

Moakley Dialogue with Col. Menjivar

1. Colonel Menjivar there has been much written in the press about the controversy surrounding the U.S. Major who apparently withheld certain information about the Jesuit case. I would like, with your permission, to tell you what I think we know about the incident and would appreciate it if you would tell me if I am correct -- or if I am mistaken.
2. On January 2, you were informed that a U.S. major in our military group had information that linked Col. Benavides to the killings of the Jesuits. The story goes something like this: Col. Benavides told Col Rivas, the head of the SIU, that he (Benavides) felt somehow responsible for the murders. Rivas then told Col. Lopez y Lopez who then tells Col. Aviles. Aviles then tells the U.S. major. Is that essentially correct?
3. You, feeling there was good reason to believe Col. Ponce, ~~Army Chief of Staff~~, knew about this information went directly to the military headquarters to discuss this with him. You went, along with Janice Elmore, to meet with Ponce. Is that correct?
4. Was the meeting on Jan. 2 ? Did anyone else from the Embassy go? Who else from the Salvadoran military was present?
5. You tell Col. Ponce what you know -- and Ponce is surprised, claiming he does not know. Ponce then asks you to put all this in writing. Am I correct?
6. Why does Ponce want this in writing?
7. You return to the Embassy and prepare a written statement detailing what the U.S. major knows -- and you sign it. Correct?
8. Why didn't Mr. Dietrich, the DCM, sign it?
9. Col. Aviles is then called in by Ponce and confronted with the story. Aviles denies it and is asked to take a polygraph test which he fails. Correct? Is this still on Jan. 2 ?
10. The U.S. major is also polygraphed and he fails. Correct? Was he polygraphed at our embassy?
11. The U.S. major is then sent to the United States where he was to undergo another polygraph test. Did he ever take another test? If so, what happened?
12. As you know, only a few days later, President Cristiani announces that there was military involvement in the killings and the SIU produces ballistics evidence to implicate soldiers under Col. Benavides' command. How significant do you think your meeting with Ponce was in focusing this case on a particular unit -- and, in turn, prompting President Cristiani's announcement a few days later?