate of SU's overseas-study program in London. Founder of the SU chapter of the National Press Photographer's Association. *Cum laude* graduate. Intern to the *Buffalo News*, *National Geographic World*, and to the personal photographer of the vice president of the United States. When he graduated from SU in 1986, Conan was destined for a four-year career in military intelligence. (His father is a former Army man, and his brothers, Evan and Dylan, are also in military service.) Says U.S. prosecutor Williams, "This wasn't a kid who got in over his head."

Conan's professors and professional colleagues remember him as a hard worker who was serious about photography. His excellent work in a photo editing class led SU visiting professor Robert Gilka, *National Geographic's* former photography director, to recommend him for the *World* job. Gilka says, "He was one of the top three in the class."

His boss at the *World*, David Johnson, now the White House's director of photographic services, says Conan befriended nearly everyone in the department. In fact, one freelancer he met there, Walter Calahan '78, later hired him as an assistant. "I was impressed with his integrity and sincerity," Calahan says.

Younger photographers say they used to turn to Conan for advice on school and photography, and Bob Hugel '86, the *D.O.* sports editor who traveled often with Conan to sporting events, recalls, "On the road trips, if you needed somebody to drive because everyone else was too hung over or tired, Conan would drive. He was Mr. Responsible—everybody's father."

Conan's background, concluded prosecutor Williams, is "totally inconsistent with drug dealing."

It's the reason that, as the crimes against Conan Owen multiplied, so too did his impressive roster of friends.

EARLY IN THE CASE, Conan's plight won the interest of then-Attorney General Edwin Meese, the most visible of Conan's new friends in high places.

Following Barahona's confession this year, Meese agreed to carry the crucial testimony to Spain in person. Later, when Conan was convicted, Meese issued a statement during a press conference at the White House, saying he "regrets the decision," adding that "we continue to believe in Mr. Owen's innocence and hope that he will ultimately be exonerated."

Not everyone was so helpful. Politics interfered. There was little reaction from the

A Letter From Conan Owen

August 13, 1988

Dear Joe,

Your letter arrived just in time. In about two hours my uncle will be coming for a face-to-face visit and I plan to hand him this to be mailed from the U.S. Had your letter arrived tomorrow, we would have had to rely on the snail mail service. You know what that means. If I do not have time to proof this it is because I have to run. . . .

I am OK. Sounds trite, I am not just trying to keep you from worrying. I have no fatal disease I know of, I am not physically abused aside from the crowded conditions and the food etc., etc. I do rely on my Army calisthenics to get in some regular exercise. Basketball never really was my thing, and since the coaches went on vacation it has fallen by the wayside. I do play a perverted form of racquetball. No, it isn't perverted in the sense I play nude, but the rules of racquetball have been perverted.

The easiest way to stay healthy in prison is to avoid the prison food and avoid the prison doctor. They give me three squares a day; unfortunately, it is three squares of unpalatable s—t. Actually, breakfast does not exist in the Spanish mentality. They serve a cup of coffee and four cookies, your own cigarettes optional. I pass on breakfast and consume my own fruit each morning. Of the other 14 meals they dish out I partake in about four or five. The rest of the time it is fruit, nuts, bread from the outside, and tuna that I buy here. Pretty Spartan but it beats the garbage they serve. . . .

Will I visit Spain or Barcelona again? . . . If I want to visit a Third World country I will choose one a little more democratic and friendly to the Americans, like Cuba or Nicaragua. Otherwise I have no desire to or intention of returning to olive land. It has nothing to offer me other than an apology, but that will never erase what they have done to me.

. . . I wish I could go on ad nauseum, but I really must be winding this up if I intend on getting a shower before my relatives show up.

Yours in Third World Incarceration,
Conan

vice president's office. According to Ernest Owen, the only time that George Bush mentioned his former intern was during a campaign trip to Syracuse. Some friends say the Reagan administration was afraid to pursue Conan's freedom during an election year. "It's easy to misinterpret the facts in Conan's case," says one friend. "People think if drugs are involved the person *has* to be guilty. They're avoiding this one like the plague."

Why the influence of someone like Ed Meese proved meaningless is a lesson in international politics. The Spanish are, at best, indifferent toward the U.S. justice system. During Conan's trial, judges heard the testimony of Williams and a DEA agent, but later rejected their testimony, saying that while they had not lied, U.S. officials "tend to bend the truth" in favor of their citizens. In April, Dave Marash, anchorman on Washington, D.C., television station WRC, attended the trial in Barcelona and watched the proceedings in utter amazement. "It was obvious the judge had made up his mind before he came to court," Marash says. "His opinion was full of undigested prejudices and frank hostility toward the United States."

According to Richard Gunther, an associate professor at Ohio State University and an expert in Spanish politics, there *has* been a resurgence of Spanish hostility toward the United States since the mid-1980s. But, says Gunther, "I think this is exclusively a short-term phenomenon related both to the unpopularity of Ronald Reagan and to certain of his policies."

So Conan's ties to the Reagan administration may have hurt him. "The biggest example of that was when Meese came over with the transcript and they just threw it out," says the Reverend Ron Brown, an evangelical pastor who lives in Barcelona and regularly visits Conan in jail. "They just dug in their heels and said the U.S. isn't going to push us around."

Marash maintains that drugs, not politics, were still at the crux of the case. Spain, like the United States, is battling a growing drug problem. "It's not so much mindless anti-Americanism as much as mindless anti-drug campaigning," says Marash. "The Spanish authorities are capable of the same absolutist chest-beating as our politicians here in the United States. They say, 'Hey, we caught him with two kilos of coke. Case closed.'"

WHEN THE EFFORTS OF friends like Ed Meese failed, the gauntlet fell to Conan Owen's real friends—those who have known him, studied with him, and worked with him. They number into the hundreds, and their allegiance to Conan's cause became a story unto itself.

A month after the arrest, Joe Traver '74, a Buffalo, New York, photographer, urged the



April: Friends march on the Spanish embassy

Owens to create a defense fund, administered by Traver, Calahan, Johnson, Gilka, and SU photography professor David Sutherland. The Conan Owen Defense Fund is the heart, and war chest, of the widespread concern for his case.

"We needed to drum up publicity and get off our butts," says Traver, who free-lances for the *New York Times*. "It was clear that it was going to take a lot of money. His parents were exhausting their own funds."

Besides contributing to the fund, Conan's friends wrote letters of character reference; 50 such letters were sent to Spain to become part of his case file. Traver sent a plea to more than 9,200 members of the National Press Photographer's Association, who voted to donate \$2,000 to the fund last July.

Of all people, professional photographers probably best understood Conan's plight. Their profession is extremely vulnerable to schemes like the one that entrapped Conan. Gilka says, "If he was guilty of anything, he was naive. He trusted these people."

Conan's detractors say he should have suspected he was being duped, but supporters, like Sutherland, scoff at the idea: "If the boss says, 'How about taking these brochures?', every one of us would say, 'Sure!', because we're eager to please."

Conan's young friends in the media began spreading the word to their bosses. At *Editor & Publisher*, Debra Gersh '85 wrote an article seen by a nation of newspaper editors and reporters. In Washington, WRC began a series of segments on the case that would eventually win anchorman Marash a local Emmy.

At the *Washington Times*, former *D.O.* photo editor Ross Franklin '87 told Conan's story to his editors, who assigned him to shoot the resulting stories. With the help of Ellen Frank '87, Franklin has spread the word among co-workers.

On the day of Barahona's confession, Franklin remembers running to Frank's office in the photo department of *Insight* magazine, screaming: "Conan's gonna be freed!"

Barahona confessed!" Reaction throughout the press was similar.

But the tribunal convicted. Friends took to the streets in protest. A week after Conan's conviction, 300 people marched to the Spanish embassy in Washington. Most knew Conan or his family, but others were simply area residents who wanted to help a hometown kid in trouble. Barbara Feininger, one of the organizers, says, "People saw his family on TV and were really touched." As the press resurrected the story, thousands more heard the slogan, "Free Conan Owen!" The *New York Times* gave it page two. *People* magazine gave it two pages. The *Washington Post* called it a "parental nightmare" and urged tourists to stay out of Spain.

Rolling Stone assigned Peter Wilkinson '82, a free-lance writer, to investigate the Owen affair. He spent two months, conducted more than 100 interviews, and flew to Spain to interview Conan and Spanish officials. The result, a 10,000-word story that he calls "factually accurate to the last comma," was published in the magazine's October 6 issue. "The story became an obsession," says Wilkinson. "I wanted to go down every alley, talk to every person, and get all the facts so the Spanish couldn't ignore it."

In Washington, WRC's Marash helped in a more personal way. Together with photographers Dave Burnett of Washington and Rick Smolan of San Francisco, he financed the first batch of "Free Conan Owen" tee shirts. Smolan, publisher of the "Day in the Life of" photo books, distributed the shirts to an army of photographers when they shot *Day in the Life of California* in April. The yellow shirts have

been shipped all over the country, and have even been sold in the press photographers' briefing room at the White House.

In Syracuse, supporters raffled off a pair of cameras and sold tickets in Marshall Street bars and shops. "It was a very well-known cause," says Jim Commentucci '83, a former housemate of Conan. "We went into Faegan's one night and people were *buying!* Even the bartender bought one. Everyone's been telling them, 'Hey, Conan used to come here. This was his place.'"

Off campus, Syracuse supporters threw a fund-raiser at a local restaurant, Pastabilities. Ernest Owen flew to Syracuse and watched as people drifted in and out, buying tickets, tossing money in a hat, munching on garlic pizza, and listening to musician Willie Kye on the guitar. By day's end, the defense fund had made nearly \$2,000—enough money to send the Owens to Spain.

CONAN ONCE WROTE A friend, "I hear 'I know Conan Owen' is the hottest pick-up line in Washington, D.C." It's only a slight exaggeration; friends from the capital have been unusually supportive. White House and *National Geographic* staffers occasionally "played poker for Conan." They have raised more than \$1,000.

This wasn't solely a Washington-Syracuse campaign. Boston photographer Seth Resnick '79, who taught Conan at SU during his last semester, sold raffle tickets in Beantown. "The people who bought 'em were mainly lending an ear," he says. "They've all heard about the case through me."

Back at La Modelo, Conan became something of a prison celebrity. Newspeople and friends visited from all over the world. David Brauchli '86, a Reuters photographer and Conan's close friend, flew in from Hong Kong to say hello. Smolan, Gilka, and Wilkinson all visited and *Newsweek* photographers routinely stopped by for a chat. No wonder an exasperated prison official said, "If we had two Conans, we'd have to close the prison down." His comment foreshadowed the prisoner transferral worked out in October.

Conan's most regular visitors were *Las Candelas*, a support group that his father started on his first trip to Spain. The name, "Candles," refers to the one that Ernest lit for his son in the Catedral de Barcelona, vowing that Conan would be freed before it burned out. *Las Candelas*, a group of American women living in Spain, saw Conan twice a week and had his laundry done.

Conan's most frequent face-to-face visitor was the American evangelical pastor, Ron Brown, who works at a small Methodist church near La Modelo. They met in the prison chapel and often talked for up to an hour. "Conan has remarkable character strengths," Brown said once of those visits, "and at times gets a bit cynical. I've asked him if he's bitter, and he says no, he's not bitter. Just disgusted."

IN THE BASEMENT OF THE Owen's home is a desk, cluttered with papers and a Macintosh computer that Conan bought for himself some summers ago. Now the computer links Ernest and Raquel to more than 500 of Conan's closest supporters. Today Ernest can print out a 42-page list of them. The turnout amazes Conan's parents, who never knew their son had so many friends. Says Ernest, "It just blows my mind."

In the early days, the family kept busy researching the case and amassing evidence. Ernest, an employee of Aetna Life & Casualty, once considered quitting his job to investigate his son's case full-time; his employer made it possible for him to stay and set his own hours. Raquel, an employee of the World Bank, helped her husband keep track of their correspondence with supporters.

The Owens have borrowed against their home to help pay bills, which to date have amounted to more than \$81,000. Legal costs ate up half that amount, and three trips to Spain have also been costly. Since its creation, the defense fund has raised more than \$36,000; the rest has come out of the family's pocket. Though Conan is on his way home, the defense costs are a challenge that the Owens still face.

They have received contributions and letters of support from people as far away as California, North Dakota, the Virgin Islands,



ROSS D. FRANKLIN/THE WASHINGTON NEWS

even France. When they visited their son last Christmas, they brought him greeting cards from more than 300 well-wishers at home.

The Owens have granted interviews to talk shows from Seattle to Philadelphia to New York City. They have clipped stories on their son from *USA Today*, the *Boston Globe*, the *Fairfax Journal*, and *American Photographer*. And the phone continues to ring. "I must have spoken to every reporter in Syracuse," Ernest jokes. "The *Post Standard*, the *Herald Journal* . . . WSYR [radio] keeps calling and doing updates. It seems as if every kid at the D.O. had to do a piece on Conan."

When Ernest attended the Syracuse fundraiser at Pastabilities, he learned a lesson. "My wife and I never got up to Syracuse while Conan was there," he says. "I wasn't even able to get up for graduation, so the first time I met these people was at the fund-raiser. You always hope that your kids are going to turn out well, but these demonstrations of faith and concern have probably been the best thing that has come out of all this."

Conan's cousin, Teresa Corrales, says his parents are strong people but their heartache has been immeasurable. Watching his son's interview with Dave Marash, Ernest heard things he'd never known about Conan's ordeal—how he spent his first night in Spain handcuffed to a couch in an airport; how, when the Guardia Civil took him to prison, garbage rained down upon him from the cells above. "I haven't cried too much through this whole thing," says Conan's father, "but man, that started me going."

Yet Ernest says Conan's friends have been his family's strength. "As long as we had them," he says, "the Spanish could do anything they want. But when we get him back home with us, things are still going to be all right."

WITH THE U.S.-SPANISH prisoner transfer, that may be soon. As this magazine went to press, the timing of his first parole hearing was still uncertain, but it was expected that Conan Owen could be home before Christmas.

The transfer was approved by the Spanish government under the terms of an agreement hashed out at the 1983 Council of Europe. Both the United States and Spain signed the "Convention for the Transfer of Sentenced Prisoners" in 1985, but had utilized it only once prior to Conan's case.

The Owens had pursued a transfer since the middle of this year, when, to meet the agreement's stipulations, they dropped a pending appeal of Conan's conviction. By thus accepting the tribunal's judgment, they cleared the way for the transfer, which is not intended as exoneration, but merely as a shift of locale and jurisdiction. In truth, though, it may serve as exoneration for Conan Owen, if a pardon comes quickly.



SU days: Conan Owen (far left) with the D.O. staff, 1985

"It's not clear at this time how long or where he would have to serve the remainder of his sentence," Justice Department spokesman John Russell told the Associated Press in October. "In keeping with our policy, he will probably be incarcerated in a federal institution, and we will try to have him incarcerated as close to his home as possible."

One week later, Conan was escorted to the United States by representatives of the U.S. Board of Prisons. After being processed in New York City, he was assigned to a minimum-security, dormitory-style federal correctional facility in Pennsylvania.

At press time, the Owens expected to apply to the Justice Department for a pardon, which must be granted by the president. "There is no such thing as an automatic pardon," says Ernest Owen. But in light of the evidence, it seems likely that Conan's freedom is forthcoming.

In the meantime, Conan will be closer to home. "We've been working on this for so long. . . .," his father told Syracuse newspapers in October. "This has been an emotional roller coaster. It's nice to know that at least some of the emotional burden will be lifted soon."

At that time, Ernest spoke again about the support Conan's cause has received, and the possibility that Conan's transfer was a result of pressure brought to bear, not only by the politicians but by the dozens of friends writing and visiting his son at La Modelo.

"There's been too much attention paid to this case. . . . A lot of American tourists visit Spain, and Spain is hosting the Olympics in 1992," he said.

The Owens aren't counting their chickens yet—disappointment has been too frequent. But with crossed fingers they hope that

Conan's odyssey is ending. And as it does, they extend appreciation to all who stuck with the case.

"The support from the community of Syracuse and from Syracuse University has been overwhelming, unstinting, and unquestioning from the beginning," Ernest has said. "There wasn't a doubt [about Conan's innocence]. That was the beautiful thing about it. Never a doubt."

In nearly two years at La Modelo, Conan Owen spent most of his time writing. He received typically 10 to 20 letters a week, many from supporters he had never met. He answered as many as he could, wearing out two portable typewriters in the process. Aside from writing, Conan read more than 200 books—from Travis McGee detective novels and spy thrillers to more enlightening fare.

Only when Conan wore his "Free Conan Owen" tee shirt did the other inmates remember the story behind La Modelo's most famous prisoner. Conan once wrote, "They find it incomprehensible that so much trouble would be made over someone so guilty that even the Imperialist dogs could not save his neck."

At last, though, the friends of Conan Owen seem to have prevailed. They have saved his neck.

I saw Conan last in Syracuse, during Homecoming '86, and I pray that I will see him soon at a homecoming of another kind.

The Conan Owen defense effort still needs assistance in meeting the family's mounting legal costs. For more information about making a non-tax-deductible contribution, contact the Conan D. Owen Defense Fund, P.O. Box 5172, McLean, Virginia 22103.