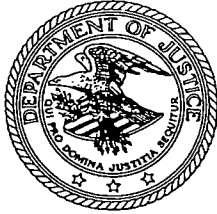


United States Department of Justice



Washington, D.C., August 9, 19 91

to whom these presents shall come, Greeting:

I certify That Deborah A. Robinson whose name is signed

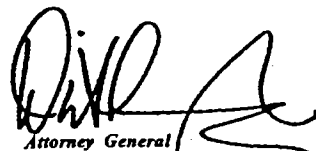
to the accompanying paper, is now, and was at the time of signing the same,

Associate Judge, United States District Court for the District of Columbia

duly commissioned and qualified.

In witness whereof, I, Dick Thornburgh

Attorney General of the United States, have hereunto caused the Seal of the Department of Justice to be affixed and my name to be attested by the Deputy Assistant Attorney General for Administration, of the said Department on the day and year first above written.


Attorney General

By Michael J. Rosen
Deputy Assistant Attorney General for Administration

IN THE UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF COLUMBIA

IN RE LETTERS ROGATORY)
FROM THE FOURTH CRIMINAL)
COURT JUDGE OF SAN SALVADOR,)
EL SALVADOR)

Washington) SS
District of Columbia)

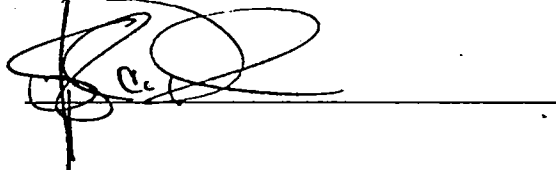
AFFIDAVIT

^{SD}
I, ~~Steve Donahoe~~ ^{STEPHEN DONEHOO}, being duly sworn, do depose and say that:

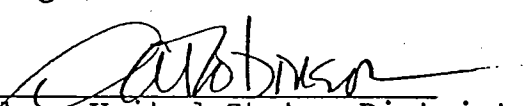
1. I am a citizen of the United States of America.

2. On August 6, 1991, I testified under oath in response to a request dated June 6, 1991, from the Fourth Criminal Court Judge of San Salvador, Republic of El Salvador. A complete and accurate transcript of my testimony is attached to this affidavit.

3. I attest that the attached testimony is true and correct to the best of my knowledge and belief.



Sworn to and subscribed before me
this 6th day of August, 1991



Judge, United States District Court
for the District of Columbia

Deborah A. Robinson
U.S. Magistrate Judge

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE LETTERS ROGATORY)
FROM THE FOURTH CRIMINAL)
COURT JUDGE OF SAN SALVADOR,)
EL SALVADOR)
WASHINGTON) SS
DISTRICT OF COLUMBIA)

Washington, D.C.

Monday, August 5, 1991

Deposition of:

MAJ. STEPHEN DONEHOO

a witness of lawful age, taken on behalf of the Department of Justice in the above-entitled action, before Shannon S. Griffin, a Notary Public in and for the District of Columbia, in the offices of the Office of International Affairs, 1400 New York Avenue, N.W., Suite 5400, Conference Room, Washington, D.C., commencing at 2:00 p.m.

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WASHINGTON, D.C. 20005

(202) 628-2121

APPEARANCES:

On Behalf of the Department of Justice:

JOHN E. HARRIS
Deputy Director
Office of International Affairs
1400 New York Avenue, N.W., Suite 5400
Washington, D.C. 20530

On Behalf of the State Department:

JULIE OETTINGER
Attorney Adviser
Legal Advisers Office
State Department
Washington, D.C.

On Behalf of the Department of the Army and the
Department of Defense:

BETH A. WILKINSON
Assistant to the General Counsel
Office of the General Counsel
Department of the Army
The Pentagon, Room 2E725
Washington, D.C. 20310-0104

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P R O C E E D I N G S

1
2 MR. HARRIS: Let's go on the record.

3 It is now 2:00 p.m., August 5, 1991. We are in the
4 Conference Room of the Office of International Affairs in
5 Washington, D.C.

6 I am John Harris, Deputy Director of the Office of
7 International Affairs in the Criminal Division of the
8 Department of Justice.

9 Present with me is the witness, Major Stephen
10 Donehoo, U. S. Army. Also present is Ms. Julie Oettinger,
11 Attorney Adviser, United States Department of State, and Ms.
12 Beth Wilkinson, Assistant to the General Counsel, Department
13 of the Army.

14 We are here to record testimony requested in a
15 Comision Rogatoria issued by the Judge of the Fourth Criminal
16 Court of San Salvador in the Republic of El Salvador for use
17 in a criminal prosecution pending in that court of a Guillermo
18 Alfredo Benavides Moreno and others for the crime of murder.

19 I will now ask the court reporter to swear in the
20 witness.
21
22

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1 Whereupon,

2 MAJ. STEPHEN DONEHOO

3 was called as a witness and, after being first duly sworn, was
4 examined and testified as follows:

5 EXAMINATION BY COUNSEL FOR THE DEPARTMENT OF JUSTICE

6 BY MR. HARRIS:

7 Q Major Donehoo, you are here today to voluntarily
8 provide truthful answers, under oath, to the questions posed
9 by the Fourth Criminal Court of San Salvador, is that correct?

10 A That's correct.

11 Q I now hand you now a copy of the Comision Rogatoria
12 from El Salvador, and I ask that you read it carefully.

13 A (Examining.)

14 Q You have now read the questions contained in the
15 request from Judge Ricardo Alberto Zamora Perez in San
16 Salvador?

17 A (Nodding.)

18 Q Are you prepared to voluntarily answer these
19 questions?

20 A Yes, I am.

21 Q Major Donehoo, when were you in El Salvador?

22 A I was stationed in El Salvador from July of 1987

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1 until July of 1990.

2 Q What were your duties?

3 A My duties in El Salvador were as the Assistant Army
4 Attache at the United States Embassy.

5 Q Where did you work and with whom?

6 A My office was at the U.S. Embassy, and I worked with
7 the Ministry of Defense and its subordinate units and
8 elements.

9 Q Major Donehoo, do you recall having heard
10 conversations about the Jesuits or the University of Central
11 America, Jose Simeon Canas, known as the UCA, in 1989?

12 A Yes.

13 Q If so, what was said in these conversations?

14 A As best I recall, the conversations that I heard
15 were general in nature, about the existence of the University
16 and of the Jesuits at the University.

17 Q Where were you and what did you do during the
18 guerrilla offensive in San Salvador in November 1989?

19 A In November 1989, I was in San Salvador, in and
20 around San Salvador, and at times out of the city, but in El
21 Salvador, and my job continued to be the same, as a liaison
22 with the different elements of the Ministry of Defense.

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1 Q Did you attend any meetings in the Estado Mayor
2 during the guerrilla offensive in November 1989?

3 A Yes, I did.

4 Q On what dates?

5 A As with the rest of the time that I was assigned
6 there, I attended daily meetings as a matter of my normal job.

7 Q Who else was present?

8 A These meetings were attended by everybody from the
9 President of El Salvador down to the clerks in the Estado
10 Mayor.

11 Q What was discussed?

12 A The meetings dealt with the crisis that was ongoing
13 during that period, but basically it was how the crisis was
14 being managed from a military standpoint.

15 Q Specifically, on November 15 and 16, 1989, did you
16 attend any meetings at the Estado Mayor?

17 A I don't recall specifically, but I attended meetings
18 every day during that period, so I am certain that I was at
19 meetings there during that period.

20 Q Did you hear any references to the Jesuits, the UCA,
21 or the assassination of the Jesuits?

22 A I do not recall any specific references to the

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1 Jesuits or to the assassination of the Jesuits. I do recall
2 conversations, and I don't know if it was during those days,
3 about the UCA and the security of the area, since it was
4 adjacent to where the Ministry of Defense was.

5 Q Were any civilians present?

6 A Not other than the Ministry of Defense civilians and
7 the other government officials that came and went, and I don't
8 recall specifics about who was at which meeting.

9 Q Major Donehoo, did you attend any meetings in the
10 Military Academy during the guerrilla offensive of November
11 1989?

12 A No, I did not.

13 Q Specifically, on November 15 and 16, 1989, did you
14 attend any meetings at the Estado Mayor or at the Military
15 Academy?

16 A Not as I recall. I do not recall having been at the
17 Military Academy during that period at all.

18 Q Did you hear any reference to the Jesuits, the UCA,
19 or the assassination of the Jesuits at the Military Academy?

20 A No, I do not recall any such.

21 Q Major Donehoo, did you attend any meetings at the
22 National Directorate of Intelligence during the guerrilla

1 offensive of November 1989?

2 A No, I do not recall attending any meetings at DNI.

3 Q Specifically, on November 15 and 16, 1989, did you
4 attend any meetings at the DNI

5 A No, I did not.

6 Q You didn't hear any references to the Jesuits, the
7 UCA or the assassination of the Jesuits at those meetings at
8 the DNI?

9 A No, I did not.

10 Q Well, what did you do on November 15 and 16, 1989?

11 A As with the other days during that period, during
12 the guerrilla offensive, I visited various units in the
13 metropolitan area and the Embassy and the Estado Mayor.

14 Q When did you learn that the Jesuits had been
15 murdered?

16 A I don't recall precisely, but, as best I recall, I
17 heard that they had been killed the morning after they had
18 been killed.

19 Q By what means did you learn?

20 A Again, I don't recall specifically, but I believe
21 that it was probably by a radio news broadcast.

22 Q What did you do about it?

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1 A Nothing.

2 Q Well, Major Donehoo, when did you learn that the
3 Armed Forces of El Salvador held any responsibility for the
4 murders?

5 A I don't recall the -- again, I don't recall the
6 specifics, but I remember that at some point after Christmas
7 the President of El Salvador made a public declaration stating
8 that military members may have been implicated in the killing
9 of the Jesuits, and sometime around that period was when I
10 first became aware of the possible involvement of the
11 military.

12 Q By what means did you learn it?

13 A It seems to me like it was at meetings either at the
14 Embassy or at the Estado Mayor that that was about to happen,
15 that the President was about to make the statement.

16 Q When did you learn that Colonel Benavides was
17 implicated in the murders?

18 A Again, that was sometime after Christmas, but I
19 don't recall specifically.

20 Q Do you recall by what means?

21 A I don't recall specifically how that came to my
22 attention. It was general knowledge at the time that it came

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1 out.

2 Q Did you attend any meetings of the Salvadoran Armed
3 Forces or in the Embassy of the United States in which the
4 Jesuit murders or the murder investigation were discussed?

5 A Yes, I did.

6 Q When did you learn the information that Major Eric
7 Buckland received from Colonel Aviles?

8 A I don't recall specifically, but, again, it was
9 sometime after Christmas and maybe even after New Year's. I
10 just don't -- that period of time is somewhat of a blur, so I
11 don't recall specifics.

12 Q Do you have any information about the possible
13 involvement of civilians in the crime?

14 A No, I do not.

15 Q After leaving El Salvador, have you been
16 interrogated about the Jesuit case with regard to any point
17 related thereto?

18 A No, I have not.

19 Q If so, when and where and about what aspects did you
20 testify or were you interrogated?

21 A I have not been interrogated about this issue.

22 Q Do you have any other information to add?

1 A No, I do not.

2 MS. WILKINSON: Can we go off the record, please?

3 (A discussion was held off the record.)

4 MR. HARRIS: Back on the record.

5 BY MR. HARRIS:

6 Q Major Donehoo, do you have anything that you would
7 like to add?

8 A I would like you to go back and ask me Question J
9 again, so that I can make a more clear response.

10 Q Certainly. Did you attend any meetings of the
11 Salvadoran Armed Forces or in the Embassy of the United States
12 in which the Jesuit murders or the murder investigation were
13 discussed?

14 A I did not attend any meetings in the Salvadoran
15 Armed Forces where the investigation was discussed, but I did
16 attend meetings on a regular basis at the Embassy as part of
17 the Embassy Task Force that was tracking the case, and it was
18 headed up by the Deputy Chief of Mission.

19 Q All right. Thank you very much.

20 (Whereupon, at 2:20 p.m., the deposition of MAJOR
21 STEPHEN DONEHOO was concluded.)

22

* * * * *

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1 I have read the foregoing pages, which reflect a
2 correct transcript of the answers given by me to the questions
3 therein recorded.

4 Deponent 

5 Date 6 Aug 91

6

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C E R T I F I C A T E

1
2
3 THE UNITED STATES OF AMERICA)
4 IN THE DISTRICT OF COLUMBIA)

5
6 I, Shannon S. Griffin, Notary Public, before whom
7 the foregoing deposition was taken, do hereby certify that
8 the witness whose testimony appears in the foregoing deposi-
9 tion was duly sworn by me; that the testimony of said witness
10 was taken by me, using stenomask dictation, and thereafter
11 reduced to typewritten form under my direction; that said
12 deposition is a true record of the testimony given by said
13 witness; that I am neither counsel for, related to, nor
14 employed by any of the parties to the action in which this
15 deposition was taken; and, further, that I am not a relative
16 or employee of any attorney or counsel employed by the
17 parties hereto, nor financially or otherwise interested in
18 the outcome of this action.

19
20
21 
22 Shannon S. Griffin, Notary Public

My commission expires:

November 14, 1991

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