

**REQUEST FOR DOCUMENTS FROM THE
HONORABLE JOHN JOSEPH MOAKLEY,
CHAIRMAN, COMMITTEE ON RULES, HOUSE OF REPRESENTATIVES
RELATING TO HUMAN RIGHTS VIOLATIONS
IN EL SALVADOR**

HQ 1103-1055 Bulky 67

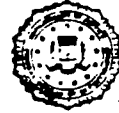
CONGRESSMAN MOAKLEY'S COPY

ENCLOSURE TO MEMORANDUM
FROM W. M. BAKER TO THE DIRECTOR,
DATED 2/2/90, CAPTIONED:

UNSUBS; MURDER OF SIX JESUIT PRIESTS,
SAN SALVADOR, EL SALVADOR;
FOREIGN POLICE COOPERATION-MURDER;
OO: HQ 163(A)-61055

329075
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3-13-92 BY 104 [redacted]
4/8/94 CA# 94-2631
P [redacted]

Memorandum



Exec AD Adm. _____
 Exec AD Inv. _____
 Exec AD LES _____
 Asst. Dir.:

- Adm. Servs. _____
- Crim. Inv. _____
- Ident. _____
- Insp. _____
- Intell. _____
- Lab. _____
- Legal Coun. _____
- Off. Cong. & Public Affs. _____
- Rec. Mgnt. _____
- Tech. Servs. _____
- Training _____
- Telephone Rm. _____
- Director's Sec'y _____

~~CONFIDENTIAL~~

Date 2/2/90
 SEE REVERSE
 SIDE FOR
 CLASSIFICATION
 ACTION
 SP7 [redacted] 4-8-94 CAN 94-262
 3.6.92 1048 [redacted]

SSP
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To : The Director
 W.W.B. Baker

Subject : UNSUBS; MURDER OF SIX JESUIT PRIESTS,
 SAN SALVADOR, EL SALVADOR;
 FOREIGN POLICE COOPERATION-MURDER;
 OO: HQ 163(A)-61055

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 3/14/90 BY SP4 [redacted] P

PURPOSE: To report the results of an inquiry into the allegations of mistreatment of two alleged witnesses to captioned matter during interviews conducted at the Miami Field Office.

SYNOPSIS: FBI assistance was provided in the protection and interviewing of an alleged witness and her family in captioned murders. Interviews and polygraphs of witnesses [redacted] were conducted by FBI Miami during the period 11/24/89 through 12/1/89. [redacted] was interviewed on four occasions and polygraphed twice. [redacted] was interviewed twice and polygraphed twice. [redacted] recanted her original statement. The results of her polygraphs concerning her recanted statement were judged either inconclusive or deceptive. [redacted] provided two conflicting statements. His polygraph results were indicative of deception on both. A review of interview transcripts and audio tapes failed to disclose any verbally abusive interview techniques or unorthodox interview procedures. Security was provided by FBI Miami. Hotel accommodations were comfortable and family needs were satisfactorily addressed. The Cerna family was afforded the opportunity to visit with Jesuit acquaintances on several occasions. FBI Miami managerial oversight and direction were determined to be responsive and appropriate. Interviews of Agent personnel, Miami Field Office, determined all interaction

Enclosure "ENCLOSURE IN BULKY ROOM"

- Mr. Clarke
- 1 - Mr. Revell
- 1 - Mr. Davenport (Enc.)
- 1 - Mr. Baker (Enc.)
- 1 - [redacted]
- 2 - [redacted]
- (Attn: [redacted])
- 1 - [redacted] (Enc.)
- 1 - [redacted]
- 1 - [redacted]
- 1 - [redacted] (Enc.)
- 1 - Mr. Collingwood (Enc.)

163-61055-67

Classified by SP4 [redacted]
 Declassify on: OADR 2/19/98

MAR 15 1990

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED EXCEPT
 WHERE SHOWN OTHERWISE

6- [redacted]
 3033

Continuation of FD 302 of SSA [REDACTED]

P

Date 1/10/90

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Harassment in the U.S." The TIMES report basically paralleled the information from the Lawyers Committee on Human Rights which alleged mistreatment of the witnesses while at Miami.

Serial 18 is a NEW YORK TIMES article, page D-21, dated 12/17/89, by Father PAUL S. TIPTON. Father TIPTON reiterated the charges of mistreatment of the witnesses to the murder of the six Jesuits in El Salvador.

? Serial 19 is a teletype from Legat, London to the Director and Miami. The teletype discussed the scheduled travel of Deputy [REDACTED] and Inspector [REDACTED] to Washington, D.C., in order to meet with FBI Forensic personnel from the Laboratory Division.

Serial 20 is a teletype from the Director to SAC, Miami, which reports that the British have and are prepared to assist in the investigation of the Jesuit murders. One item which was requested by the British was the FBI report on the handling of the alleged witnesses to the killings.

Serial 21 is a MIAMI HERALD article dated 12/11/89, pages 1A and 17A, with a dateline of San Salvador. In the article, Archbishop RIVERA y DAMAS accused the U.S. of aggressive and violent interrogations of the witnesses.

Copies of serials 3, 5 and 9 were obtained.

P Serial 10 is a teletype dated 12/12/89, from the Director to Legat, Mexico City and SAC, Miami. This is a Priority teletype sent as a progress report. The progress report included four areas. The first area concerned the military perceptions in El Salvador. Such items as the deployment of military units in the vicinity of the University at the time of the murders was discussed. The second section discussed the U.S. Ambassador's meeting with President CHRISTIANI. The report details that DEA Special Agent [REDACTED] was participating in an advisory capacity in the investigation. It was noted that CHRISTIANI stated he would form a commission headed by [REDACTED] to facilitate the investigation of the murders. In the third section, the results of a meeting with Jesuit [REDACTED] was outlined. Lastly, the meeting with [REDACTED] was reported.

P Serial 11 is a Headquarters teletype to the DOS, DEPARTMENT OF JUSTICE (DOJ), NATIONAL SECURITY COUNCIL, Miami FBI and LEGATS at Mexico City, London and Paris. The teletype discussed the assignment, on a temporary duty basis, of ALAT [REDACTED] to El Salvador and also the assignment of SA [REDACTED] San Antonio Division, to provide assistance concerning polygraph examinations.

Serial 12 is a routing slip dated 12/15/89, with an attached summary of information from the REUTERS INFORMATION SERVICES, INC., dated 12/11/89. The report states that President BUSH, Monday, denied claims that the FBI SAs mistreated a possible witness to the murders of the six Jesuits in El Salvador. The article pointed out that R. SCOTT GREATHEAD, Lawyers Committee for Human Rights, said the U.S. Government attempted to discredit her testimony and that Agents told the witness that she wouldn't want to go back to El Salvador and face the guns.

Serial 13 is a newspaper clipping from the MIAMI HERALD, pages 1A and 10A, dated 11/25/89, captioned "Salvador Massacre Witness Slips Into Miami For Protection." The article reported the arrival of LUCIA BERRERA DE CERNA into Miami.

Serial 14 is a MIAMI HERALD article, page 6A, dated 11/30/89, captioned "Cleaning Woman Who Saw Jesuits Slain Tells of Massacre." The article reported information concerning LUCIA BARRERA DE CERNA's observations.

E P Serial 15 is an airtel from Cincinnati which concerned information volunteered to the FBI by [REDACTED] (protect identity). The information concerned his recent travel to El Salvador and details of the search of [REDACTED] residence in El Salvador.

Serial 16 is a letter from the Jesuit Conference with a report from the Lawyers Committee on Human Rights. This letter outlined complaints concerning the treatment of [REDACTED]

Serial 17 is an article from the NEW YORK TIMES, page A-1, dated 12/18/89, captioned "Witnesses in Jesuit Slayings Charge

P Also noted in the teletype was the fact that the author believed it appeared at least three of the priests, [REDACTED] and [REDACTED] may have been aware that [REDACTED] was fabricating her original story.

The teletype advised that a polygraph examination of the witnesses was requested by Colonel RIVAS and that Unit Chief [REDACTED] approved the polygraph examination.

Serial 4 as a memorandum dated 11/30/89, which assigned various agents to a protection detail during the period of time from 11/30/89 through 12/6/89. In brief, one agent was assigned to the 4 PM to 12 Midnight shift and one agent was assigned the Midnight to 8 AM shift.

Serial 5 was a Miami teletype to the Director dated 12/1/89. This teletype reported the results of the polygraph examination afforded to the witnesses on 11/30/89. It noted that the witnesses were questioned regarding their statements of 11/29/89. In these statements, both maintained that neither one had observed anything, through both heard the shooting. [REDACTED] stated that she had been convinced by [REDACTED] to lie regarding the events. Both individuals were "deceptive on all relevant issues tested."

Further, the teletype reported an interview on 12/1/89, of [REDACTED] said he was in fact lying and that both he and his wife stood up and saw men in fatigues carrying weapons. When polygraphed on this issue, [REDACTED] responses indicated deception. The teletype concluded that when confronted with the results of the polygraph examination, [REDACTED] said he told the truth on 11/29/89, when he stated they did not see anything.

Serial 6 was an article from the SUN SENTINEL, page 18A, 11/25/89, captioned "Massacre Witness Escapes". In the article, a Jesuit Priest, Father TOJERIA, identified LUCIA BARRERA as the witness to the murder of six Jesuit Priests.

Serial 7 was a copy of a MIAMI HERALD article, pages 1A and 32A, 12/3/89, captioned "Salvador Crackdown Menaces Churches." This article reports the arrest of JENNIFER CASOLO, 28, a church worker from Connecticut following the seizure of a cache of weapons in El Salvador.

Serial 8 is a press response dated 12/11/89. This brief response indicates that the FBI, at the request of the DEPARTMENT OF STATE (DOS), is assisting the Government of El Salvador in the investigation of the 11/16/89 murder of six Jesuit Priests and that the investigation is being conducted as a Foreign Police Cooperation matter.

Serial 9 is a facsimile of a letter to Ambassador MILLER from Assistant Director BAKER. The letter discusses the FBI investigation and cooperation rendered.

FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 1/15/90

A file review of an investigation captioned "UNSUBS; SHOOTING OF SIX (6) JESUIT PRIESTS, SAN SALVADOR, EL SALVADOR; FPC - MURDER; OO: HQ" was conducted. This review disclosed the following information:

Serial 1 is an FBI Complaint Form (FD-71) prepared by SA [REDACTED]. This report disclosed that at approximately 12:05 PM on 11/23/89, JIM LEMARIE, Special Agent, U.S. DEPARTMENT OF STATE, Miami, Florida, telephonically contacted the FBI. LEMARIE advised that a plane was en route to the United States with a Salvadorian family. One of the members of the family was a witness to captioned matter. In addition to the details that were known at that time, the compliant form indicated Mr. CLARKE (identified further as Executive Assistant Director) wanted the female witness interviewed.

The complaint form indicated that SA [REDACTED] notified the duty agent that at 10:55 PM the three Salvadorians and Assistant Legal Attache (ALAT) [REDACTED] had arrived and that the IMMIGRATION AND NATURALIZATION SERVICE (INS) would provide lodging.

The form noted that at 11:05 PM, FBIHQ Supervisor [REDACTED] was notified of the arrival of the Salvadorians.

Serial 2 is a teletype prepared by ALAT [REDACTED] to the Director and Legal Attache, Mexico City. This teletype was sent in an Immediate status on 11/25/89 at 5:02 PM. The teletype reported that ALAT [REDACTED] had attended a briefing by [REDACTED] Special Investigative Unit (SIU), on 11/23/89. ALAT [REDACTED] had offered assistance through RICHARD CHIDESTER, Legal Officer, U.S. Embassy, San Salvador. It also reported the preliminary results of the interview of [REDACTED] date of birth [REDACTED]. In her interview on 11/24/89, [REDACTED] recounted her statement that she was awakened by gunfire, went to a window at the University in San Salvador and observed persons in military uniforms firing at the buildings. Additional information concerning her statement was reported.

Serial 3 is a teletype prepared by ALAT [REDACTED] dated 11/29/89 and sent in an Immediate status to the Director and Legal Attache, Mexico City. This teletype referenced a telephone call from ALAT [REDACTED] to Unit Chief [REDACTED] on 11/29/89. The teletype reported that [REDACTED] recanted their statement and now claimed that they had heard the shooting but had not observed anything.

Investigation on 1/16/90 at Miami, Florida File # MM 163A-HQ-61055
 by SSA [REDACTED] [REDACTED] Date dictated 1/17/90

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P



FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 1/21/90

Special Agent in Charge (SAC) WILLIAM A. GAVIN, was contacted to obtain his recollections and observations concerning the conduct of the Miami Division's investigative effort in the Foreign Police Cooperation matter instituted following the murder of six Jesuit Priests in El Salvador. SAC GAVIN provided the following information:

SAC GAVIN stated that he recalled fairly early in the investigation receiving notification that a witness who had seen the murder of the Jesuit Priests would be relocating to the Miami, Florida area. He stated the Federal Bureau of Investigation (FBI) had an Agent, Assistant Legal Attache (ALAT) [REDACTED] who was accompanying the witness. He advised that initially, he was unaware of the fact that a child was involved.

SAC GAVIN advised that he kept generally abreast of developments in the investigation as it continued at Miami, but did not follow the day-to-day questioning of the witnesses. He stated that it is consistent with his management of the Miami Division to remain somewhat apart from the detailed, day-to-day investigative activity in order to provide the overall management of a Division the size of Miami.

SAC GAVIN advised that he did not meet the Department of State representative, nor did he meet the El Salvadorian Colonel who participated with the FBI in the interviews.

SAC GAVIN then made reference to his calendar for November of 1989 and determined that on November 28 and November 29, 1989, he attended the OCEDTF meeting at the BISCAYNE BAY MARRIOTT. He stated there were a number of issues requiring his attention, including a matter being jointly conducted with the Little Rock Division of the FBI. He advised he met with Deputy Assistant Director ROBERT BRYANT and Drug Section Chief WOODY JOHNSON.

SAC GAVIN stated that on his return to the Miami Office, he obtained a comprehensive briefing from the Case Agent [REDACTED] and ALAT [REDACTED]. He stated that they discussed the differences in stories and the fact that the individuals had indicated deception during the polygraph examinations. One of the issues discussed was the continuing commitment of investigative resources dedicated to the security, as well as the financial expenses being incurred by the Department of State. SAC GAVIN advised that

1/18/90

Miami, Florida

MM 163A-HQ-61055

Investigation on

SSA [REDACTED]
SSA [REDACTED]

at

File #

1/18/90

by

Date dictated

Continuation of WILLIAM M. GAVIN, on 1/18/90, page 2

following the briefing, he had cautioned the Special Agents to remain independent in their approach to the investigation and to use discretion. He advised that all were aware of the extremely sensitive situation for the family, and he advised the Agents to put themselves in the position of the family, specifically that they were in a foreign country, were not well educated, and were in unfamiliar surroundings.

SAC GAVIN advised that he was aware that one of the Agents obtained a stuffed animal or stuffed toy for the child during the course of the interviewing process. He stated that in his view, that was indicative of the good faith efforts on the part of the Agents involved to make the family feel at ease.

SAC GAVIN stated that he was aware of the fact that the Agents involved in the detail and the debriefings had incurred expenses relating to the family. He stated that he believed that they could not be reimbursed from the Foreign Police Cooperation classification, inasmuch as these expenses are normally from the budget category of Representation Funds. He stated that he discussed this with the Office of Liaison and International Affairs Chief, Inspector [REDACTED]

SAC GAVIN stated that he believed it was toward the end of the week that arrangements had been made for turning over the witnesses to the Jesuits, who were to assist them in relocating in the United States.

SAC GAVIN stated he recalled being contacted by Inspector HALE from FBI Headquarters. He advised that Inspector HALE had requested a teletype on the conduct of the interviews while the witnesses were being debriefed at the Miami Office. SAC GAVIN stated that he believed it would be necessary for him to review the transcriptions before an assessment could be made on the conduct of these interviews. He stated he was also aware of the fact that Inspector HALE and other representatives from FBI Headquarters were going to meet with the Jesuits in Washington, D.C., to discuss the interview of the Salvadorians.

P SAC GAVIN stated that he had obtained a copy of the Lawyers on Human Rights Commission report through the Press Office Special Agent [REDACTED]. He advised that he believed this report was furnished to the Miami Office by an organization known as "Accuracy in Media". He advised when he received the report, he sent it to the Supervisory Special Agent in charge of the C-3 Major Case Squad, SSA [REDACTED]

Continuation of WILLIAM M. GAVIN, on 1/18/90, page 3

In conclusion, SAC GAVIN stated that he is thoroughly convinced that he would have been promptly advised of any improper activities on the part of the Agents conducting this investigation. He characterized the personnel involved as extremely competent investigators and supervisors, who were well aware of the sensitivities of the relocated witnesses. SAC GAVIN advised he has no reason to believe the witnesses were treated in anything other than a most acceptable fashion.



FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 1/21/90

LARRY E. TORRENCE, Assistant Special Agent in Charge (ASAC), Miami Division, was contacted in connection with certain allegations raised in a report by the Lawyer's Commission for Human Rights. These allegations alleged mistreatment of two witnesses who were interviewed in the Federal Bureau of Investigation (FBI) Office at Miami, Florida, during late November and early December, 1989. ASAC TORRENCE provided the following information:

ASAC TORRENCE stated that he was first notified by the Duty Agent, Special Agent (SA) [REDACTED] that several persons were en route to the United States from El Salvador. He stated he was told that Assistant Legal Attache (ALAT) [REDACTED] and Department of State (DOS) officials were accompanying these individuals and that they were going to request political asylum. He stated the normal role of the FBI in situations where individuals request political asylum would be to interview those individuals. He stated he was also aware of the fact that French officials, up to and including the French Ambassador, may have been involved in the arrangements for travel of the Salvadorian persons. He advised that he told the Duty Agent to keep him posted as to this particular matter.

ASAC TORRENCE stated that the protection of the individuals came up fairly early in the FBI's involvement in this matter. He stated that he thought it occurred as early as the next day. He advised he was aware that FBI Headquarters wanted the Miami Office of the FBI to interview the family, and was also aware that the interview was to be conducted immediately.

Concerning protection for the family, ASAC TORRENCE stated that originally, ALAT [REDACTED] and the DOS official he later learned to be RICHARD CHIDESTER, were with the couple at the hotel. ASAC TORRENCE stated that the family did not appear to be in any great danger. He advised that during the course of the first day, he had discussions with DOS officials, and initially, the Agent in Charge of the DOS at Miami agreed to participate in the protection detail; however, the DOS subsequently withdrew their offer. ASAC TORRENCE stated the DOS advised their commitment of DOS employee CHIDESTER was viewed as adequate.

Investigation on 1/18/90 at Miami, Florida File # MM 163A-HQ-61055

by SSA [REDACTED] P [REDACTED] Date dictated 1/18/90

Continuation of FD-302 of ASAC LARRY E. TORRENCE , On 1/18/90 , Page 2

P ASAC TORRENCE advised that during the next few days, he was aware that ALAT [REDACTED] was dealing with FBI Headquarters, and in particular with Inspector MARTY HALE. He stated he was briefed on a regular basis by both SA [REDACTED] and ALAT [REDACTED]. It was his understanding through a conference call in which he was involved, that the FBI's role was to provide protection and conduct interviews.

ASAC TORRENCE stated he recalled the first detailed interview of the Salvadorians occurred on Monday following the Thanksgiving Day weekend. He advised the decision to delay the detailed interview until Monday was principally made by the Agents assigned to the investigation. He stated he recalled a lot of discussion as to the type of individuals that they would be interviewing. The topic of how to treat these witnesses was recognized as a sensitive area due to the unusual circumstances the witnesses found themselves in.

ASAC TORRENCE advised that he recalled being told that the female witness provided a statement, which in the view of the investigating Agents, was illogical. He stated fairly early in the interviewing process, she admitted that she had heard shots but did not see soldiers, and further that she was coached by a female attorney to make a statement to the effect that she had seen soldiers.

P ASAC TORRENCE advised that it was the view of the investigators that it may be necessary at sometime in the future to polygraph the witnesses. He stated that he advised the Agents to make sure that SA [REDACTED] was available since SA [REDACTED] services are frequently requested by other FBI Offices.

P ASAC TORRENCE advised he was introduced to [REDACTED] Special Investigative Unit (SIU), however, this introduction was very brief. He stated he did not meet any of the witnesses. He advised there was a conscious decision made by the investigators and himself that it would be inappropriate to advise [REDACTED] of the location of the witnesses. He advised the primary consideration was security for the witnesses and it was decided that the witnesses would be brought to the FBI Office for interview. He stated he instructed the Agents that they were to be present at all times that the witnesses were interviewed by [REDACTED].

ASAC TORRENCE advised that he was told generally of the results of the polygraph. He stated that it was his recollection that the witnesses showed deception, changed their story and showed deception again. He advised the bottom line assessment was that no one knew for sure as to what was the correct and accurate statement.

Continuation of FD-302 of ASAC LARRY E. TORRENCE, On 1/18/90, Page 3

The Agents involved in the interview expressed to ASAC TORRENCE that they felt the female Salvadorian's value as a witness diminished tremendously by the conflicting statements she had provided.

ASAC TORRENCE stated that through his discussions with the Agents, he believed that these people were well treated despite the fact that they may have been in a foreign country. He stated he believed they were in comfortable surroundings in comparison to their previous experiences.

One issue that ASAC TORRENCE mentioned concerned the need to provide protection for the Salvadorians in light of the fact that they may be of no value as witnesses. He stated he was aware that the Agents involved in the investigation had several discussions with Headquarters and were advised that the Department of State was working with the Jesuits in the United States to arrange for the relocation of the family.

With regard to the letter sent to the Ambassador, ASAC TORRENCE said that he did not recall seeing the letter or discussing the letter with anyone prior to it being sent. He stated he later became aware of some controversy surrounding the handling of the witnesses at Miami through a newspaper article. He stated he recalled reading some comments about torturing the witnesses and viewed it as completely opposite of the way those individuals were treated.

ASAC TORRENCE stated he was also aware of a request by the Jesuits to interview the Agents assigned to the protection detail. He stated that Supervisory Special Agent (SSA) [REDACTED] mentioned the request to him and advised him that this request was denied.

ASAC TORRENCE commented that there were discussions concerning the awkwardness of releasing the witnesses to the Jesuits, given the fact that the witnesses had recanted statements previously given and had provided conflicting statements. He advised in his view, there were very few options that the FBI had and in fact, that the Department of State had control over the relocation of the witnesses.

ASAC TORRENCE reiterated that the role of the FBI was to conduct the interviews, determine the truthfulness of the witnesses and validity of their statements, as well as to provide protection during the interview process.

Continuation of FD-302 of ASAC LARRY E. TORRENCE , On 1/18/90 , Page 4

In response to the negative press accounts, ASAC TORRENCE stated that he called Headquarters a number of times to suggest that the FBI make a statement. He stated that his opinion was that we categorically deny mistreating these individuals. He stated that in fact the matter was elevated to the highest levels of government and a statement was made by the President concerning this matter. He said Miami had not been given the authority to make any comments on this matter locally.

ASAC TORRENCE advised that with regard to specific questioning of the witnesses that he had no knowledge of the details of the questioning. He stated he did not recall every seeing the specific questions asked during the polygraph examination.



FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 1/18/90

P [REDACTED], Supervisory Special Agent (SSA), was contacted. SSA [REDACTED] was advised that an inquiry into the allegations of mistreatment by two Salvadorian witnesses, LUCIA BARRERA and JORGE CERNA RAMIREZ, was being conducted at the request of Assistant Director WILLIAM BAKER, Criminal Investigative Division. SSA [REDACTED] provided the following information:

P He stated that he is the Supervisor of the Major Case Squad designated C-3. This squad's responsibility includes, in addition to the Foreign Police Cooperation classification, all Terrorism matters and Extortion matters which occur within the Miami Division. He stated that his initial involvement with the debriefing of witnesses occurred on 11/27/89. At that time, he was briefed by Special Agent [REDACTED]. SSA [REDACTED] stated that SA [REDACTED] was assigned the investigation because SA [REDACTED] was acting in a Relief Supervisory capacity during the preceding week when the case began to develop. He said SA [REDACTED] is a Senior Agent (GS-13) and is a mature and very competent investigator. He said that it was his understanding that the FBI would be responsible for the protection of the witness and her family. Further that his agents would be responsible for liaison with foreign police officials during the course of this investigation. He stated that he and SA [REDACTED] decided that all contact with the witnesses would be through the FBI and that in order to maintain the security of the witnesses, no one, including representatives from the El Salvadorian Government, would know the location of the family. He said that he advised SA [REDACTED] to either change the hotel or change rooms because he learned through the briefing that the witnesses may have been registered under their own name. He said he later learned the witnesses did in fact change rooms.

P He stated that the DEPARTMENT OF STATE had a representative from El Salvador who was staying in the same hotel. This individual's name was CHIDESTER. In addition, the security arrangements included the placement of an FBI Special Agent in a connecting room with the witness and her family. Another FBI Special Agent, Assistant Legal Attache ED [REDACTED] Mexico City, was staying in the same hotel. He said that the DEPARTMENT OF STATE paid for those expenses relating to the rental of the rooms and evening meals.

Investigation on 1/16/90 at Miami, Florida File # MI 163A-HQ-61055

by SSA [REDACTED] SA [REDACTED] P Date dictated 1/17/90

[REDACTED] P
SSA [REDACTED] stated that on the morning of 11/27/89, the witnesses came into the FBI office space in Miami. He said he met them briefly in the Reception Room. Later during that morning, he met with a Colonel from the Special Investigative Unit (SIU), Salvadorian Army. This individual was [REDACTED]

He stated that later that evening, he met with SA [REDACTED] and was briefed on the progress of the interviews. He said that he was advised during the interview of the female Salvadorian, she alleged that she had seen soldiers; however, this statement was in conflict with the physical locations of the windows and the areas that she said she viewed. Further, [REDACTED] who was very familiar with the forensic evidence, was to formulate some questions for a subsequent interview.

SSA [REDACTED] stated that the interview was recorded and the original tape was provided to [REDACTED]. He said he instructed both SA [REDACTED] and ALAT [REDACTED] to make sure that the tabs at the back of the cassette tapes were punched out in order to prevent overrecording of the tape. P

SSA [REDACTED] said that based on his experience with SA [REDACTED] he is certain that if there was a problem with any of the witnesses he would have been advised promptly. He stated that although [REDACTED] took a lead role in the initial interview, he was told by SA [REDACTED] that in [REDACTED] opinion the witness was being untruthful. SSA [REDACTED] stated that this initial interview and all others were conducted during the normal course of business hours within FBI space at Miami. He said that although the family of LUCIA BARRERA was initially left in the FBI Reception Room, he advised SA [REDACTED] that during subsequent interviews the family members should stay in an interview room which adjoins the interview room where the witness was to be questioned. He said he told SA [REDACTED] to make the witnesses who were not being interviewed comfortable. He said he was particularly concerned about the well-being of the young daughter. He said he was aware of the fact that a number of Agents, during the course of the witnesses' debriefing at Miami, had furnished soda and candy to the witnesses' daughter. He said that he personally brought the little girl a stuffed toy. He said throughout the witnesses' debriefing he had received no complaints, either directly or indirectly, from the witnesses. P

SSA [REDACTED] noted that there was a brief interview on Friday, 11/24/89. He said this interview was not recorded. P
SSA [REDACTED] stated that the Colonel indicated during their initial discussions that recorded witness statements are preferred by

magistrates in El Salvador and that the Colonel made a specific request for the statements to be recorded. He said the recording equipment was placed on a table and in plain view of the witnesses being interviewed.

Throughout the interviews, he kept both his immediate Supervisor, Assistant Special Agent in Charge (ASAC) LARRY E. TORRENCE, and Special Agent in Charge (SAC) WILLIAM M. GAVIN apprised of the progress of the interviews.

SSA [REDACTED] said that he had no direct involvement in questioning of any witnesses. During the polygraph of [REDACTED] SSA [REDACTED] stated that he stopped in the adjoining interview room and viewed the questions of [REDACTED]. He said in his opinion the polygraph examination was low-key.

SSA [REDACTED] stated that during the questioning he was aware that Mr. CHIDESTER had traveled to Washington, D.C., to brief the DEPARTMENT OF STATE. He said that an issue concerning the future housing of the Salvadorian family was one that needed to be resolved. He said that there was no connection drawn to the Salvadorians' cooperation in the investigation being a precondition to them staying in the United States. He said it was his understanding that INS had already given the witnesses political asylum.

SSA [REDACTED] stated that he was aware of the request from the Jesuits to interview FBI Agents involved with the Salvadorian family. He said that Special Agent [REDACTED] had the protection detail and that upon releasing the witnesses on 12/1/89 to the Jesuits, the Jesuits signed a release form. The release form was witnessed by an agent and maintained by the Department of State. At that time, they had requested to talk to the Agents. SSA [REDACTED] stated that he denied this request.

Concerning other contacts with the Jesuits in Miami, he said that Special Agent [REDACTED] in fact took the witnesses to meet with the Jesuits in Miami over the weekend of 11/25 and 11/26/89. He said that he believed SA [REDACTED] did a memorandum detailing these contacts. He said he believed that the purpose of the visit was to obtain some clothing for the family.



FEDERAL BUREAU OF INVESTIGATION

Date of transcription 1/17/90

The attached transcript reflects the contents of a recorded interview of [redacted] on November 27, 1989. The unidentified male conducting this interview is [redacted] Director of El Salvador Special Investigative Unit (SIU). Also present during this interview were U.S. Department of State Official RICHARD CHIDESTER and Federal Bureau of Investigation Special Agent [redacted]

P

Investigation on <u>11/27/89</u>	at <u>Miami, Florida</u>	163A-80-61055-23
INDEX	[redacted]	SERIALIZED FILED
by [redacted]	[redacted] P	12/16/90 990
Date dictated		FBI - MIAMI

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C-37

TRANSLATION FROM SPANISH

DATE: 11/27/89

PARTICIPANTS: [REDACTED] (C) P
UNKNOWN MAN (UM)

UM: Well, Jorge...

JC: Yes...

UM: Uh...as...practically repeating the same words that I was telling your wife early this morning...

JC: Aha.

UM: I was telling her that...well, uh... I'm the Director of the Commission...

JC: Aha, all right...

UM: ...and...the President of the Republic is perhaps the most interested person in our country...

JC: Aha.

UM: ...in clarifying this situation and arriving at a happy conclusion in determining who are the culprits of...of...of this horrible crime...

JC: Yes.

UM: ...against the priests.

JC: Aha.

UM: But to that effect we have to...to earn the good will of the people who saw or may know something...

JC: Aha, yes...

UM: ...so that...

JC: ...correct...

UM: ...we may proceed in the best possible way and...and get to the bottom of it.

JC: Yes.

UM: That's why I was saying yesterday that...that...you should calm down, and try to start remembering more details, because it's often from the details that one can...

JC: ...one can deduce something better...

UM: ...something better...

JC: Yes.

UM: ...because if one speaks in a general way, well, it isn't...

JC: Aha...

UM: ...it's better to talk about some details like that, to talk about them, if we can do so...and that, after these talks that we are going to have, later on, we will have other talks in which, well, I'm going to intervene. Right now you are going to...you are going to give me a recall...

JC: Hm...

UM: ...but step by step, from the moment you left home...

JC: Yes.

UM: ...until, we could say, until...

JC: ...the moment...

UM: ...you went to the airport to come here.

JC: Aha.

UM: So, as I said, I would like you to recall, to remember details, and then start narrating to me, just about...

JC: Yes...yes...

UM: ...you can be assured that...

JC: Yes, oh, no, yes...

UM: ...that what you are saying won't be used to put you in jail...

JC: Yes...

UM: ...or to death...

JC: Yes...

UM: ...but it will be used only to throw light on this matter...

JC: Exactly. Yes...yes... yes...

UM: ...because [otherwise] this may remain like an unknown quantity...

JC: ...yes...yes...like a mystery...

UM: ...if...if...if people do not...

JC: ...aha...

UM: ...cooperate...

JC: ...yes...

UM: ...by remembering the details...

JC: Yes.

UM: ...although, well...the more general details are those of your wife, who is the one who actually saw...

JC: ...actually, yes...

UM: ...however, your [details] can help us a lot.

JC: Aha.

UM: So, what...

JC: Yes, well, to begin with, at the moment we left home, right?

UM: Yes.

JC: Uh...

UM: From Soyapango...

JC: From Soyapango. Well, we left there just about after 6:00...after 6:00 a.m..

UM: Yes.

JC: It was a Wednesday...uh...I don't have the date...I don't remember the date...but...just about, you can see...

UM: Yes...yes...I remember...

JC: Yes.

UM: ...it has to be... on Saturday started...

JC: ...Saturday the 11th, just about...

UM: ...the terrorists' offensive...

JC: Yes...yes...and so...

UM: ...it has to be Wednesday the 15th...

JC: ...yes, just about... just about...so...we left that place under the bullets...uh...we were able to get to where there was a military detail on the army's boulevard...uh...now, there they didn't let us through, because they said that there was some shooting at the time between guerrillas and soldiers, before arriving at Molinos del (ui).

UM: Molza...

JC: Molza...yes. Well, we waited a while, because I told my wife: Let's wait here, I told her, because...

UM: How did you get there, to Molza?

JC: Walking, yes, walking...uh... we were there for quite a while, approximately half an hour or 45 minutes, waiting to see the outcome. Well, from there we...uh... a sergeant, yes, an army sergeant called us and told us that it was open, that we could get through, those of us who were waiting to get through. And we went through, it was free...and, 10 meters, no, about 15 meters from the place where we were we found a light truck there. It was there by chance, maybe it wanted to enter Soyapango, but it no longer could do so. There it was, alone, with its driver, a woman, and there...yes, they told us that, if we were coming downtown, they could give us a ride. That's how we drove downtown, there by the Banco Salvadoreño. We stayed there.

UM: By the Banco Salvadoreño that is there at the Plaza...

JC: Exactly, Morazán...

UM: Morazán.

JC: Yes, Plaza Morazán...we stayed there. From there we went to a flour mill, because I had made an order and I had it still coming. We went there to cancel it with my wife and child. At that time, when we got there, it was closed. We had breakfast at a small café next to the flour mill...uh... and as we had breakfast, in the meantime, the owners of the flour mill arrived. I cancelled, we cancelled, then we went back in the direction of downtown. As we got to the corner...uh... just before the Apolo movie theater there are some pay phones. There my wife told me, she said: From here I'm going to call the Father [priest], she told me, to see if he would give us a place to go. She called from some phones that are about 15 meters approximately from the Apolo movie theater...uh...there we talked, she talked...to him, and when she finished, she told me: Look, she said...uh... I talked, she told me, with the Father, she told me. We are going to his place. We went in the direction of downtown...uh...we got into another truck that dropped us in the Gardens...

UM: Where did you get into the other truck? You don't remember...

JC: Mhhh... I'm trying to think...no, no, no, I can't give you so many details, I don't remember very well. Because it was a moment, we were getting very tense, nervous...

UM: Yes.

JC: ...no, no, I don't remember very well. There we got in, quite some time had already elapsed, hours...uh...

UM: You don't remember the time, approximately.

JC: No, no...uh... then...we arrived there...at the Gardens...the Gardens of Guadalupe...uh... she told me to wait for her and that she was going to talk to the priest again, with the Father. And I went on, where she met me. I didn't wait for her where she told me, but I went on. Then, well...we went to her mother's house, to my mother-in-law's house...which is at Antigua Cujatlan...uh...from there...we were there...it was about... approximately 11:00, maybe... 11:00 a.m....uh... we had lunch. After lunch she came out and told me: I'm going, she told me, to talk to the priest, to the Father, she told me...uh... already after lunch. I can't tell you the exact time because I don't know exactly...

UM: (ui)

JC: ...but it was after lunch, probably...

UM: When you arrived at the Gardens...uh... before going to your mother-in-law's, you wife went to the Fathers' place...

JC: She tried to, because she left me there with the suitcases we were carrying. But as she saw that I was walking on, she came after me.

UM: Aha.

JC: That's all.

UM: And you left for Antigua.

JC: And we left for Antigua, where her mother lives. We were there, we had lunch, then we rested a little and she left for the Fathers' house. It must have been a little after 12:00, a few minutes, just about, but it was after 12:00.

UM: Hm...

JC: Uh... yes, 12:00, just about.

UM: Aha.

JC: ...uh...she came back later, after a while, I can't give you the exact time, because I don't...but she took ...maybe an hour to come back...

UM: Yes.

JC: When she came back...uh... she told me: I arranged everything. The Father is going to give us two sofas there in the house, yes, in house # 16, she told me. He is going to give us the house... the room in house # 16, she said.

UM: Aha.

JC: Uh...we waited a little while...between 3:00 and 3:30...yes...just about 3:00 and 3:30 or before...before 4:00, we left for the house, the house that the Father had offered us. We arrived at the house, we were there, we rested a while. After that... my child got thirsty. She told me to go get her a soda. We went out to buy one. Right at that moment, when we were getting ready inside the room, we heard a burst of snooting nearby, from a distance of approximately 40 meters, because there is a place there...there are a group of shops, there are bakeries, there are supermarkets...

UM: the super[market] of the Gardens...

JC: Exactly. Around there a shooting was heard, at the time we were in the room. We had just arrived.

UM: Yes

JC: ...uh... but I went out because my child was thirsty, I went to get a soda. I couldn't find one there at the Santa...

UM: Santa Elvira...

JC: ...Emilia...

UM: Santa Emilia...

JC: Yes, there is a supermarket called Santa Emilia. I couldn't find any, it was closed. I went to...the Mediterranean, I think this is the other street. I can't give the exact name either because I don't remember. I know that place by sight, but I don't remember the names of the streets or anything like that. Uh... there I bought some, and I asked the man at... at the store where I bought the soda if he had heard some shooting. "Sure," he told me. "They just did it here, around here," he told me. A main street.. uh... "be careful," he told me. Yes [I told him] sell me, please, these things fast, and I'll go back. I didn't tell him where. Uh... then I went back to the house, where the Father had given us the room. As I arrived at the room I found my wife before I got to the room and she told me: "Look," she told me, "the Father came already, he brought me a little stove, and he asked me that, if I didn't have sheets [or blankets], he would get me one. That's what I'm doing, waiting for it. "Because this room, this house 16 is connected to the university campus. There is a door here, and so the Father must have gone that way to give her the sheet he had offered her.

UM: Yes

JC: A moment later the Father arrived.. uh... already with the sheet. I was inside the room when I saw him talking to my wife. I went out to greet the Father. I mean many knew him, but we hadn't talked; but... but I knew him... we shook hands, we greeted each other... he explained to me, he told me. "Well, this is your house," he told me, "You are going to live here," he told me. "When the sheet... don't worry, he told me... but [I said] thank you a lot, I appreciate... just about

UM: How long was the Father there with you, welcoming you?

JC: It was a few minutes, a few minutes, because we greeted each other, he just talked a little bit with my wife and left.

UM: Yes.

JC: Uh...we rested a little bit...uh...then we ate something for dinner that we had already prepared. We had dinner and we just tried to go to bed because we were exhausted...uh... with tense nerves...and many little things like that...

UM: Yes.

JC: Uh...we were...

(a phone rings, UM answers and speaks in English)

JC: We were...I was telling you that the Father got there at about 5:00...yes...

UM: You knew the Father already?

JC: Yes.

UM: From before...

JC: No, that is, since my wife had been working there for some time, I'd go there now and then, and so occasionally he would walk by, any Father would walk by. She'd say: "Look, that's Father so-and-so, that's Father so-and-so," and so on. That's how I knew their names. Well, maybe not all of them, but the one I knew best was...uh... Father IACUDILLA, Father BARO and Father MONTE. The others, well, I knew them by sight but I didn't know their names.

UM: And who was the one who came in?

JC: Father MARTIN BARO

UM: And did you talk to him quite a bit there or...

JC: No...no...

UM: ...just...

JC: ...we just greeted each other, you understand?

UM: Yes, yes.

JC: ...uh...we rested...from that time on...and we had dinner...uh...tried to sleep...I had already slept some. I can't tell you the time because I don't know, I wasn't looking at the watch; but we slept some...

UM: And when...when you arrived...

JC: Yes.

UM: ...when you came from Antigua...

JC: Yes.

UM: ...at what house did you arrive?

JC: At... my mother-in-law's, her mother's.

UM: No, when you were coming from you mother-in-law's, like that, excuse me, when your wife came and told you that she had already talked to the Father...

JC: Yes...

UM: ... and you said that you came down to Gardens...

JC: Yes...

UM: ...at what house did you arrive?

JC: House # 16.

UM: # 16.

JC: Yes, house # 16, where the Father took our things. Both houses are theirs, # 15 and # 16, but we were in # 16, yes, # 16.

UM: But both houses have their...their garage.

JC: Yes.

UM: Which one did you enter, # 15 or # 16?

JC: No, # 16.

UM: You entered that one?

JC: Yes. Yes, # 16.

UM: And... you had dinner, and then...

JC: Yes, we tried to sleep...uh... and we could hear some sporadic firing nearby, during the night, when we were trying to rest, to sleep.... and [this was] maybe before 1:00 a.m., because we had already slept some...uh... but just about at that time, I figure...uh...we heard some firing, a little...no longer sporadic, but heavier or more...more continuous, you understand what I mean, right?

UM: Yes, yes.

JC: Then...uh... yes, around that time, after that continuous firing, we heard a burst [of shooting], a burst...

UM: Yes.

JC: After that shooting...

UM: But...

JC: ...that burst that was heard very near to where we were...

UM: But you couldn't locate it?

JC: No, no, but [it was] very near to where we were...well, I can...I can say that it was within the university campus...and, just about, it was in the wood, at the entrance, there is a main entrance next to the Gardens. So in that area there is a wood around there and the shooting came from there.

UM: But...was there any shooting anywhere else ...

JC: We could hear...

UM: ...or only there at the UCA [Central American University]?...

JC: Well, there was some, just about near the highway, and here on this side, this street, I don't remember what street it is...that one...that goes up near Democracy Tower...

UM: The (ui)...

JC: Well...just about, we could hear on this...on this street, and then on the university campus. Uh... then...we could hear the heavy shooting, very close...very close. At the time when the heavy shooting was going on they were knocking on doors...they were knocking on doors. My child wanted to get up, when she heard the noises, she wanted to get up. So I picked her up like that so that she wouldn't get up. My wife reacted right there, she got up the moment they were knocking on the doors, not in our room or our house, where we were sleeping...uh...but they were knocking on the door of the Fathers' room, that's where it was...uh...when she got up...when they were knocking on the doors, she got up and she went to a room next to ours. There is an empty room, it's still empty, right? This room has two windows that open...no, no... you can see, through these windows you can see well the...the Fathers' room.

UM: Had you entered the UCA before?

JC: Yes, yes.

UM: Did you know where...where the Fathers lived?

JC: No. I had entered... that ...that room is very recent...very recent.

UM: Well, what else?

JC: Uh...through those windows my wife was able to observe what happened, what was happening, right? Because (ui) she got up, without talking to me, without saying anything, when they were knocking on the doors...uh...then,

as we were hearing the doors, I only heard one voice, the voice of Father NACHO, that's what we called him, Father MARTIN BARO. I recognized his voice, it was his. I didn't understand what he was saying, but he was talking, he was the only one talking. We could hear very soft voices, but the one that stood out was Father NACHO's. Uh...when...yes, when he was talking, I was hearing...since I didn't see, I only heard, but it might have been inside the facilities...no, in the rooms, in their room. We could hear the voice...then, but the shooting was going on, right? At a certain point, the shooting got heavier, and right at the time when the shooting got heavier, father NACHO stopped talking. No voice could be heard anymore. Everything was silent for a few seconds.

UM: Yes.

JC: Then...uh... we could hear like the noise of something like chairs being moved or dragged, noise of [breaking] glass, and of dragging something on the floor. That's what I heard...uh...then, well, everything was quiet, that's all. In a matter of seconds, again, we heard the noise of two powerful bombs because they...uh... they shook the room where we were, right? Uh...then...well, we could hear a few shots, I don't know where, I don't know...I don't...I don't remember about that, I can't tell you where that was. We could hear some shooting but a little far away, I don't know where. I was inside this room and I couldn't tell...uh...my wife came in, after that, my wife came in, slowly. She went to bed. She made no comments to me...uh...

UM: Yes.

JC: ...until the morning. Uh... well, we again tried to go to sleep. We were somewhat frightened, but we tried to sleep.

UM: You didn't say anything to your wife...

JC: No.

UM: ...or asked her anything?

JC: Or asked her anything. I just heard her going to bed there on a small mattress and I heard her. But I didn't ask her anything, and she made no comments to me...until the morning. We woke up at about 5:30 or 5:40, just about...uh... then she got up and told me: "I'm going to see," she told me, "to see what happened." It was already 6:00, a little after 6:00. No, I told her, don't go yet because it isn't 6:00 yet. "No," she said, "we'll wait a little bit." Because there was the curfew.

UM: Yes.

JC: Until 6:00.

UM: Yes.

JC: Until 6:00. After 6:00...

UM: Yes.

JC: ...she got up, she went out through this door that opens to the university campus. You didn't know...

UM: Sure, sure...

JC: ...there is a door that, from these houses, # 15 and # 16, opens to the campus. She went out that way...uh...in a matter of seconds she came back. She was frightened, trembling all over, with her nerves shot. And what had happened? "They did the Fathers in," she said. Like that, these very words, she said: "They did the Fathers in. I'm going to tell...I'm going to tell those in the other house," she said. The other...the other...the other house of the Fathers... because there is... there are those houses... # 15 and # 16 are theirs, and the other room where the incidents took place...and there is the other one where the other Fathers are...I don't know...I don't know the name of this...this street. I can't give the name, because I don't know...or the house's number...ah, # 50...house # 50.

UM: Did you know it before?

JC: Yes, yes, I knew that house. But now I can't remember the house's number, or the alleyway or...that is, where the house is located, I don't know, don't know...

UM: Yes.

JC: Uh...yes, that's what she told me: I'm going to tell them. She picked up her purse with her documents and went to tell them. She came back a moment later...about 10 minutes later she came back because it's very close. She came back and told me: "I already told them," she said. "They told us," she said, "to go away from here as soon as possible because we are in danger." That's what she told me. Uh...We packed our suitcases and left again, going to her mother's house. We stayed there. We stayed from that day, Thursday...Thursday...Thursday...Friday...Saturday...Sunday...we stayed there at her mother's house.

UM: There in Antigua?

JC: Yes, in Antigua. On Monday my wife said: Now I'm going to work. Well, I told her, are you going to see if...if...if they have opened the university? I told her, "No," she told me, "I'm going to the Curia." The Curia is another house where they have their offices, right? So that... that...they used to work in those offices, but she worked there too.

UM: Yes.

JC: Uh... we stayed with the little girl in the house of my mother-in-law and she didn't come back...uh...

UM: What time did she leave for that place?

JC: Early, yes, at about 8:00, after breakfast. Yes, I don't have the exact time to tell you the time, but, just about...

UM: Yes.

JC: At 8:00 or soon after 8:00. Uh...we were all at home. At about...after lunch also...I don't...I don't have the right time...to tell you the exact time, I don't remember. After lunch...uh...came...I know him, the Father who is... Father...FERMIN...

UM: Aha.

JC: Yes, FERMIN.

UM: How do you know the Father?

JC: Uhhh...I have seen him, too, on many occasions, and it's because of my wife that I knew him by name,too.

UM: Aha.

JC: But as of friendship, I don't have one. My wife does. Yes, he came there to bring me here. When he came in, I said...he told me: Uh..., no... "get ready because we are leaving." Where to, Father? I asked him. "Well," he said, "you'll see, you'll see where we are going." But, look, Father, I said, and where is my wife? "Right now I don't know, I don't know," he said, "but you'll see her." We left. Uh.. I picked up all the suitcases I was carrying. We went to... to the embassy...yes, to the Spanish Embassy...the Spanish Embassy.

UM: So then, you went directly from there, from your mother-in-law's to the Spanish Embassy?

JC: No, we went to house # 50. There we changed vehicles. I don't know who was there, I don't know who was there. There we changed vehicles and left in an...armored car, I think it was an embassy's car, property of the embassy. There we just changed from one vehicle to the other and we left. We were on our way when I asked him: Where are we going? "Well," he said, "right now we are going where your wife is, where Lucia is," said the Father. "She is in the Spanish Embassy, she is under security."

UM: You were going with Father FERMIN?

JC: Yes. I was going with Father FERMIN.

UM: Aha.

JC: Uh...we arrived there at the embassy. We stayed there...uh... the night of Thursday...and..

UM: Of Thursday or of Monday?

JC: Ahhh...what day was it? Let's see...no, it was the night of Monday, yes, the night of Monday...yes, the night of Monday. Yes, the night of Monday, Monday and Tuesday, if I'm not mistaken, yes, also Tuesday...I think so...Tuesday...Wednesday...no, no...I don't remember well, but, yes, I think Monday and Tuesday, because we...then, from there...I'm not sure about the two days, either, because, well...

UM: But we were at....

JC: ...at Spain. [the Spanish Embassy]

UM: ...at the point when you had...that you had come...that Father FERMIN had brought you there from Antigua...

JC: Yes...yes...

UM: ...and then you went to house # 50...

JC: To house # 50...

UM: ...you changed vehicles...

JC: Yes, we drove...

UM: ...and Father FERMIN was always taking you in the other vehicle...

JC: ...always...

UM: ...to the Spanish Embassy.

JC: Yes.

UM: That was on Monday.

JC: Hmh...

UM: When you got to the embassy...

JC: I stayed there, from the emb...from house # 50, Father FERMIN was no longer...no longer with us, but...with us came...I don't know who that was...if it was...but it was somebody who has sufficient influence at the Spanish Embassy.

UM: Aha.

JC: Because he appeared very friendly and...well, I'm telling you that he had enough influence because he just honked and we entered the embassy.

UM: So Father FERMIN did not go in with you?

JC: No, no, he just went to Antigua to bring me there...

UM: Yes. What days were you there at the embassy, you don't remember?

JC: The night of Monday...and Tuesday, I think...Tuesday, I think.

UM: Where did you meet your wife?

JC: There at the embassy.

UM: There at the Spanish Embassy .

JC: There...there we met. They had her there then.

UM: When you got there, what did your wife tell you?

JC: Well, we just said Hello. She said: Did they bring you here? Yes, I said.

UM: Aha.

JC: And I said: And how are you? "No," she said. "The thing is that they told me" ...uh... "the Fathers told me," she said, "that we are in danger," she said. "We are staying here," she said, "they told me...they told me that here we are going to be secure."

UM: And...and when Father FERMIN went to pick you up there at Antigua, at your mother-in-law's, he didn't tell you anything?

JC: No, he didn't give me any details.

UM: Or that your wife was sending you any message?

JC: No, no, I didn't ask him about that, but where she was and where we were going. And that's when he told me that we were going where she was.

UM: Aha.

JC: Yes.

UM: And when you were...the days you were staying at the embassy you didn't talk to anybody?

JC: No.

UM: Or with the Spanish Ambassador...

JC: Yes, sure, sure. Uh...with the Spanish Ambassador.

UM: Did you talk with him?

JC: Yes.

UM: And with anybody else?

JC: Uhh...somebody came...I don't know what ambassador...

UM: Ah...

JC: Yes, the French Ambassador came.

UM: Aha.

JC: Well, the Spanish Ambassador talked with him.

UM: Not with you.

JC: No, not with us. He didn't talk with us...until it was late, and after that I don't remember. Then it was Thursday...Thursday and Friday, if I'm not mistaken...uh...then the judge came to interview my wife...

UM: Aha.

JC: ...in the afternoon... he came Thursday afternoon...yes...

UM: Now, there at the embassy, didn't a woman come to talk...to interview you there? As a reporter or...

JC: No, this woman came, whose name is MARIA JULIA HERNANDEZ, a legal expert.

UM: What day did she come?

JC: The same day the judge came. I think it was Thursday.

UM: And what time did the judge come?

JC: At...3:00...at 3:00, or before 3:00, just about that time, maybe before 3:00.

UM: And that MARIA JULIA you mentioned, what time did she come?

JC: At about 2:00 p.m.

UM: So she came before the judge?

JC: Yes, she came before the judge.

UM: That wasn't in the morning, or a day before that?

JC: No, no...uh...no...yes...about...about that time or in the morning, I don't remember very well, because being shut in you can't feel the time passing.

UM: Ah, yes.

JC: Yes.

UM: Because where...where...in what room were you?

JC: In the Spanish Embassy.

UM: But you don't know what room?

JC: Hmm... not the number, but it's a room that opens to the office, but I don't know the number.

UM: And what did MARIA JULIA tell you?

JC: Well, she said nothing to me. Now, to my wife, she talked to my wife, but...uh...I'm trying to think...uh...no, no...I don't know...I don't know...

don't know what they talked about, but they did talk, but I don't know what they said.

UM: And what did the judge tell you?

JC: Well, I don't know that, either, because I was in this room I told you.

UM: Yes.

JC: And I couldn't move, I couldn't move from there, because if I did...the little girl was always going around there. Either I or my wife had to look after her. That's why, well...she was into that. They called her...uh.... to go talk to the judge.

UM: Uh... did they ask your opinion on whether you wanted to leave the country?

JC: Yes, they did.

UM: Who talked to you about that?

JC: The ambassador.

UM: What did you tell him?

JC: Well, that we did want to leave, either to Spain or...

UM: What day did you tell him that?

JC: I don't know, I don't remember the day...uh...we were there ...Monday...ah, yes, that same day, Monday afterNoon, yes, in the afternoon. It was quite late. He asked me if we wanted to travel some place like Spain or France or this place, any place here in the United States.

UM: But he didn't tell you why? Why you wanted...

JC: Well, since...

UM: What did he tell you?

JC: Well, that the situation was very bad. Well, he said that to me, to me, because my wife, uh...I don't know what she was doing, but...the ambassador called only me to explain the case to me, explain to me and ask me what we were doing, where we wanted to go, because of our situation.

UM: Your situation or the country's?

JC: The country's situation.

UM: Yes.

JC: Yes.

UM: But he didn't tell you that you...what was happening to you? Why...why...

JC: No, no.

UM: And you didn't ask him either why they wanted to get you out of the country, why especially you?

JC: No, I didn't ask him. What he emphasized was the fact that [at the embassy] we were well protected and didn't need to fear anything. That's what he told us, what he told me.

UM: Yes.

JC: He told me that we didn't need to fear anything because we were well protected.

(end of recording)



FEDERAL BUREAU OF INVESTIGATION

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Date of transcription 1/17/90

Special Agent (SA) [REDACTED] was interviewed at the Miami Office of the Federal Bureau of Investigation (FBI). He was advised of the identities of the Agents conducting the interview and the nature of the inquiry. He provided the following information:

SA [REDACTED] entered on duty with the FBI on [REDACTED]. He entered on duty in the Miami Division of the FBI in November, 1985. He is presently assigned to the C-3 Major Case Squad.

On or about November 23, 1989, the Duty Agent for the Miami Office relayed information to him which had been received from the Department of State on the same day. He was advised that on the evening of November 23, 1989, he should anticipate the arrival of a French Military aircraft out of El Salvador carrying a witness in the killings of the six Jesuits Priests in El Salvador on November 16, 1989. This witness would be accompanied by her husband and child. He recalls that he met the aircraft at Miami International Airport and a large number of individuals were also at the airport to greet the plane. This entourage included Jesuit Priests, officials of the Immigration and Naturalization Service (INS), Department of State (DOS) representatives, and representatives of the French Embassy.

SA [REDACTED] indicated it was his understanding that the witness, was in the care of the DOS. Upon their arrival, they were escorted by officials from the INS and were processed for entry into the United States. They were initially lodged at the EMBASSY SUITES HOTEL in Miami. The representative for the Department of State in charge of the witnesses for this period of time was an individual he identified as RICHARD CHIDESTER. In addition to the above-mentioned individuals, the family was also accompanied on the plane trip from El Salvador by Assistant Legal Attache (ALAT) [REDACTED] Legal Attache, Mexico City.

On November 24, 1989, at approximately 12:00 noon, the family was relocated from the EMBASSY SUITES to the RADDISON INN in the vicinity of the Miami airport. Three rooms were secured at that time by Mr. CHIDESTER. One room was given to the family, one room was for CHIDESTER and the third room for ALAT [REDACTED].

At approximately 5:00 p.m. on November 24, 1989, SA [REDACTED] met with Assistant Special Agent in Charge (ASAC) LARRY E. TORRENCE at the Miami Field Office for the purpose of discussing plans and procedures in the handling of the witnesses from El Salvador.

Investigation on 1/17/90 at Miami, Florida File # MM 163A-HQ-61055

by SA [REDACTED] P [REDACTED] Date dictated 1/17/90

Continuation of FD-302 of SA [REDACTED] P On 1/17/90 Page 2

P Thereafter, a telephone conference call was initiated involving ASAC TORRENCE, FBI Miami, MARTIN HALE, Deputy Assistant Director (DAD) Office of Liaison and International Affairs (OLIA), [REDACTED] (OLIA) and SA [REDACTED]. DAD HALE requested that Agents of the FBI Miami Field Office interview the witnesses as soon as feasible and provide FBI Headquarters with a summary teletype concerning activities thus far, to include the results of the interview.

P Upon the further instructions from ASAC TORRENCE, SA [REDACTED] and ALAT [REDACTED] met with the witness, [REDACTED] to discuss the events which she allegedly observed in El Salvador on November 16, 1989, concerning the killings of six Jesuit Priests.

P The interview of [REDACTED] was begun at approximately 6:30 p.m. and lasted a total of 45 minutes. During the interview, [REDACTED] was constantly reassured that she was in the protection of the Government, and that she had nothing to fear from telling the truth in this matter. SA [REDACTED] indicated that they were aware of the possible reluctance this witness might in cooperating with law enforcement officials. Once again, they reassured her of their interest in obtaining the truth and providing for her protection.

P During the course of the above interview, [REDACTED] advised that while she was staying with her family at quarters being provided by the Jesuits at the University Compound in El Salvador, she was awoken during the night by shooting and voices coming from the vicinity of the Jesuits' sleeping compound. She rose from the floor on which she was sleeping, looked out the window, and observed armed men dressed in dark clothes fleeing from the area of the priests' sleeping quarters. The interview was consistent with information SA [REDACTED] understood was provided by [REDACTED] while she was in El Salvador.

P SA [REDACTED] noted during his initial contacts with the [REDACTED] and her family at the motel, they were apparently not used to the modern conveniences offered at typical American hotels. He noted that they had difficulty turning on the water faucet and seemed somewhat disoriented by all of the conveniences at their disposal at the hotel.

P Later that same evening, he had a discussion with ALAT [REDACTED] concerning security at the hotel. Apparently many people knew where the family was being lodged and the fact that they were staying in rooms being paid under the name of CHIDESTER, from the DOS. SA [REDACTED] indicated that they perceived this as a possible danger and therefore suggested that the family be relocated from their current lodging. He advised that the Miami area for this weekend was hosting

Continuation of FD-302 of SA [REDACTED] P , On 1/17/90 , Page 3

the Orange Bowl Football Classic and most available rooms had been pre-booked. It therefore became extremely difficult to locate available space convenient to the Miami area. It was decided that the family would remain at the RADDISON INN, however, they would relocate within the hotel itself.

P At the conclusion of the above interview, ALAT [REDACTED] prepared a summary teletype communication to advise FBIHQ of the results of the day's activities. This communication was sent on the morning of November 25, 1989.

P On Saturday, November 25, 1989, an additional Agent from the Miami Field Office, SA [REDACTED] was assigned to the security detail for the protection of the family. SA [REDACTED] was on duty from 8:00 a.m. until 4:00 p.m. on that Saturday. SA [REDACTED] was relieved by SA [REDACTED] who was assigned the 4:00 p.m. to 12:00 midnight shift.

P During the security shift of SA [REDACTED] the family was taken at their request to visit several Jesuit priests residing in Southwest Miami, Florida. After a brief visit with the priests, the family was given some clothing by the Jesuits and the family, along with SA [REDACTED] departed the area. SA [REDACTED] they transported the family to an area of Miami referred to as "Little Havana". They had dinner at a local restaurant which specializes in Honduran food, and all of the family members had substantial dinners. At the conclusion of the dinner, they were transported back to the hotel and escorted to their hotel room. SA [REDACTED] concluded his shift at 12:00 midnight and was relieved by ALAT [REDACTED] at 12:00 a.m. Sunday morning, November 26, 1989.

P Although SA [REDACTED] was unable to provide specific details concerning the activities of the family on Sunday, November 26, 1989, he stated that no unusual requests or occurrences were noted concerning the family on that date. He pointed out that it was the intention of FBI Miami to allow the family several days to rest and acclimate themselves to their new surroundings.

P On Monday morning, November 27, 1989, the family was transported to the Miami Field Office by ALAT [REDACTED]. At the Miami Office at this time, was Mr. CHIDESTER, [REDACTED] Special Investigative Unit (SIU), Salvadorian Army, ALAT [REDACTED] and SA [REDACTED]. [REDACTED] requested that a tape recording of the interview be made as he would require a transcript of the complete interview to facilitate this investigation in his country, and any prosecution which may result. A tape recorder was made available to

be utilized throughout the interview process. The tape recorder was always situated in the middle of the room in plain view, and that there was no effort to secrete the recorder out of the view of the interviewees. He indicated that in fact, the tapes were changed periodically in the presence of the interviewees.

The first interview at the Miami, FBI Office was conducted in the Applicant Squad area. Present during the interview was [REDACTED] ALAT [REDACTED] SA [REDACTED] and Mr. CHESTER. During the course of the interview, [REDACTED] indicated she was cold and she was provided with an FBI "Raid Jacket", which appeared to be satisfactory. At the outset of the interview, she was advised that the only purpose in conducting the interview was to obtain a truthful account of the events leading to the killings of the Jesuits in El Salvador. She was again advised that she had nothing to fear, and should she have any specific requests during the course of the interview, to make them known and they would be accommodated as best as possible. [REDACTED] seemed calm and made no specific requests during the course of the interview. Halfway through the interview on that morning, it was decided to continue the interview in a more comfortable environment within the Miami Office. They relocated to interview rooms one and two, which afforded the use of two private bathrooms. Also this room provided additional privacy for the interview process. SA [REDACTED] indicated that at the outset of the interview on that morning, it was decided that [REDACTED] would be introduced as "The Director of the Special Investigative Unit" as opposed to a Colonel in the Salvadoran Army. This was done in an effort to circumvent any fear that [REDACTED] might have in speaking the truth in the presence of a military officer. The tone throughout the interview was non-confrontational and [REDACTED] was afforded the opportunity to use the ladies room and take periodic breaks for refreshments such as soft drinks or water as she felt necessary. She made no specific requests and appeared to be quite willing to cooperate throughout the interview. During the course of the interview, SA [REDACTED] periodically checked with [REDACTED] to see that he was comfortable and to reassure him and his daughter that they would be leaving for lunch shortly. The interview conducted that morning of [REDACTED] was reasonably consistent with the previous account of events that she had provided to ALAT [REDACTED] and himself, during the interview in the evening hours of November 24, 1989.

At approximately 1:00 p.m., they broke for lunch. It was decided to take the family to a local restaurants to experience some of the local environment. They traveled by car to Hialeah, Florida, and had lunch at LAS DELICIAS. The family ate a substantial meal

Continuation of FD-302 of SA [REDACTED] P . On 1/17/90 . Page 5

which consisted of seafood, steak, beans and soup. The lunch bill, paid for by CHIDESTER, was sizable. The family appeared calm and comfortable at the conclusion of the meal. Outside of the interview environment, the Agents consciously refrained from discussing the events which transpired on November 16, 1989 in El Salvador, to allow the family to relax and feel more comfortable while they were in the Miami area.

P The lunch break lasted approximately two hours. At approximately 3:00 p.m. on the same afternoon, an interview was conducted of [REDACTED]. [REDACTED] was reassured that while he was in the hands of the FBI he should feel comfortable, relaxed and protected. [REDACTED] made no specific requests or complaints concerning his lodging or treatment up to this point in the Miami area. During the course of the interview, he was provided with soft drinks, afforded the opportunity to use the men's room and was advised that should he have any questions during the course of the interview, he should address those through the Agent. They would be accommodated as best as possible.

P The interview of [REDACTED] was tape recorded. The tape recorder was in plain view and no effort was made to secrete or disguise the recorder. SA [REDACTED] is a trained Profile Coordinator for the FBI and consequently, takes special note of the conduct and demeanor of persons being interviewed regarding controversial or significant incidences. [REDACTED] appeared uncomfortable with his statement. There was a lack of eye contact on the part of [REDACTED] with the interviewers, and he demonstrated frequent nervous movement in his chair indicative of restlessness. He also noted that [REDACTED] statement lacked plausibility in some areas, particularly the differences in responses between he and his wife at the time of the killings of the Jesuits. SA [REDACTED] was concerned that according to [REDACTED] he remained undisturbed throughout the incident while his wife was so disturbed that she went to the window during the shooting.

P At the conclusion of the interview of [REDACTED] approximately 5:30 p.m., the family was escorted back to the hotel for the remainder of the evening.

P Also on the same day, he discussed the results of the interviews of [REDACTED] and [REDACTED] with them. This discussion highlighted the several discrepancies to them which needed to be further resolved through additional interviews. The items noted were as follows:

Continuation of FD-302 of SA [REDACTED] P , On 1/17/90 , Page 6

[REDACTED] had advised that she had observed the armed men firing from a particular location, however, no shell casings were found in the area identified by [REDACTED]. This was unusual inasmuch as in excess of 250 shell casings had been recovered during the crime scene on the next day. The question remained as to why the killers would have picked up the shell casings from where [REDACTED] said they were and not picked them up from other areas of the crime scene.

Secondly, photographs taken from inside houses numbers fifteen and sixteen at the Jesuit compound indicated that [REDACTED] would have not been able to see what she alleged to see from those two windows.

Thirdly, no latent fingerprints were developed from the window area where [REDACTED] alleged to have looked out over the compound.

Lastly, it seemed inconsistent that the behavior of the [REDACTED] would differ so greatly from the behavior of the [REDACTED] during the same incident.

Although SA [REDACTED] was not with the family on Monday evening, he was advised that they had eaten a substantial dinner that night and believes it consisted of either filet mignon or New York strip steak, or a combination of both.

On Tuesday morning, November 28, 1989, the family was again transported to the FBI Office in Miami. [REDACTED] was interviewed at approximately 9:00 a.m. Present during the interview, was ALAT [REDACTED] and SA [REDACTED]. [REDACTED] essentially recounted the same story as told previously, wherein he does not get up from his sleeping position, although his wife is up and moving about and looking out the window during the shooting. ALAT [REDACTED] questioned [REDACTED] as to his responses provided during the interview. ALAT [REDACTED] indicated that this did not seem plausible, as it would have seemed more natural for [REDACTED] to get up and go to the window with his wife. During the course of interviewing [REDACTED] he mentioned that on a particular occasion, he was attacked by several bandits in El Salvador and he sustained several large machete wounds resulting from the assault. The scars of this attack are readily noticeable on [REDACTED] face and hands. Again, it was pointed out to [REDACTED] that a man who has demonstrated this amount of courage in the past would not have allowed his wife to expose herself to those dangers without some more positive response on his part. [REDACTED] did not respond to this line of questioning in an offensive manner. He did not appear to be

P upset with ALAT [REDACTED] nor did he voice any opposition to the arguments presented by ALAT [REDACTED]. Although he cannot recall specifically if a question was asked as to whether [REDACTED] had any relatives with the Salvadorian guerrillas, SA [REDACTED] advised that this would be a typical type question to be asked as it is quite common that people have family members with the guerrilla faction, although most Salvadorians do not align themselves with the political beliefs or ideologies of the Salvadoran guerrillas.

P SA [REDACTED] assessed the interview of [REDACTED] as quite effective, in that it was mildly confrontational and yet demonstrated to [REDACTED] that questions remained which had not been resolved by his statements. It was also demonstrated to [REDACTED] that the facts of his statement were not consistent with either logical behavior, or in some cases, with the actual facts. He was shown photographs of the view from the quarters he and his family occupied at the Jesuit compound. It was pointed out to [REDACTED] that his wife would not be able to see the things she alleged to see from her location. These discrepancies were not resolved by [REDACTED] during the interview.

P At approximately 12:30 p.m., the interviews were terminated for lunch. The family was asked to decide what they wanted for lunch, and they requested they be given hamburgers and french fries. This was done. The lunch break lasted approximately two hours and an interview of [REDACTED] was conducted following the lunch break.

P The interview was begun with an effort to relax [REDACTED] and reassure her that she had nothing to fear. The only thing being sought at this time was the truth. This process of reassuring her continued for several minutes, and once again, she was asked to recount her story as she recalled it. Early on during this interview, [REDACTED] recanted her original statement. Briefly, she indicated that she had been coached on her original statement and had been told to say that she saw soldiers in the vicinity of the killings of the Jesuits on the night that it happened. She stated she was coached by a [REDACTED], who is an attorney affiliated with the Archdiocese or the Jesuits in El Salvador. She expressed concern for her safety and what would happen to her in El Salvador because she had made the false statement. Briefly, she indicated that she did not get up out of her sleeping position when she heard the voices and the gunfire on the night the Jesuits were killed. She in fact stated she saw nothing she had previously alleged to have seen.

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It was obvious that she was emotionally upset at the conclusion of this interview, and it was decided that they would not proceed any further, but rather would permit the family to return to the hotel for some rest and relaxation.

Although he could not provide specific dates, he can state with certainty that throughout the course of these interviews, he was in regular contact with his squad supervisor, Supervisory Special Agent (SSA) [REDACTED] and ASAC TORRENCE. He is also aware that the status of the interviews were being provided to FBI Headquarters on a periodic basis. Prior to the close of business for Tuesday, November 28, 1989, it was decided that on the morning of Wednesday, November 29, 1989, a polygraph would be administered to [REDACTED] to confirm her recanted statement. The subject of a polygraph was raised with [REDACTED] on the late afternoon of November 28 and although she expressed some concern, there was no reluctance to take the polygraph. She appeared to be committed to resolving this matter once and for all. The decision to use the polygraph examination was made based upon the conflicting statements previously provided by [REDACTED]

SA [REDACTED] did not accompany the family to dinner on the evening of November 28, 1989, however, he was advised that the evening was calm, no specific requests were made by the family and that they had a substantial dinner through hotel room service that night.

On Wednesday, November 29, 1989, at the Miami Office of the FBI, the family was once again located in the vicinity of the interview rooms. One room has been set aside for the family and the other room was reserved for interviews. SA [REDACTED] pointed out that on two occasions during the week Agents of the Miami Division had purchased some toys and some games for the child to play with while she was at the FBI Office. SA [REDACTED] was of the opinion that this was done without any direction from their Supervisors and done on the Agents own volition.

The morning of November 29 was spent with a further interview of [REDACTED]. Present for this interview was the Miami Division Polygrapher, SA [REDACTED]. SA [REDACTED] was present only to become familiar with the facts of the case and to examine [REDACTED] as a potential candidate for a polygraph. SA [REDACTED] indicated that [REDACTED] was cooperative and had demonstrated an attitude of intent to resolve whatever conflicts now existed in her testimony. At the conclusion of this interview, [REDACTED] was advised that with her consent she would be polygraphed. She was introduced to SA [REDACTED] as the Polygrapher. During the introductory

Continuation of FD-302 of SA [REDACTED]

On 1/17/90

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P phase of the polygraph process, SA [REDACTED] acquainted BARRERA DE CERNA with the procedure and continually reassured her as to the harmlessness of the machine, and that there was absolutely no danger as to physical harm. [REDACTED] appeared nervous, however, she was still cooperative.

P At the conclusion of the polygraph examination, SA [REDACTED] was advised by SA [REDACTED] that discrepancies have been noted in her statement and that additional interviews and/or polygraphs may be warranted.

P Once again, SA [REDACTED] was not present during the evening hours with the family, however, he was advised that they again received a substantial dinner meal and were afforded privacy and use of the facilities at the hotel.

P On Thursday, November 30, 1989, at approximately 8:30 or 9:00 a.m., the family arrived at the Miami FBI Office. SA [REDACTED] noted that [REDACTED] was comfortable and did not appear to be disturbed or frightened regarding the upcoming day's polygraph. She appeared to be committed to telling the truth and resolving any discrepancies in her statement. She was polygraphed during the early part of the morning, and once again showed some inconclusiveness and discrepancies with the story she provided concerning the killings of the Jesuits. SA [REDACTED] indicated that [REDACTED] became frustrated with the situation and indicated that she wanted to discontinue with any polygraph or interviews regarding her statement. ALAT [REDACTED] spoke with [REDACTED] briefly and advised her that she was a good person and obviously wanted to tell the truth, and the truth could only be determined through her continued efforts to work with the Agents in resolving any of the discrepancies or problems in her previous statements. [REDACTED] was asked to continue in an effort to obtain the truth and she consented to do so.

As the additional phases of the polygraph examination continued, [REDACTED] once again demonstrated either deception or inconclusiveness in her responses to the polygraph questions. Further polygraph examinations were discontinued at that time.

P SA [REDACTED] recalled discussing the situation with [REDACTED] and ALAT [REDACTED] as to the best course of action at this point in an effort to resolve the discrepancies. It was decided that a polygraph would be administered to [REDACTED] with his consent, in an effort to corroborate the information being provided by [REDACTED]. The common goal was to obtain a consistent version of the events which she had observed on that night.

Continuation of FD-302 of SA [REDACTED] P , On 1/17/90 , Page 10

D SA [REDACTED] discussed with [REDACTED] the polygraph examination and explained to him that there was nothing to fear, and the examination is only designed to elicit the truth and confirm what he is telling as being the truth. [REDACTED] consented to the polygraph and was provided with the questions to be asked during the polygraph. [REDACTED] results were indicative of deception.

P At the conclusion of [REDACTED] polygraph, it was decided to conduct no further interviews or polygraph examinations that day. It was also decided that further polygraphs of [REDACTED] were not advisable, as her statements are so inconsistent it would be difficult to obtain accurate results through additional polygraph examinations. The interviews were discontinued for the day and were scheduled to resume on Friday morning, December 1, 1989.

P As with the previous evenings, SA [REDACTED] did not accompany the family to dinner but was advised that once again, they had a substantial evening meal and remained in their rooms until they were again transported to the Miami Office of the FBI the following morning.

P On Friday morning, December 1, 1989, SA [REDACTED] was advised that both [REDACTED] and [REDACTED] had a new version of the events which they alleged to have witnessed. This version essentially reverts back to the first statement provided by [REDACTED] in that she actually observed armed men fleeing the vicinity of the priests' sleeping quarters on the night of the killings. In addition to the above, the new version now indicated that [REDACTED] also viewed the same series of events.

P [REDACTED] was subsequently polygraphed regarding these statements. His results were indicative of deception and was either inconclusive or deceptive once again. When he was questioned regarding these discrepancies, [REDACTED] advised that he and his wife decided to concoct a story that they believed the U.S. Government would accept as true. When asked in the post-examination interview what he believes the real truth to be, [REDACTED] indicated that neither he nor his wife actually saw anything.

P SA [REDACTED] recalled that at approximately this time, [REDACTED] requested he be afforded the opportunity to interview the witnesses alone. This was denied. [REDACTED] indicated that he wished to address the witnesses as fellow countrymen to see if he could convince them to tell the truth on behalf of the honor of his country. [REDACTED] was advised that this would not be appropriate.

Continuation of FD-302 of SA [REDACTED]

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P At the conclusion of the morning's interview of [REDACTED] they broke for lunch. During this time, SA [REDACTED] spoke with the Polygraph Unit at FBI Headquarters concerning both witnesses and their examinations, and it was concluded that the witnesses were unreliable. The results of the various polygraph examinations were facsimiled to FBI Headquarters, Polygraph Unit throughout this several day process for additional review and evaluation. At the conclusion of lunch, [REDACTED] were requested to provide fingerprints and hair samples to assist the Salvadorian investigation. They consented to do so.

P The last time SA [REDACTED] had any contact with [REDACTED] was at the FBI Miami Office on that [REDACTED] afternoon. He received a very cordial goodbye from both [REDACTED]. He wished them luck and shook hands with [REDACTED] before he departed. [REDACTED] hugged him as she departed.

In summary, SA [REDACTED] indicated that the truthfulness of the witnesses could not be determined. No accurate statement was derived from the information provided by either [REDACTED]

D The family was treated in a very cordial fashion during their entire stay in the Miami area, and all their requested needs were accommodated. They were obviously placed in an environment where the living standards far exceeded anything they had been previously used to. Although they were occasionally apprehensive and concerned about the different events which transpired, they did not indicate any reluctance to cooperate. They were not antagonistic or hostile. They appeared to be appreciative of the service and consideration being provided by the FBI and Department of State.

P SA [REDACTED] is aware of several allegations having been made in connection with the interview techniques and treatment received by the witnesses during their stay in Miami. He indicated that it was frequently necessary to limit the mobility and activities of the family in view of the perceived threat to them as valuable witnesses. Irrespective of those conditions, the family was treated in a very accommodating fashion. To the best of his knowledge, he does not recall any parts of any of the interviews which were conducted wherein [REDACTED] was referred to as being "effeminate". SA [REDACTED] does not recall any instance where any of the interviewers raised their voice to [REDACTED] nor where threats or acts of intimidation used. None of the interview techniques utilized during the separate interviews of [REDACTED] could be construed as being abusive, overly aggressive, demeaning or threatening.

Continuation of FD-302 of SA [REDACTED]

P

On 1/17/90

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P SA [REDACTED] stated that during the week of November 28 to December 1, 1989, he recalled SA [REDACTED] received a request for [REDACTED] to correspond with her mother. He suggested SA [REDACTED] would have the details concerning this request.

SA [REDACTED] advised that to his recollection, he has provided all of the information, as it occurred, during the course of the interviews of the above two individuals. At this time, he has no additional information to provide.



FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 1/19/90

P [redacted] Assistant Legal Attache, (ALAT) Guadalajara, Mexico, was contacted at the Federal Bureau of Investigation (FBI) Office in Miami, Florida. ALAT [redacted] was advised that he was being contacted in connection with the interviews that he had conducted of two Salvadorian nationals during late November and early December, 1989. He was advised that the FBI Headquarters had been in receipt of a letter outlining allegations of mistreatment of these two witnesses by the FBI.

P By way of background, ALAT [redacted] advised that he has been a Special Agent in the FBI [redacted]. His prior assignments included the Miami Division where he was responsible for a variety of investigations in the Criminal area. In particular, he investigated property crimes, personal crimes, bank robberies, and terrorism matters. From March, 1987 through March, 1989, he was the Supervisor of a Major Case Squad. In April, 1989, he advised he was transferred to Guadalajara, Mexico.

P ALAT [redacted] stated that on November 20, 1989, he was contacted at home by the Legal Attache, [redacted]. [redacted] stated that [redacted] advised him of the shooting of six Jesuit Priests in San Salvador, El Salvador. He advised his assignment was to provide assistance to the El Salvadorian Government during their investigation. He further advised he flew to Mexico City the next day and reviewed a number of cables relating to the homicides. He stated his mission was further discussed and he was to review the progress of the investigation, make any recommendations deemed necessary, and offer whatever services may be required of the FBI to the El Salvadorian Government. On November 22, 1989, ALAT [redacted] arrived shortly before the curfew in San Salvador. He said that he was met by RICHARD CHIDESTER of the U.S. Department of State (DOS). He said he spent the first evening at CHIDESTER's home and received a briefing as to the homicides. He said that the Special Investigative Unit (SIU) was responsible for the investigation.

He said that CHIDESTER relayed the facts of the shooting as they were known to him. In addition to the six priests who were murdered, a maid and her daughter were also killed. He stated that CHIDESTER told him that the crime scene had been contaminated by many persons and that rumors were flying as to who was responsible for this crime.

Investigation on 1/17-18/90 at Miami, Florida File # MM 163A-HQ-61055

by SSA [redacted] SSA [redacted] P Date dictated 1/18/90

Continuation of FD-302 of ALAT [REDACTED]

P

On 1/18/90

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ALAT [REDACTED] stated that on November 23, 1989, he went with CHIDESTER and an individual named [REDACTED] (phonetic). He stated they went to SIU and met with [REDACTED] the SIU Director. He stated for the next several hours, he had received a detailed formal briefing by investigators and lab technicians. He stated that the briefing was professionally done with photographs of the crime scene, charts, and area plans regarding the location of the crime.

ALAT [REDACTED] advised the SIU personnel noted that while the crime had been discovered at approximately 6:00 a.m., in fact when they arrived there were literally hundreds of people on the scene. He said there was a delay of approximately two and one-half hours before the authorities were notified.

P ALAT [REDACTED] stated he was advised that a substantial number of cartridge casings were recovered at the crime scene. He stated he recalled that the number may have been about 268. He stated the casings included 7.62 NATO rounds, 7.62 Russian rounds and 5.56 caliber cases. He stated during the briefing, a reconstruction of the events was portrayed for him.

ALAT [REDACTED] stated he was advised one priest was shot as he attempted to hide and the five other priests were shot outside of their dormitory. One of the five priests shot outside was dragged back into the dormitory.

ALAT [REDACTED] stated that the SIU was aware of the fact that there was a cleaning woman who had given a statement to a judge concerning the murder of the Jesuits, however, they did not have a chance to question the woman. He gathered from the briefing that she was viewed as a key witness. He stated he also got the impression that the SIU believed the Jesuits were hiding other persons who may have had knowledge of the crime. He stated they were aware there was a roving team of four people who provided security at the University who had not been interviewed.

ALAT [REDACTED] stated he had offered the services of the FBI Laboratory and also offered the services of the Latent Fingerprint Section. He stated the Latent Fingerprint Section services were offered because the SIU Laboratory personnel were having difficulty processing the recovered shell casings for latent fingerprints.

ALAT [REDACTED] stated he was then taken to the Laboratory to review the process by which the Laboratory personnel were reviewing the evidence. He stated that the Laboratory was attempting to determine the number of weapons fired through a review of tool markings on the cartridge casings.

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ALAT [REDACTED] stated as he left the Laboratory, he received word from [REDACTED] (PH) that CHIDESTER had called and left an urgent message for them to return to CHIDESTER's house. He stated that when he arrived, he was informed that the Ambassador had requested that he, [REDACTED] accompany the Ambassador and a woman named [REDACTED] on a French military plane. ALAT [REDACTED] attempted to contact Legal Attache [REDACTED] to advised him of this development. He stated that in the meantime, the U.S. Ambassador was holding discussions with the French and Spanish Ambassadors concerning the ultimate destination of the witness.

P ALAT [REDACTED] stated that he arrived at approximately 3:00 p.m. on Thursday, November 23, 1989 at the airport. He stated that while he was at the airport, he successfully reached the Legal Attache's office and while not speaking directly with Legal Attache [REDACTED] advised another Agent of the situation in El Salvador. He stated he also attempted to contact the Terrorism Section, however was unsuccessful in reaching Supervisory Special Agent [REDACTED]. The French plane arrived at approximately 4:00 p.m., was refueled and left at approximately 5:00 p.m.

While waiting for the refueling, ALAT [REDACTED] learned from CHIDESTER that the witness, [REDACTED] had seen soldiers doing the shooting and that she was in great fear for her life. He stated the flight took approximately four hours and during the course of the flight, he had several discussions with the witness and her family.

ALAT [REDACTED] stated he tried to ease any fears they may have had. He stated he noted it was their first flight. During the course of the flight, the man, [REDACTED] told ALAT [REDACTED] that he was a baker. He explained to the family that the Spanish language is very common in Miami and that there are many Central American people who reside in the area. He stated the woman, [REDACTED] was concerned about her home in El Salvador. He stated that [REDACTED] wanted to come to the United States and had expressed knowledge of various ways to get into the United States. He said that [REDACTED] talked about "coyotes" as persons who could assist people attempting to enter the United States.

Upon arrival at Miami International Airport (MIA), ALAT [REDACTED] stated the party was met by officials from the Security Offices of the Department of State and Immigration and Naturalization (INS). He stated they took an international bus to the U.S. Customs and INS area, where he met two Miami Agents, [REDACTED] and [REDACTED]. He stated when they entered the office, there were three Jesuit Priests also there. He stated that CHIDESTER and the Department of State dealt principally with the Jesuits. He stated

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that the Jesuits told the family that they would get together the next day. He further stated they cleared U.S. Customs at approximately 11:00 p.m., and INS took the family to the EMBASSY SUITES HOTEL in Miami. He advised INS provided security for the family that night and he booked a room at the same hotel.

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During his discussions with the Department of State representatives, he said there was uncertainty as to who was responsible for what aspects of the family's care. He stated that INS intended to parole the family to the U.S. and once the family was paroled, INS would have no additional responsibilities. He stated that he had a discussion with CHIDESTER at which time CHIDESTER mentioned his instructions from the DOS Command Post were that the family could get into the Witness Security Program (WSP). ALAT [REDACTED] discussed the WSP with CHIDESTER and suggested that alternative ways may be necessary to provide for the family.

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By noon Friday, November 24, 1989, the INS Security assisted in moving the family to the RADDISON HOTEL in Miami, Florida. Later, on Friday, November 24, 1989, ALAT [REDACTED] recalled that he met with three Jesuit Priests and CHIDESTER. He stated the Jesuits could provide spiritual support and set up a house for the family, but that they would require financial support from the government to include such items as groceries, utility deposits, and things of that nature. He said the Jesuits were also concerned about the security for the family.

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ALAT [REDACTED] said he did not recall the names of the three priests, however, did note that one had a parish in the Westchester area of Miami. ALAT [REDACTED] gave them his assessment of the terrorism situation in Miami based on his ten years' experience. ALAT [REDACTED] noted that the Jesuits said the government was keeping the family in a situation which was much too luxurious. He stated the Jesuits could offer them much less and that they were concerned the family would get spoiled.

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Following this discussion, the Jesuits met with the family. ALAT [REDACTED] stated the Jesuits were of Cuban descent and were Spanish speakers. He stated the Jesuits pointed out that they were not aligned with the Jesuits in El Salvador. ALAT [REDACTED] said that this discussion related to his request that the witness' security would be enhanced as long as there were no press conferences or publicity given to them in Miami.

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ALAT [REDACTED] stated the Jesuits met with the family for about one hour. He stated he left the RADDISON HOTEL and came to the Miami Office to make notifications to FBI Headquarters and Mexico City

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[REDACTED] stated he advised Assistant Special Agent in Charge (ASAC) TORRENCE and briefed TORRENCE as to the situation. He further advised that he and ASAC TORRENCE put in a conference call to MARTIN HALE, Office of Liaison and International Affairs. He said that HALE wanted the witness to be interviewed and a teletype prepared.

ALAT [REDACTED] said he left the Miami Office of the FBI at approximately 5:00 p.m. and arrived at the RADDISON hotel between the hours of 6:00 and 6:30 p.m. He advised traffic was particularly heavy and that he was accompanied by SA [REDACTED]. He stated at that time, he believed [REDACTED] was the only witness. He stated a DOS Security Officer was involved in the protection detail of the family.

ALAT [REDACTED] stated that his interview of [REDACTED] lasted approximately 30 minutes. At the beginning of the interview, [REDACTED] stated something to the effect that she had been waiting all day and that she would provide information concerning what she had testified to in El Salvador. He stated he advised [REDACTED] that they were interested principally in what she had seen or what she may have heard the night of the murders. He stated that he told [REDACTED] that she was in the United States and that she had nothing to fear.

ALAT [REDACTED] stated he felt what [REDACTED] had to say was rehearsed. He said for example that she started her statement with what happened the day before the murders and not at the point that he requested her to begin with. He stated he had to reiterate that she should limit her statement to what she had seen or heard on the evening of the murders. He said she then gave a brief statement.

ALAT [REDACTED] said in his assessment that [REDACTED] was unable to identify any of the persons responsible for the shooting and that she could provide no significant information. He stated that following the interview, he telephonically contacted MARTY HALE that night and then prepared a teletype. He stated the teletype was detailed and was approximately ten pages long. He further advised on Saturday, November 25, 1989, the family was moved to a different room. He advised this was a security measure because the priest knew the exact location of the family. He advised that they could not locate another hotel so they merely switched rooms to the seventh floor at the RADDISON HOTEL. Following this move, ALAT [REDACTED] came into the FBI Miami Office to make sure the teletype which he had drafted the night before had been sent.

ALAT [REDACTED] advised later on Saturday, he explained that the television carried Spanish language stations and he showed them how to operate the television. [REDACTED] advised that it was his understanding

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that the family had spent the day touring the city with CHIDESTER and another FBI Agent. He stated that he recalled a television report which may have been as early as Friday, November 24, 1989, in which the departure of [REDACTED] from El Salvador was on the evening news. This news broadcast carried a photo of her and this publicity heightened his concern for the safety of the family.

On Sunday, November 26, 1989, ALAT [REDACTED] stated that he had breakfast with the family in the morning. He stated that later during the day, CHIDESTER took the family to McDONALDS and perhaps to a mall. ALAT [REDACTED] advised the family had suitcases with them that they had brought from El Salvador and had adequate clothing. He stated that he had no additional contacts with the family on Sunday, other than the breakfast and later during the evening.

P ALAT [REDACTED] stated that on Monday, November 27, 1989 at approximately 7:00 or 7:30 a.m., he met CHIDESTER and the family for breakfast in the hotel restaurant. Following breakfast, he advised they drove to the FBI Miami Office. Upon arrival, he met with [REDACTED]. He stated that CHIDESTER wanted [REDACTED] to stay at the hotel with the witness and her family. ALAT [REDACTED] stated that he believed that it would not be a good idea inasmuch as the witnesses may be uneasy due to the fact that the Colonel would be aware of their location.

ALAT [REDACTED] stated that they had additional discussions with [REDACTED] and that the [REDACTED] was interested in obtaining a complete statement from [REDACTED] from the time she left home to stay at the University until the time she left El Salvador. [REDACTED] had a copy of her statement that she provided to the Magistrate in El Salvador and was interested in obtaining her statement here and comparing it to the statement given in El Salvador and then asking questions as needed. [REDACTED] requested a stenographer, however, ALAT [REDACTED] upon checking, determined that one was not available. Colonel then requested that the interviews be recorded.

At the beginning of the interview of [REDACTED] [REDACTED] was introduced as the Director of the SIU. He stated that he did note that she referred to him as "Doctor". ALAT [REDACTED] stated it is not uncommon to refer to degreed person, that is one with an educational background, as "Doctor". [REDACTED] said that he usually referred to [REDACTED] as either the [REDACTED]

During the interview of [REDACTED], ALAT [REDACTED] stated her husband and child were left in the reception room. He advised that mid-morning they changed room because there was too much room in the initial area where they were conducting the interview. [REDACTED]

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said that the questioning was led principally by [REDACTED] and also by SA [REDACTED]. He stated that [REDACTED] was advised that she was under the protection of the United States Government and that the sole purpose of the interview was to find out who was responsible for the murder of the Jesuits and that any assistance she would render would be appreciated. He advised her that at a later date, [REDACTED] may have to testify concerning what she had seen or what she had heard, however, she would be under the protection of responsible authorities.

ALAT [REDACTED] stated that the witness was cooperative, forthcoming and responsive. He stated he recalled that she told the interviewers that she considered them like her confessor. He said in his opinion, however, that she used a particular language to describe her activities and the language was much like a Salvadorian peasant. He differentiated this type of language from that which she used to describe the soldiers in the moonlight. He said that it appeared to him that it was a different educational level reflected in her descriptions.

P He said that it was his sense that there were discrepancies in her statement from what he had seen and learned from briefings concerning the physical evidence at the crime scene. ALAT [REDACTED] stated that he could identify three areas which he believed contained discrepancies. He said the first was from his view of photographs, he did not believe that [REDACTED] could have seen five soldiers because a large palm tree was in the way. He said at best, she could have possibly seen one and that this would have only been a partial view. The second area concerned a spot from which [REDACTED] stated she had seen soldiers shooting. She stated the soldiers fired into the air at this location, however, the crime scene disclosed no shell casings were found at that location. He said there was no evidence that the individuals responsible for the shooting took the time to pick up their expended cartridge cases. Lastly, [REDACTED] advised that he did not believe it would be likely for [REDACTED] to observe the shootings and in particular, stand up, walk across a bathroom to another room, and look out during the course of the shootings. [REDACTED] said if anything, it would have been much more likely that she would have looked out the window of the room in which she was staying.

ALAT [REDACTED] stated these factors caused him to question the statement provided by [REDACTED]. He further advised he considered the second item, that is the lack of shell casings in the area where she stated she saw soldiers shooting as a larger discrepancy.

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ALAT [REDACTED] stated that the original tape recordings of the interviews were provided to [REDACTED] and that prior to turning these over, the tabs on the cassette were punched out so that the tape could not be altered.

ALAT [REDACTED] stated they took a lunch break and went to the LAS DELICIAS restaurant in Hialeah, Florida. He said it was a nice Cuban restaurant and that he believed the change would be good, especially since the family had, to his knowledge, been eating principally food from the hotel. He stated that the lunch was very cordial and friendly and that the investigators recognized the tremendous risk in which [REDACTED] had placed herself. He further stated that the conversation did not center on her observations, but rather they discussed Miami, Florida.

ALAT [REDACTED] said that they had provided the family the opportunity to select whatever items they wanted on the menu and that it was his belief that they chose several of the most expensive items. He advised he recalled the young girl did not like her dinner. The father tried the dinner and they sent it back to the kitchen. He advised that DOS paid for the witnesses lunch.

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ALAT [REDACTED] stated that after returning to the office, the interview of [REDACTED] began. He advised that questions were directed to [REDACTED] in order to establish corroboration of LUCIA's testimony. ALAT [REDACTED] said that he was present during the initial part of the interview, however, left the room several times. He advised that his participation was very limited. He advised the family left between 5:00 and 6:00 p.m. and prior to leaving, [REDACTED] recounted some of [REDACTED] interview and that he, [REDACTED] planned to review the tapes that evening.

ALAT [REDACTED] stated that CHIDESTER, in his presence, told the witnesses on numerous occasions that if they had any wants or needs to let him know and that he would obtain it for them. [REDACTED] advised CHIDESTER usually ordered room service for the evening meal and that the bill was approximately \$70 to \$80. ALAT [REDACTED] said that later in the week, he had offered to take the family to a restaurant for dinner, however, they chose to eat in the room.

ALAT [REDACTED] stated that he recalled a conversation with [REDACTED] concerning her daughter wearing sandals. ALAT [REDACTED] said that he has two girls approximately the same age and suggested that it would be better for the girl to wear a different type of shoe. He said [REDACTED] told him that sandals were the only thing her daughter liked to wear and that she [REDACTED] got tired of her daughter taking off her other shoes.

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ALAT [REDACTED] stated that on Tuesday, November 28, 1989, the interviews started with [REDACTED]. He said that [REDACTED] began the questioning because he had several areas of concern about the initial statement given by [REDACTED].

ALAT [REDACTED] then made reference to page 17 of a transcript of the interview. He said that at this point, he took over some of the questioning. He advised he had seen machete scars in the past and that [REDACTED] had scars on his face and hands. He advised that [REDACTED] recounted an incident in which he killed a man while defending himself. Having noted [REDACTED] ability to defend himself, ALAT [REDACTED] stated he pursued a line of questioning that centered on the issue of how [REDACTED] would allow his wife to place herself in such a dangerous situation.

ALAT [REDACTED] also, with reference to a report prepared by the Lawyer's Commission on Human Rights, noted on page 22 of the report that the line of questioning attributed to him concerning the possibility that [REDACTED] was with the guerrillas did not occur.

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ALAT [REDACTED] said in his opinion this was a confrontational interview. He said that in his opinion, [REDACTED] was being overly polite in his line of questioning and that he believed a more direct line of questioning was in order based on discrepancies.

ALAT [REDACTED] also stated that page 22 of the Lawyer's Commission for Human Rights report attributed a statement to him that [REDACTED] may have been doing something more than just cleaning for the Jesuits. ALAT [REDACTED] stated that at no time did he pose this question or make this assertion.

ALAT [REDACTED] stated in his assessment, he believed that [REDACTED] understood that the interviewing Agents and Colonel RIVAS did not believe his statement and that he would have to tell the truth. Toward the end of the interview, he said that he believed [REDACTED] agreed that people would not believe his statement.

ALAT [REDACTED] stated that on November 28, 1989, [REDACTED] was interviewed in the afternoon. He said that it was his view that when they broke from [REDACTED] interview that their initial statements would not stand up.

ALAT [REDACTED] stated that within a very short time of the interview of [REDACTED] she stated at no time during the shooting did she get up from her bed. He said she provided details, which to his knowledge, matched the forensic evidence at the scene.

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ALAT [REDACTED] stated that she was concerned about what the interviewing Agents would think of her and that on numerous occasions, they reassured her that they understood that she may have been under some type of pressure and that she should simply tell the truth.

ALAT [REDACTED] stated that on Tuesday evening, they explained what a polygraph examination consisted of and the procedure was explained to her in detail. He stated she was advised that no new questions would be asked, she would see all questions before they were asked and that the polygraph would not hurt her.

ALAT [REDACTED] stated he believed the family had dinner in the room that night and the family was left alone. He said they made no requests to see anyone, nor did they have any other requests. He advised it was his understanding that [REDACTED] understood that with two different versions of what she had seen, it was necessary to take a polygraph examination to establish the truth.

P ALAT [REDACTED] stated that on Wednesday, November 29, 1989, he met the family for breakfast in the hotel. He said they had casual conversation and, as in the past, did not discuss the case when the family was on their own time. He advised he believed that a polygraph examiner from El Salvador joined them for breakfast. He advised that in his view, the witnesses were unafraid of the Salvadorian authorities. ALAT [REDACTED] noted that the polygrapher was not staying at the hotel.

ALAT [REDACTED] said that during the morning, he had a number of discussions concerning several issues relating to the witnesses. He said in particular, the payment of hotel bills, meal bills, and ultimate responsibility for the family had to be resolved. He advised he was principally involved with CHIDESTER, DOS, during the morning. He further advised that CHIDESTER was leaving for Washington, D.C. to brief his headquarters that same day.

ALAT [REDACTED] said he had very little contact with the family at all and did not participate in the formulation of questions. He advised he was principally in and out of the observation room during several occasions in the morning. He advised he overheard SA [REDACTED] explaining to [REDACTED] how the polygraph machine worked. He said that her observable behavior was fine and that she was quite composed.

ALAT [REDACTED] stated that Polygraph Examiner [REDACTED] was being assisted by a Senior Polygrapher, SA [REDACTED]. He stated that he left the observation room to make some phone calls, and when he returned, he was advised by SA [REDACTED] that [REDACTED] had shown

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deception during two series of questions. After completing the two series of questions, he stated that they took a break and then continued for a third series of questions. He advised that during this time, the family had been provided with sodas. He further stated he had little or no contact with the witnesses.

ALAT [REDACTED] advised he was attempting to arrange logistics for the evening, which were becoming somewhat difficult due to a special investigative effort by the Miami Office. He advised that he took the family home and ordered the evening meal. He advised he stayed in an adjoining hotel room until approximately 2:00 a.m. ALAT [REDACTED] said that the room was connected to the family's by a door.

P ALAT [REDACTED] said that on Thursday, November 30, 1989, he met the family and had breakfast at the hotel. [REDACTED] stated that he inquired as to whether or not [REDACTED] had slept better that evening. He advised that she said she had in fact had a better night's rest and that the biggest problem was that she was not used to sleeping in a bed. ALAT [REDACTED] advised that as was customary, he did not mention anything about the case. He stated he arrived at approximately 8:00 or 8:15 a.m. at the FBI Miami Office space. He said the polygraph examinations continued and that they were led by SA [REDACTED]. He advised that he had a discussion with the polygraphers and discussed some of the questions with [REDACTED] and SA [REDACTED]. He said the examiners would then discuss with [REDACTED] the phraseology of the questions. He advised that at approximately 11:00 a.m., he learned that [REDACTED] again had failed the polygraph examination. He stated that mid-morning, he and SA [REDACTED] had a discussion with [REDACTED] and asked her to try and recall exactly what she did that night. He said that they told her that apparently there were some indications of deception. He noted that there was a brief period when [REDACTED] was crying. He said that she was sobbing mildly and that he went in and tried to console her somewhat and calm her down. During this discussion, [REDACTED] stated that on the night of the murders she sat up on the mattress, turned to her husband, and told him to listen to the shots. Upon making the statement, she said her husband told her to lay down and mind her own business. ALAT [REDACTED] said that she indicated her movement and demonstrated her movement to the Agents. He further advised that he went back to discuss her statement with SA [REDACTED] and indicated that this change may be more accurate. He said the polygraph examiners agreed to try one more time; however, when he advised [REDACTED] of this, she said that she did not want to take another polygraph.

ALAT [REDACTED] said that they explained to her that she had already taken four series of questions and failed. He suggested that as she begins her new life in the United States, that this was not the

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best way to begin. He said that they treated her very gently and that their discussion lasted for 20 or 30 minutes. He advised that she agreed to take the test one more time. He stated that after the test was administered, SA [REDACTED] explained that the polygraph had indicated deception once again.

ALAT [REDACTED] said that this was the fifth and final series of questions that were asked of [REDACTED]. He said that during the polygraph examination, he had overlooked the fact that they did not have lunch that day.

ALAT [REDACTED] said that the examiners had no doubt in their mind that deception was indicated. In a quality control effort, he advised that it is normal to send the results of the examinations to the Polygraph Unit at FBI Headquarters. [REDACTED] advised that due to the importance of the interviews and the examination, contemporaneous to the interviews, copies were sent to FBI Headquarters. He stated that the polygraph examiners stated that no further examinations would be productive.

P ALAT [REDACTED] said that [REDACTED] was polygraphed after [REDACTED]. He advised the purpose of the polygraph was to try to pinpoint what items in [REDACTED] statements may be true and those which may have been false. He said the post-polygraph examination interview was also done by SA [REDACTED]. He advised that he watched through a window and observed the demeanor of [REDACTED]. He stated that following the interview, SA [REDACTED] advised him that [REDACTED] also failed the polygraph. He stated he had a conversation with [REDACTED] and recommended that the two, [REDACTED] and his wife, talk to each other that evening and they broke early that day.

ALAT [REDACTED] advised that he was requested by [REDACTED] to call some priests. ALAT [REDACTED] stated he told her that he did not know how to get a hold of the priests but he would advise CHIDESTER when he returned from Washington, D.C., of her request. He advised her that CHIDESTER was scheduled to arrive at about 8:00 p.m. and he would let CHIDESTER know that she wanted to talk to a priest. He advised that he had only one meeting with the priest and did, in fact, not know the names of the priests, nor their telephone numbers. ALAT [REDACTED] said that he had no reason not to grant this request and that if he had the telephone number, he would have made the appropriate calls.

ALAT [REDACTED] reiterated that before they left the office for the evening, he went in with SA [REDACTED] and told the family that they should discuss their answers. He advised that he reassured them that they were not mad and that the interviewing Agents understood it was

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quite stressful, and that they should go back, talk it over, and that the interviewing FBI Agents simply wanted the truth. They stated that they would do so.

ALAT [REDACTED] said that during this discussion, they had probably one of the more heated exchanges. He advised that [REDACTED] made a statement that "he was tired of this crap" and they should let them go back to El Salvador. ALAT [REDACTED] said that he responded that they may have violated the law when they gave a false statement to the judge. To his surprise, [REDACTED] said something to the effect, "You're right, that's worth three to five years for perjury". He advised that [REDACTED] stood up and said, "That's okay, we have friends who will take care of us". He said that both he and SA [REDACTED] were surprised by the comment made by [REDACTED]. ALAT [REDACTED] advised that they did not realize that he had such a familiarity with the legal system to the extent he was aware of the penalties for a specific crime.

P ALAT [REDACTED] continued that he requested the protection duty Agent to advise CHIDESTER to call him when CHIDESTER got in. He stated that he later learned that CHIDESTER arrived late and did not get the message to contact him.

ALAT [REDACTED] stated that on Friday, December 1, 1989, they met for breakfast. He stated in the conversation with CHIDESTER, he was advised the Jesuits would accept the family and that CHIDESTER was finalizing arrangements. He stated he told CHIDESTER the family had requested a priest.

That morning, before he left the hotel, he informed CHIDESTER, and another DOS employee who was relieving CHIDESTER, named [REDACTED] about the polygraph results. He stated CHIDESTER and [REDACTED] spoke to the witnesses and the witnesses admitted that they had lied. ALAT [REDACTED] said that he did not participate in this discussion and that it lasted no more than five minutes. He advised the witnesses told CHIDESTER they would tell the truth on December 1, 1989.

ALAT [REDACTED] stated that upon arrival in the office, a pre-polygraph interview was conducted and that during this interview, CERNA-RAMIREZ stated that they both got up and looked out the window of house fifteen. He advised further that they had not seen people in the moonlight, but saw people on the wall as they ran near the chapel. ALAT [REDACTED] advised that [REDACTED] said that both he and his wife made these observations, and also later, on the morning of the murder, went to look at the dead bodies.

ALAT [REDACTED] suggested that the interviewing Agents simply take the statement, conduct the polygraph and assess the truthfulness of the statement. If in fact it was verified as accurate, they would take a formal statement. ALAT [REDACTED] stated that the polygraph examiners agreed to give it one more try.

ALAT [REDACTED] advised the polygraph examination was conducted and that deception was indicated on the part of [REDACTED]. He advised during the post-polygraph interview, [REDACTED] stated something to the effect that he had provided a truthful response when he said that neither he nor his wife got up, however, since the polygraph machine did not believe those statements, he, [REDACTED] thought that they would tell the story that the machine would believe.

ALAT [REDACTED] stated that following this interview, the family was allowed to wait in an adjoining room. At approximately 5:00 p.m., [REDACTED] returned to the FBI Office according to ALAT [REDACTED]. He advised [REDACTED] explained she had taken CHIDESTER to the airport and that she was trying to make arrangements for the priest to take the family that evening.

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ALAT [REDACTED] stated that the family was returned to the hotel by another Miami Special Agent, and ALAT [REDACTED] took [REDACTED] to the hotel. He advised he last saw the family on Saturday morning while they were at breakfast with a Miami Agent and [REDACTED]. ALAT [REDACTED] advised he then returned to his duty post.

ALAT [REDACTED] was provided a copy of the Lawyer's Commission on Human Rights report and made the following observations:

ALAT [REDACTED] advised on page 18, the correct date was November 27, 1989, not November 28, 1989. ALAT [REDACTED] advised that it was he who drove to the office with the witnesses and [REDACTED] was picked up by CHIDESTER. ALAT [REDACTED] stated the report failed to disclose that [REDACTED] participated in the interview of November 27, 1989. Also, ALAT [REDACTED] pointed out that the family had met SA [REDACTED] on the preceding Friday evening and on that morning, met [REDACTED].

ALAT [REDACTED] advised there was a discussion that [REDACTED] would be introduced as the Director of SIU, which he is, in order to assure the witness that he was of sufficient stature to conduct a thorough and independent investigation.

ALAT [REDACTED] noted on page 19, paragraph three, that the statement concerning lunch is inaccurate. He said in fact, the family and the interviewing Agents went out for lunch in Hialeah.

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ALAT [REDACTED] also noted on page 19, paragraph four, that [REDACTED] was fully aware of the fact that the interview had been recorded. [REDACTED] advised that it was not a surreptitious recording. The recorder was placed on the table and, in addition, the witnesses were both advised the testimony was going to go back to El Salvador and that it was essential to maintain an accurate recording of what was said.

ALAT [REDACTED] noted on page 19, paragraph five, which continues on page 20, paragraph one, that [REDACTED] did in fact make a statement that he, too, looked out the window. ALAT [REDACTED] advised that in the December 1, 1989 statement made by CERNA-RAMIREZ, he said he looked out the window. [REDACTED] as polygraphed on this matter and showed deception.

P ALAT [REDACTED] advised that the purpose of the first interview with [REDACTED] was to elicit information. He advised the interviewing personnel asked few questions, but rather allowed the witness to make his statements. [REDACTED] advised there was nothing which would lead [REDACTED] to conclude that the Agents did not believe his statement.

ALAT [REDACTED] stated that concerning paragraph two on page 20, he in fact inquired as to the dress and, in particular, the wearing of sandals by [REDACTED]. He advised as he had previously stated, he was told the young girl preferred to wear them. ALAT [REDACTED] advised as an indication of their concern, that during one of the interviews, an FBI jacket was provided to [REDACTED].

Concerning the decision to leave earlier in the morning, ALAT [REDACTED] advised that he had fully explained to the family that it was necessary to leave earlier in order to shorten their trip to the office. ALAT [REDACTED] advised he explained to the family that traffic was heavy in the morning, and to leave earlier would be much better.

Concerning page 21, paragraph two, the report alleges that CHIDESTER introduced the [REDACTED]. He said that in addition to this alleged introduction occurring on the wrong day, in fact, the introduction was made as "The Director" and not "Doctor". Furthermore, [REDACTED] stated there was no effort on his part to disguise the fact that [REDACTED] was a [REDACTED]. [REDACTED] said that it was his view throughout the questioning that when witnesses addressed him as "Doctor", it was out of respect and not a misconception that he was a doctor.

ALAT [REDACTED] also commented that at no time did he make a statement as contained on page 22 in paragraph two, specifically, it

Continuation of FD-302 of ALAT [REDACTED] . On 1/16/90 . Page 16

was attributed to ALAT [REDACTED] that he "could not believe you [REDACTED] are that effeminate." [REDACTED] said that his questioning was not of that nature. In fact, in reference to the specific phrase, ALAT [REDACTED] noted that he said, "And you don't look like you are a homosexual or dumb or nothing like that."

ALAT [REDACTED] also stated that it was a complete fabrication that he asked [REDACTED] whether or not he was political or had relatives with the guerrillas.

ALAT [REDACTED] stated that he found it unusual that CERNA-RAMIREZ would have found the manner of questioning as being rude and disbelieving. [REDACTED] advised that [REDACTED] was well aware that [REDACTED] and SA [REDACTED] were Cuban, and that Cuban-Spanish is a lot less formal. [REDACTED] said there was no effort to demean [REDACTED] and it was his impression that the witnesses fully understood that any informalities were attributed to the use of Cuban-Spanish by the interviewing Agents.

9 ALAT [REDACTED] noted also that on page 23, paragraph one, it is an incorrect statement that was attributed to him. He stated at no time did he imply that [REDACTED] was doing anything other than cleaning in order to earn money from the Jesuits. ALAT [REDACTED] advised he did not make the statement, "Are you sure that's what she was doing for them?"

ALAT [REDACTED] stated that with regard to page 23, paragraph two, he was unaware of any casual discussion concerning extradition which may have been overheard by [REDACTED]. He advised a discussion was held on Thursday afternoon. This discussion occurred in the context of ALAT [REDACTED] advising both witnesses that they had failed the polygraph, and he was at a loss as to why they would have lied.

ALAT [REDACTED] advised that in response to some statements from [REDACTED] about returning to El Salvador that ALAT [REDACTED] stated the witnesses should remember that they are in the United States because their lives may be endangered. ALAT [REDACTED] advised that it was his opinion that there was no discussion about extradition, and that he is not sure that the witnesses would have even been familiar with the term.

ALAT [REDACTED] stated with regard to page 23, paragraph four, which contained an assertion that [REDACTED] was white and shaking when he rejoined his wife, that it was his belief that [REDACTED] was in fact unnerved by his questioning during the morning.

Continuation of FD-302 of ALAT [REDACTED], On 1/18/90, Page 17

ALAT [REDACTED] stated that he desired also to comment on page 24, paragraph one. He advised that the hamburgers furnished the witnesses for lunch were given them at their specific request. He recalled that they told him that the hamburgers were similar to what they had in San Salvador and they liked the hamburgers.

ALAT [REDACTED] noted that the description of events which occurred on Tuesday, November 28, 1989, failed to disclose that [REDACTED] recanted her original statement that she had seen soldiers early in their interview. He stated that it was his opinion she knew that the Agents would be discussing particulars of her first statement, and that she was prepared to tell them what really had happened.

P ALAT [REDACTED] pointed out that on page 24, paragraph three, there is a discussion of what occurred in the morning. Omitted from this discussion is the fact that from 6:30 a.m. until they arrived at the office, the family had a breakfast meal. Also omitted was the fact that the family had been with him when he picked up [REDACTED] on Wednesday morning.

ALAT [REDACTED] stated that page 24, paragraph four failed to describe the fact that [REDACTED] had repeated, in detail, the same statement that she had furnished during her interview on the preceding evening. He stated that this statement contained information which was already admitted to during the preceding interview. He noted the transcript shows a formal address of the witness by use of the term "Dona." He disagreed with the assertions that [REDACTED] was frightened and confused.

ALAT [REDACTED] suggested that any confusion may be attributed to the fact that [REDACTED] had failed the polygraph examinations. He also stated that the questioning was not incessant, as it was characterized on page 25, paragraph one. He further noted that the "strange and intimidating men" were the same individuals that she had a daily breakfast with, and had in fact, met upon her departure from El Salvador. ALAT [REDACTED] said that there were ample opportunities for breaks, rest, and relaxation. He further stated the questioning was at all times limited to normal business hours.

ALAT [REDACTED] advised that on page 25, paragraph two, there is an allegation that the investigators asked her what priest had told her to say these things. He advised that at no time was it suggested that the priest had told her to say anything. He stated that the only time there was any confrontation was on Thursday afternoon.

Concerning a statement attributed to [REDACTED] that if [REDACTED] would tell the name of the priest, they would "give you some whiskey to celebrate", this statement and offer of whiskey was never made. Likewise, in paragraph two of page 26, a reference is made to the fact that one of the investigators mentioned a particular Jesuit and said he was a guerrilla, ALAT [REDACTED] stated there was never a statement made that the Jesuits were guerrillas, or that a particular Jesuit was a guerrilla.

ALAT [REDACTED] advised that the circumstances concerning the polygraph examination as detailed on page 27, paragraph one, were inaccurate. He stated that the polygraph was explained in great detail over a length of time, to [REDACTED]. He stated that she was quite calm.

ALAT [REDACTED] also noted that he had not heard any comments by SA [REDACTED] that the machine said she went to the window. This statement is attributed to SA [REDACTED] on page 27, paragraph three.

P
ALAT [REDACTED] noted that the reference on page 28, paragraph one, that [REDACTED] "was unstrapped from the machine" is likewise inaccurate. He advised that the machine has a cuff for the wrist, finger monitors and chest monitors. These monitors were in place for a maximum of three to four minutes when the specific questions were asked, and following the answers, were taken off. The impression put forth in paragraph one is totally inaccurate. ALAT [REDACTED] reiterated that he observed the substantial detailed discussions that were held with the witnesses by the polygraph examiner.

ALAT [REDACTED] stated that paragraph four on page 28 is inaccurate in that it asserts a linkage between what the witness told them and whether they stay in the U.S. or go back to El Salvador. He advised there was never any linkage drawn between the two. He characterized [REDACTED]'s statement about "the suffering of his daughter" as absurd.

ALAT [REDACTED] stated that paragraph two on page 29 indicated LUCIA BARRERA requested to call a Spanish-speaking priest. ALAT [REDACTED] stated that as he had previously discussed, he did not know how to get in touch with the priest and he advised [REDACTED] of what he would do to honor this request.

ALAT [REDACTED] stated that with regard to paragraph three, page 29, he reiterated that during his interview, he pointed out that there was no reason for the witnesses to lie. He told them if they made up the story just to come to the United States, that fact was not germane. He told them they were in the United States now and reiterated that they should tell the truth as to what they had seen.

Continuation of FD-302 of ALAT [REDACTED]

On 1/18/90

Page 19

ALAT [REDACTED] also noted that on page 30, paragraph two, the taking of hair samples is attributed to an El Salvadorian investigator. In fact, [REDACTED] took a hair sample from [REDACTED] and he did likewise from her. The assertion that no one clearly explained why this was being done was, in the opinion of ALAT [REDACTED] unfounded. He advised that he was present when the El Salvadorian polygraph examiner explained the need for the witnesses' cooperation. Further, that the hair samples and fingerprinting were needed to establish their presence in the room that they claimed they were in. He advised that they were told their fingerprints would be used to compare to other fingerprints found at the crime scene.

P
ALAT [REDACTED] stated in conclusion that he felt the witnesses were treated fairly, and allegations to the contrary were not true. He further advised that he and the other investigators which he observed were sensitive to the situation in which the witnesses had found themselves. Furthermore, they tried their best to develop what information the witnesses may have had in order to facilitate the investigation of the murders of the Jesuit priests.

ALAT [REDACTED] stated in his view, the valuable investigative energies devoted by [REDACTED] to interviews in the United States could have been better spent pursuing the investigation in El Salvador. He noted, however, that with the potential for an eye-witness, it was essential to develop a clear picture of what was seen or heard by these individuals.



FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 1/18/90

Special Agent (SA) [REDACTED] was interviewed at the Miami Office of the Federal Bureau of Investigation (FBI). He was advised of the identities of the Agents conducting the interview and the nature of the inquiry. He provided the following information:

He is a Special Agent with the Federal Bureau of Investigation, having entered on duty [REDACTED]. He entered on duty with the Miami Field Office in April, 1987, and is currently assigned to Narcotics investigations. In March, 1987, he was qualified as a FBI Polygrapher and is periodically assigned to administer polygraph examinations in many different investigative programs.

On or about November 23, 1989, he was contacted by the Duty Agent at the Miami Office of the FBI and advised to remain on standby as per the Assistant Special Agent in Charge (ASAC) LARRY E. TORRENCE. No specific information was provided other than he may be called upon to conduct a polygraph examination during the course of the upcoming weekend of November 24, 1989. He recalls that a subsequent telephone call from Special Agent [REDACTED] FBI Miami, was received indicating that witnesses were to arrive in the Miami area from El Salvador, and the FBI would be assisting Salvadorian officials in a Foreign Police Cooperation matter. He was further advised that he would be called upon to administer a polygraph examination, if warranted.

On the morning of November 29, 1989, he met with SA [REDACTED] at the Miami Office of the FBI for the purpose of obtaining sufficient background information to administer a polygraph examination to [REDACTED] a Salvadorian national. He was advised that the witness, [REDACTED] had recanted on her original statement as to what she had observed on the night of the killing of six Jesuit priests in El Salvador on November 16, 1989. [REDACTED] initially indicated to a Salvadorian judge, and also to FBI Agents in Miami, Florida, on November 24 and November 27, 1989 that she had in fact observed armed individuals in the immediate vicinity of the Jesuits' sleeping quarters just prior to the killing. In a subsequent interview conducted at the Miami Office of the FBI, witness [REDACTED] advised that she in fact had seen nothing on that night in question, although she was in the vicinity of the murders. In the recanting of her original statement, witness [REDACTED] indicated she was coached on her original testimony by a female lawyer in El Salvador several days after the actual killings.

Investigation on 1/18/90 at Miami, Florida File # MM 163A-HQ-61055
 by SA [REDACTED] P Date dictated 1/18/90

SA [REDACTED] indicated that in his discussions with SA [REDACTED] on the morning of November 29, 1989, it was decided that he should observe an interview of the witness as a non-participant. This was intended to give him a familiarity with the circumstances surrounding the killing of the Jesuits.

Following the initial interview that morning, there was a brief lunch break to allow for the witness to relax and calm herself prior to the polygraph examination. In the period before the interview and examination process began, witness [REDACTED] stated she was a little nervous, a little tense and taking medicine for hypertension. SA [REDACTED] assured her there are normal reactions.

P The witness, [REDACTED] stated that the polygraph machine and the chair in which she is going to take the examination reminded her of the "electric chair". SA [REDACTED] indicated the reference to the "electric chair" was only a passing remark and did not reflect an actual belief on [REDACTED] part that the polygraph could in any way pose a danger to her life. During the course of the pre-examination, SA [REDACTED] took extra time and care to reassure [REDACTED] of how safe the process was and that it was designed to resolve any doubts as to which story was true concerning the events that she witnessed on the night the priests were killed. SA [REDACTED] stated he could not characterize her reaction as "being terrified" as indicated in the Lawyer's Commission report.

At approximately 1:40 p.m. on the above date, SA [REDACTED] reviewed with witness [REDACTED] the questions that would be asked of her during the course of the examination. He advised her that she was to remain calm throughout the examination, and if she had any questions during the examination she should make them known at that time. The questions were to be based upon her statement provided to the FBI on November 28-29, 1989.

The questions posed to [REDACTED] during this polygraph examination are as follows:

SERIES I

A. Did you see the persons that did the shooting the night the priests died? Response: No.

B. Did you see anything the night the priests died?
Response: No.

Within the polygraph examination a second part, referred to as Series II, was conducted. This Series II posed one question to the witness:

A. Were you counselled by [REDACTED] to report to the authorities that you saw the persons that did the shooting?
Response: Yes.

At the conclusion of the above two "series", it was the assessment of SA [REDACTED] that the responses provided by [REDACTED] to questions in Series I were inconclusive. In responses provided to the question in Series II, it was his assessment that the response indicated deception. He did observe that the witness moved a bit during Series I and he made a note of this observation.

In an effort to further explore the truthfulness of the statements being provided by BARRERA, Series III was initiated. Series III posed one question:

P A. During the shooting, did you see anything out the window that you had not told us about? Response: No.

The assessment in response to this question was deemed inconclusive.

At the conclusion of this portion of the polygraph examination, it was the assessment of SA [REDACTED] that [REDACTED] was tired and additional interviews at this time would be unproductive. He said he based his assessment that she was tired due to the fact she had a low galvanic skin response (GSR). Tired people display a low GSR. It was therefore decided that further inquiries be terminated for that day and she be allowed to rest and relax in preparation for any further interviews or inquiries on the following day. Prior to her departure from the FBI Office, SA [REDACTED] advised her that there were still some matters which needed to be resolved and that if she were still willing, these matters could be addressed on the next day. [REDACTED] indicated that she was anxious to resolve this matter and was willing to continue with inquiries on November 30, 1989.

At approximately 9:30 a.m. on November 30, 1989, SA [REDACTED] resumed his pre-test interview and polygraph examination of [REDACTED] at the FBI Office, Miami. The pre-test interview phase of the examination process was brief. He once again reassured [REDACTED] that the FBI was only interested in obtaining a truthful version of what [REDACTED] had seen on the night of the killings. It was not the intention of the FBI to obtain one version as opposed to another. The only objective in the polygraph examinations was to ascertain a truthful statement from [REDACTED].

A fourth series of questions was designed to further elicit the true and correct statement from [REDACTED]. Two questions were included in Series IV:

E. The night of the shooting, did you go to the window to look out? Response: No.

F. Did you see anyone shooting guns near the building where those priests were shot? Response: No.

It was the opinion of SA [REDACTED] that the responses provided by BARRERA to questions E and F above indicated deception.

A follow up series of questions, Series V, were formulated for the last part of the [REDACTED] polygraph examination. Those questions were:

P G. Did you get up to go to the window during the shooting? Response: No.

H. Did you go to look out the window the night the priests died? Response: No.

I. Are you lying when you say that [REDACTED] advised you to say that five soldiers shot those priests? Response: No.

Once again, the response as indicated by the polygraph examination showed deception. [REDACTED] was advised that there were discrepancies noted in her responses and as indicated by the polygraph examination. [REDACTED] was emphatic that she did not observe anything on the night the priests were killed. She again reiterated that she was upset by the fact that [REDACTED] had somehow gotten her into this situation by coaching her to say that she had seen armed men in the vicinity of the priests' quarters on the night they were killed.

SA [REDACTED] indicated that outside the presence of the witness, a discussion was held with SA [REDACTED] as to how best to proceed following the inconclusiveness of the [REDACTED] polygraph examinations. It was decided that they would proceed with the inquiries by interviewing [REDACTED]. The plan was to discuss with JORGE CERNA-RAMIREZ his account of what transpired that evening in an effort to shed some light on the statements being given by his wife. Once again, the goal was to develop some consistent account of what [REDACTED] had actually seen on that night.

Continuation of FD-302 of [REDACTED] , On 1/18/90 , Page 5

At approximately 3:15 p.m. on the same date, SA [REDACTED] commenced a pre-test interview with [REDACTED]. During this interview, [REDACTED] was advised that he would be asked some specific questions concerning his activities while in the sleeping quarters he and his family occupied at the Jesuit compound in El Salvador on November 16, 1989. He was advised that he was to remain calm and there was no danger in taking a polygraph examination. [REDACTED] indicated he was quite comfortable and had no fear of taking the examination.

[REDACTED] stated that he had not observed the incident on the night of the shooting, that he had only heard shots being fired in the vicinity of the priests' quarters. [REDACTED] did indicate, however, that he recalled on the night of the shooting that his wife did, in fact, go to the window in their sleeping quarters, open the curtain, and look out onto the University compound.

The following questions were included in Series I for [REDACTED] polygraph examination:

P A. The night of the shooting, did you go to the window to look outside? Response: No.

B. B. Did your wife tell you that she saw some individuals from the window? Response: No.

C. Are you hiding any information regarding this case? Response: No.

The responses given by [REDACTED] indicated deception. SA [REDACTED] indicated that when he spoke with [REDACTED] concerning the discrepancies in Series I, that [REDACTED] replied with a changed story and indicated that in fact he had also looked out the bedroom window when his wife did. His initial version of the incident during the pre-test interview indicated that he remained in bed and did not get up and look out the window.

The interviews and examination of [REDACTED] were discontinued for that day at approximately 6:30 p.m. It was the assessment of SA [REDACTED] that it would not be productive or beneficial to conduct additional interviews of [REDACTED] this day, but to continue the interview on Friday, December 1, 1989.

On the morning of December 1, 1989, he was advised by SA [REDACTED] that apparently, [REDACTED] had another version of the events which transpired on November 16, 1989. It was SA [REDACTED]

understanding that the new version alleged that both [REDACTED] and [REDACTED] his wife, had gotten up, gone to the window, and seen several individuals in the vicinity of the Jesuits' quarters carrying weapons and running in the opposite direction, away from the Jesuits' quarters. In view of this, it was decided to once again polygraph [REDACTED]

A Series II questions were designed for this polygraph.

D. Is the statement that you gave me this morning false?

Response: No.

E. Did you fabricate the information that you gave me this morning? Response: No.

P After a review of the responses provided in Series II above, it was the opinion of SA [REDACTED] that [REDACTED] indicated deception in response to these questions. Shortly after the conclusion of the examination, he questioned [REDACTED] as to the discrepancies indicated in his most recent polygraph. [REDACTED] replied that the most recent version told by him, wherein he and his wife both got up and observed events through the window, was in fact the version that the U.S. Government and the Government of El Salvador wanted to hear. He indicated that this most recent version was fabricated last evening by him and his wife for that specific reason. [REDACTED] indicated that the actual truth is that he did not see any shooting or soldiers on that night in the vicinity of the Jesuits' quarters, as indicated previously.

SA [REDACTED] advised that with reference to the last polygraph examination given to [REDACTED] that he, [REDACTED] decided to have [REDACTED] write, in one-line sentences, what he observed on the night in question, November 16, 1989. SA [REDACTED] felt that in this way, [REDACTED] could not be confused by verbage or other aspects of the account previously given by both himself and his wife. [REDACTED] could be asked as to the truthfulness of the words and statements which has most recently written down at the behest of SA [REDACTED]. Irrespective of the above strategy, [REDACTED] still showed deceptiveness in response to the questions.

SA [REDACTED] indicated that throughout the series of polygraph examinations and interviews he conducted with [REDACTED] that he indicated no unusual concerns or apprehension throughout the process. [REDACTED] constantly reassured as to the motives for taking a polygraph and did not voice any opposition to submitting to the examination.

SA [REDACTED] advised that at the conclusion of the [REDACTED] polygraph, he orally advised SA [REDACTED] and [REDACTED] of the results and felt that additional polygraph examinations of either of the above two individuals would not clarify the discrepancies which were now apparent in the statements of both. It was the consensus of those persons that no additional polygraph examinations would be conducted.

SA [REDACTED] stated that his clearest recollection of the post-polygraph interview he conducted of [REDACTED] on 11/30/89, is that she stood fast to her statement that neither she nor her husband got up to look out the window during the shooting of the Jesuits on 11/16/89.

P SA [REDACTED] advised that all of the polygraph examination reports (FD-498), the various consent forms (FD-328), and the polygraph worksheets (FD-497) were completed in connection with the polygraphs provided to both [REDACTED]. SA [REDACTED] indicated that throughout the pre-examination and polygraph examination process, he was assisted by SA [REDACTED] as SA [REDACTED] is also a Polygraph Examiner within the Miami Division. SA [REDACTED] indicated that within the FBI's polygraph program, SA [REDACTED] is highly regarded for his polygraph skills and his technical abilities in connection with this examination process. All of the conclusions formulated by SA [REDACTED] were corroborated and supported by SA [REDACTED] throughout the examinations.

SA [REDACTED] then specifically commented on certain statements made in the Lawyer's Committee for Human Rights report. On page 25, [REDACTED] as "very frightened." SA [REDACTED] said in this view, [REDACTED] was not frightened. He said the interview and examination was straight forward.

Concerning the comments on page 27, of the Lawyers Committee report he stated during the pretext he explained the purpose of each SA [REDACTED] stated FBI polygraph examiner never subject witnesses to extended periods of being connected to polygraph machine components. He stated he followed this procedure.

SA [REDACTED] said he was unaware of any questioning of the witness regarding which priest told her to say she saw soldiers as alleged on page 28.

SA [REDACTED] advised that he could provide no further information regarding this matter at this time.



POLYGRAPH REPORT

DATE OF REPORT 12/5/89	DATE OF EXAMINATION 11/30-12/1/89	BUREAU FILE NUMBER	FIELD FILE NUMBER 163A-HQ-61055
FIELD OFFICE OR AGENCY REQUESTING EXAMINATION FBI, Miami			
AUTHORIZING OFFICIAL SAC, Miami			DATE AUTHORIZED 11/27/89
EXAMINEE NAME (LAST FIRST MIDDLE) [REDACTED] P			

CASE TITLE UNSUBS;
SHOOTING OF SIX JESUIT PRIESTS IN
SAN SALVADOR, EL SALVADOR;
FPC - MURDER
OO: HQ

REFERENCES Polygraph examination of [REDACTED] on 11/29/89. P

CASE SYNOPSIS/EXAMINER CONCLUSION During the night of 11/16/89, six Jesuit priests were shot to death while at their residence at the University of Central America (UCA). Also shot were the cook and her daughter. [REDACTED] a cleaning lady at the university, and her family, were at the time of the shooting sleeping in a house near the incident. Following the shooting, [REDACTED] stated that she had observed five men dressed in uniforms and carrying weapons, shoot at the residence where the priests were shot. [REDACTED] gave a statement describing the men and their actions to representatives of the Spanish and French embassies. She and her family were then brought to the United States where they were debriefed by U.S. government officials and a representative of the government of EL Salvador. [REDACTED] stated that he did not observe the incident, only heard the shooting and voices that he could not distinguish. He was requested to take a polygraph examination to verify his statement.

[REDACTED] as administered polygraph examinations on 11/30/89 and 12/1/89. Prior to the test, [REDACTED] admitted that he had observed his wife open the curtain in the bedroom window where they were sleeping. He denied looking through the window himself. The following relevant questions were asked:

Series I

- A. The night of the shooting, did you go to the window to look outside? No.
- B. Did your wife tell you that she saw some individuals from the window? No.
- C. Are you hiding any information regarding this case? No.

It is the opinion of the examiner that the recorded responses to the relevant questions asked above are indicative of deception. During the post-test interview, [REDACTED] admitted that when his wife looked out their bedroom window, he also looked out. He was requested to return the following day for additional testing.

EXAMINER NAME: SA [REDACTED] P

██████████ returned on 12/1/89 for additional testing. Prior to testing on 12/1/89, ██████████ stated that he and his wife both had lied during their previous statements. He stated that both he and his wife had observed the incident. He said that as soon as the shooting ended, both he and his wife went to the window to see what had happened. He said he saw several men dressed in dark clothes and carrying weapons run away from where the priests were shot. He had previously denied seeing anything because he was afraid of getting involved. The following relevant questions were asked:

Series II

- D. Is the statement that you gave me this morning false? No.
E. Did you fabricate the information that you gave me this morning?
No.

It is the opinion of the examiner that the recorded responses to the relevant questions asked in Series II are indicative of deception. After Series II, ██████████ admitted that the new version of the incident was also false. He stated that he felt that this last version was the one that the U.S. government and the government of El Salvador wanted to hear, so he and his wife decided to fabricate this new version. ██████████ restated that he did not see the shooting or any soldiers the night of the incident.

POLYGRAPH REPORT

DATE OF REPORT 12/4/89	DATE OF EXAMINATION 11/29;11/30/89	BUREAU FILE NUMBER	FIELD FILE NUMBER MM163A-New
FIELD OFFICE OR AGENCY REQUESTING EXAMINATION FBI, Miami			
AUTHORIZING OFFICIAL SAC, Miami			DATE AUTHORIZED 11/27/89
EXAMINEE NAME (LAST, FIRST, MIDDLE) [REDACTED]			

CASE TITLE [REDACTED]
FOREIGN POLICE COOPERATION -
EL SALVADOR;
OO: MIAMI

REFERENCES Polygraph examination of [REDACTED] on 11/30/89.

P

CASE SYNOPSIS/EXAMINER CONCLUSION During the night of 11/16/89, six Jesuit priests were shot to death while at their residence at the University of Central America (UCA). Also shot were the cook and her daughter. [REDACTED] a cleaning lady at the university, and her family, were at the time of the shooting sleeping in a house near the incident. Following the shooting, [REDACTED] stated that she had observed five men dressed in uniforms and carrying weapons, shoot at the residence where the priests were shot. [REDACTED] gave a statement describing the men and their actions to representatives of the Spanish and French embassies. She and her family were then brought to the United States where they were debriefed by U.S. government officials and a representative of the government of EL Salvador. She was requested to take a polygraph examination to verify the truthfulness of her statement.

[REDACTED] was administered polygraph examinations on 11/29 and 11/30/89. Prior to her polygraph examination on 11/29/89, [REDACTED] admitted that she had lied when she stated that she had observed [REDACTED] armed men shoot at the residence where the priests lived. [REDACTED] stated that on Monday, 11/20/89, she was introduced to [REDACTED] a legal advisor, by a priest who asked [REDACTED] to cooperate with [REDACTED]. According to [REDACTED] instructed her to tell the authorities that, in addition to stating that she had heard the shooting and voices, to say that she had observed the incident through a window of the house where she and her family were staying. [REDACTED] advised her that to mention that she saw the shootings would be more helpful than to simply state that she heard the shootings. [REDACTED] stated that she did not go to the window to look outside and did not see any armed men, as she stated in her original statement. The following relevant questions were asked:

Series I

- A. Did you see the persons that did the shooting the night the priests died? No.
- B. Did you see anything the night that the priests died? No.

EXAMINER NAME: SA [REDACTED]

Series II

- C. Were you counselled by [REDACTED] to report to the authorities that you saw the persons that did the shooting? Yes.

It is the opinion of the examiner that the recorded responses to the relevant questions asked in Series I are inconclusive. It is the further opinion of the examiner that the recorded responses to the relevant question asked in Series II are indicative of deception. Third Series with the following relevant question was then administered:

Series III

- D. During the shooting, did you see anything out the window that you have not told us about? No

It is the opinion of the examiner that the recorded responses to the relevant question asked in Series III are also inconclusive. Following Series III, [REDACTED] was asked to return the following day to resolve the above issues.

[REDACTED] returned on 11/30/89 for additional testing. The following relevant questions were asked: P

Series IV

- E. The night of the shooting, did you go to the window to look out? No.
F. Did you see anyone shooting guns near the building where those priests were shot? No.

Series V

- G. Did you get up to go to the window during the shooting? No.
H. Did you go to look out the window the night the priests died? No.
I. Are you lying when you say that [REDACTED] advised you to say that five soldiers shot those priests? No.

It is the opinion of the examiner that the recorded responses to the relevant questions asked in Series IV and Series V are indicative of deception. Following the tests on 11/30/89, [REDACTED] stated that she had lied during Series IV and V. She stated that both she and [REDACTED] got out of bed shortly after the shooting to look out the window. She further stated that they both saw several individuals dressed in dark clothes and carrying rifles, run away from where the priests were shot.

ENGLISH TRANSLATION OF
ATTACHED SPANISH CONSENT FORMS

CONSENT TO INTERVIEW WITH POLYGRAPH

PLACE: _____
DATE: _____
TIME: _____

Before we begin an examination by means of the polygraph
in connection with _____

you must understand your rights.

YOUR RIGHTS

You have the right to refuse to take the polygraph
test.

If you agree to take the polygraph test, you have
the right to stop the test at any time.

If you agree to take the polygraph test, you have
the right to refuse to answer any individual questions.

WAIVER AND CONSENT

I have read this statement of my rights and I under-
stand what my rights are. I voluntarily agree to be examined
by means of the polygraph during this interview. I understand
and know what I am doing. No threats or promises have been
used against me to obtain my consent to the use of the polygraph.
I understand that the examination room (DOES) (DOES NOT) contain
an observation device and that the examination (WILL) (WILL NOT)
be monitored or recorded.

SIGNED _____
(Examinee)

(Examiner)

WITNESS: _____

P

CONSENTIMIENTO PARA INTERROGATORIOS
CON EL USO DEL POLIGRAFO

Lugar 11041
Fecha 11/30/81
Hora 3:57 PM

Antes de hacerle ninguna pregunta con el uso del poligrafo (detector de mentiras) con respecto a 54
declamacion al FBI

Ud. debe tener conocimiento de sus derechos.

SUS DERECHOS

Ud. tiene el derecho de negarse a tomar un examen con el poligrafo.

Si Ud. decide tomar el examen con el poligrafo, Ud. tiene el derecho de poner fin al examen en cualquier momento.

Si Ud. decide tomar el examen con el poligrafo, Ud. tiene el derecho de negarse a contestar cualquier pregunta.

RENUNCIA DE DERECHOS Y CONSENTIMIENTO

He leído esta declaración de mis derechos y tengo conocimiento de mis derechos. Estoy dispuesto de mi propia voluntad a ser interrogado con el uso del poligrafo durante esta entrevista. Comprendo y sé lo que hago. Nadie me ha hecho promesas o amenazas ni ha usado presión ninguna en contra de mi para obtener mi consentimiento para el uso del poligrafo. Comprendo que el cuarto donde se efectúa esta entrevista (TIENE) (NO TIENE) dispositivo de observación y que la conversación (SERA) (NO SERA) seguida por otra persona o grabada.

Firmado


Persona Examinada

P


Examinador

Testigo _____

CONSENTIMIENTO PARA INTERROGATORIOS
CON EL USO DEL POLIGRAFO

Lugar Miami
Fecha 9/21/87
Hora 11:45 AM

Antes de hacerle ninguna pregunta con el uso del polígrafo (detector de mentiras) con respecto a su

Ud. debe tener conocimiento de sus derechos.

SUS DERECHOS

Ud. tiene el derecho de negarse a tomar un examen con el polígrafo.

Si Ud. decide tomar el examen con el polígrafo, Ud. tiene el derecho de poner fin al examen en cualquier momento.

Si Ud. decide tomar el examen con el polígrafo, Ud. tiene el derecho de negarse a contestar cualquier pregunta.

RENUNCIA DE DERECHOS Y CONSENTIMIENTO

He leído esta declaración de mis derechos y tengo conocimiento de mis derechos. Estoy dispuesto de mi propia voluntad a ser interrogado con el uso del polígrafo durante esta entrevista. Comprendo y sé lo que hago. Nadie me ha hecho promesas o amenazas ni ha usado presión ninguna en contra de mí para obtener mi consentimiento para el uso del polígrafo. Comprendo que el cuarto donde se efectúa esta entrevista (TIENE) (NO TIENE) dispositivo de observación y que la conversación (SERA) (NO SERA) seguida por otra persona o grabada.

Firmado [Redacted]
Persona Examinada
P [Redacted]

Testigo _____

CONSENTIMIENTO PARA INTERROGATORIOS
CON EL USO DEL POLIGRAFO

Lugar Miudad
Fecha 11/21/76
Hora 1:48 PM

Antes de hacerle ninguna pregunta con el uso del polígrafo (detector de mentiras) con respecto a la
parte de la Sacerdote en San Salvador

Ud. debe tener conocimiento de sus derechos.

SUS DERECHOS

Ud. tiene el derecho de negarse a tomar un examen con el polígrafo.

Si Ud. decide tomar el examen con el polígrafo, Ud. tiene el derecho de poner fin al examen en cualquier momento.

Si Ud. decide tomar el examen con el polígrafo, Ud. tiene el derecho de negarse a contestar cualquier pregunta.

RENUNCIA DE DERECHOS Y CONSENTIMIENTO

He leído esta declaración de mis derechos y tengo conocimiento de mis derechos. Estoy dispuesto de mi propia voluntad a ser interrogado con el uso del polígrafo durante esta entrevista. Comprendo y sé lo que hago. Nadie me ha hecho promesas o amenazas ni ha usado presión ninguna en contra de mí para obtener mi consentimiento para el uso del polígrafo. Comprendo que el cuarto donde se efectúa esta entrevista (TIENE) (NO TIENE) dispositivo de observación y que la conversación (SERÁ) (NO SERÁ) seguida por otra persona o grabada.

Firmado [Redacted]
Persona Examinada
P
[Redacted]
Interventor

Testigo _____

CONSENTIMIENTO PARA INTERROGATORIOS
CON EL USO DEL POLIGRAFO

Lugar Miami
Fecha 11/30/88
Hora 4:31 PM

Antes de hacerle ninguna pregunta con el uso del polígrafo (detector de mentiras) con respecto a _____

Ud. debe tener conocimiento de sus derechos.

SUS DERECHOS

Ud. tiene el derecho de negarse a tomar un examen con el polígrafo.

Si Ud. decide tomar el examen con el polígrafo, Ud. tiene el derecho de poner fin al examen en cualquier momento.

Si Ud. decide tomar el examen con el polígrafo, Ud. tiene el derecho de negarse a contestar cualquier pregunta.

RENUNCIA DE DERECHOS Y CONSENTIMIENTO

He leído esta declaración de mis derechos y tengo conocimiento de mis derechos. Estoy dispuesto de mi propia voluntad a ser interrogado con el uso del polígrafo durante esta entrevista. Comprendo y sé lo que hago. Nadie me ha hecho promesas o amenazas ni ha usado presión ninguna en contra de mí para obtener mi consentimiento para el uso del polígrafo. Comprendo que el cuarto donde se efectúa esta entrevista (TIENE) (NO TIENE) dispositivo de observación y que la conversación (SEPA) (NO SEPA) seguida por otra persona o grabada.

Firmado

P

[Redacted Signature]
Persona Examinada
[Redacted Name]
Examinador

Testigo _____

Mr. Baker

1/30/90

J. W. Hicks

UNSUBS;
SHOOTING OF SIX JESUIT PRIESTS
IN SAN SALVADOR, EL SALVADOR
FPC - MURDER
MM 163A-HQ-61055

PURPOSE: To furnish the comments of the Polygraph Unit,
Laboratory Division, concerning the examinations conducted on
[REDACTED]

RECOMMENDATION: None. For information only.

DETAILS: The Polygraph reports and accompanying charts were again reviewed by Polygraph Unit personnel on 1/26/90. Unit personnel concur with the conclusion of the Miami polygraph examiner in that [REDACTED] was deceptive when responding to certain relevant questions listed in the report. The fact that [REDACTED] was deceptive to questions dealing with her new statement does not imply that her original statement was truthful. By way of background, polygraph examinations focus exclusively on the statement, alibi, confessions, et cetera, that the examinee maintains as the truth. Therefore, every modification of a statement that contains any falsehood will still be found deceptive on a polygraph.

The following analysis is set forth of the polygraph examinations conducted in the Miami Division on [REDACTED]. After testing and analysis, it is our opinion that neither examinee was an eyewitness to the shootings, and neither saw soldiers as has been alleged. They were both in close proximity and may have looked out the window, and possibly even thought they saw "something", but not what they originally stated. Additionally, these individuals were believed to be very pliable, and their stories changed to accommodate whoever interviewed them.

- 1 - Mr. Hicks
- 1 - Mr. Murphy
- 1 - Mr. Baker
- (Attn: [REDACTED])
- 1 - [REDACTED]

(CONTINUED - OVER)

[REDACTED] (5)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/14/90 BY SP4 [REDACTED]

P

MEMO TO MR. BAKER FROM J. W. HICKS DATED 1/30/90
RE: UNSUBS;
SHOOTING OF SIX JESUIT PRIESTS
IN SAN SALVADOR, EL SALVADOR
FPC - MURDER
MM 163A-HQ-61055

The original story of [REDACTED] was that she saw five (5) men in uniforms carrying weapons shoot at the residence of the priests. The timing and circumstances of her story are significant. Some days after the shooting, she was introduced by a priest to [REDACTED] a legal advisor, and subsequently her statement was furnished to the French and Spanish Embassies. It appears that through [REDACTED] efforts this witness surfaced.

On 11/29/89, when [REDACTED] arrived for a polygraph test, she had changed her story. She advised her prior statement was a lie and that she did not see the shootings or even look outside and that furthermore, she was advised by [REDACTED] to state she actually saw soldiers doing the shootings not that she had merely heard shooting.

Several polygraph examinations were then administered and the results are set forth:

Test 1 - INCONCLUSIVE

- A. Did you see the persons that did the shooting the night the priests died? Answer: NO.
- B. Did you see anything the night that the priests died? Answer: NO.

Test 2 - DECEPTIVE

- C. Were you counseled by [REDACTED] to report to the authorities that you saw the persons that did the shooting? Answer: YES.

Test 3 - INCONCLUSIVE

- D. During the shooting, did you see anything out the window you have not told us about? Answer: NO.

On 11/30/89, testing was continued. [REDACTED] was administered several polygraph tests and the results are set forth:

Test 4 - DECEPTIVE

- E. On the night of the shooting, did you go to the window and look out? Answer: NO.

MEMO TO MR. BAKER FROM J. W. HICKS DATED 1/30/90
RE: UNSUBS;
SHOOTING OF SIX JESUIT PRIESTS
IN SAN SALVADOR, EL SALVADOR
FPC - MURDER
MM 163A-HQ-61055

- F. Did you see anyone shooting guns near the building where those priests were shot?
Answer: NO.

Test 5 - DECEPTIVE

- G. Did you get up to go to the window during the shooting? Answer: NO.
- H. Did you go to look out the window the night the priests died? Answer: NO.
- I. Are you lying when you say [REDACTED] advised you to say that five soldiers shot those priests? Answer: NO.

P [REDACTED] then advised that she had lied on both these tests. She then stated that shortly after the shooting that both she and her husband got out of bed and saw several individuals dressed in dark clothes, carrying rifles, running away.

[REDACTED] It was decided to then polygraph [REDACTED] [REDACTED] initially stated he heard the shooting, but didn't look out, and just prior to the test stated he saw his wife looking out the window.

Test 1 - DECEPTIVE

- A. The night of the shooting, did you go to the window to look outside? Answer: NO.
- B. Did your wife tell you that she saw some individuals from the window? Answer: NO.
- C. Are you hiding any information regarding this case? Answer: NO.

[REDACTED] then stated he also looked out the window. Testing was required to determine what he saw. He was brought back the next morning and furnished a short statement advising that after the shooting both he and his wife went to the window, saw several men dressed in dark clothes, running away. A test was then administered.

MEMO TO MR. BAKER FROM J. W. HICKS DATED 1/30/90.

RE: UNSUBS;

SHOOTING OF SIX JESUIT PRIESTS

IN SAN SALVADOR, EL SALVADOR

FPC - MURDER

MM 163A-HQ-61055

TEST 2 - DECEPTIVE

D. Is the statement you gave me this morning false?
Answer: NO.

E. Did you fabricate the information that you gave
me this morning? Answer: NO.

[REDACTED] admitted this statement was false, and
that he said this because he felt this was what we wanted to
hear. [REDACTED] then advised he and his wife made the story
up, that neither saw the shooting and that his wife had been
coached by [REDACTED]

P After an analysis of [REDACTED] polygraphs, it can
be concluded he is clearly deceptive and that he did not see who
did the shooting.

An analysis of the [REDACTED] examinations is
more complex. Her strongest reactions are clearly on the
questions involving [REDACTED] and she is clearly not
telling the truth about this issue. She may have lied to [REDACTED]
[REDACTED] initially and this could be the cause of the reactions.
However, if anyone coached her, these same reactions could occur.
What is less clear is what she saw. Her reactions indicate she
looked out, but could not identify anyone as soldiers.

Due to the numerous changes in her versions of what
happened, a clear resolution was not possible. This is due to
the fact that any modification of a statement that would still
contain any falsehood would be found deceptive on a polygraph
examination. Therefore, one could not draw the conclusion that
since her second statement was false that you could imply her
first statement was true. The only conclusion is that lies were
present in both statements.



FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 1/18/90

Special Agent (SA) [REDACTED] was interviewed at the Miami Office of the Federal Bureau of Investigation (FBI). She was advised of the identities of the Agents conducting the interview and the nature of the inquiry. She provided the following information:

She entered on duty with the FBI on [REDACTED] and entered on duty in the Miami Field Office on April 12, 1982. She is currently assigned investigative responsibilities with the F-2 Squad.

On December 1, 1989, she was assigned to work a 4:00 p.m. to 12:00 midnight shift in connection with a protection detail regarding [REDACTED] a witness to the killings of six Jesuit Priests in El Salvador on November 16, 1989. Prior to December 1, 1989, 4-12 shift, she was advised that the protection detail would also include the witness' immediate family, her husband and a female child. She assumed the child would be without friends and playmates, and purchased some toys and games for the child prior to coming on duty. She purchased several coloring books, crayons, puzzle books, hair bands, a comb and some candy. Upon arrival on duty at the Miami FBI Office that evening, she gave some of these items to the child. During part of that afternoon, she played with the child, amusing her with the toys she bought.

At approximately 6:00 p.m. on the same evening, she escorted the family to the Raddison Hotel from the Miami Office. Once again, she amused the child with the various toys she had purchased earlier in the day. She also pointed out that the child's parents, [REDACTED] and [REDACTED] also became amused with the child's toys at various times during the evening. During the course of the evening, she observed that the family was in a relaxed and pleasant mood and did not indicate any specific wants or needs concerning their stay at the Raddison Hotel.

At approximately 7:30 p.m. on that evening, dinner was provided for the family through hotel room service. SA [REDACTED] indicated that she translated the menu for the family and that although she does not recall the exact food orders placed, she indicated the dinners were substantial and consisted of salad, vegetables and a dinner meat. The child was ordered a dish of oatmeal at the request of the parents.

At approximately 9:00 p.m., the family indicated they were going to retire for the evening and were left to the privacy of their

Investigation on 1/18/90 at Miami, Florida File # MM 163A-HQ-61055

by SSA [REDACTED] P Date dictated 1/18/90

Continuation of FD-302 of SA [REDACTED]

On 1/18/90

Page 2

P [REDACTED] own room. Prior to 9:00 p.m, SA [REDACTED] recalls that she had some light conversation with the parents concerning the topic of children and things children had in common. SA [REDACTED] is the mother of two children and she exchanged pleasantries and general conversation with [REDACTED]

SA [REDACTED] remained on duty through the balance of her shift and was relieved at approximately 12:00 midnight by SA [REDACTED] also of the Miami Division.

SA [REDACTED] indicated that she had no additional information to provide regarding this matter.



FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 1/17/90

Special Agent (SA) [REDACTED] was contacted at the Miami Office of the Federal Bureau of Investigation (FBI). He was advised of the identities of the Agents conducting the interview and the nature of the inquiry. He provided the following information:

He is a Special Agent with the Federal Bureau of Investigation and entered on duty with the FBI [REDACTED]. He is presently assigned White Collar Crime investigative matters and has been since November of 1987.

On December 3, 1989, at 12:00 a.m., SA [REDACTED] was assigned to a security detail regarding an alleged witness to the murder of six Jesuit Priests in El Salvador. The witness' family consisted of her husband and her young daughter. They were being housed at the Raddison Hotel in Miami, Florida.

He relieved SA [REDACTED] at 12:00 midnight. Upon arrival he was briefed by SA [REDACTED]. SA [REDACTED] advised him that the room in which he was to be during his tour of duty was also occupied by [REDACTED] a representative of the United States Department of State. SA [REDACTED] advised him that the witness and her family were staying in the accompanying room with a Jesuit Priest, [REDACTED]. Occupants of both rooms were asleep at the beginning of the shift.

At approximately 8:00 a.m., he was relieved by SA [REDACTED]. Shortly thereafter, the [REDACTED] family was escorted downstairs for breakfast to the hotel cafeteria. During breakfast, [REDACTED] informed the Agents that attorneys for the Jesuits were going to come by later in the morning to interview the witness. Additionally, they would probably request authority to interview the FBI Agents on duty.

At approximately 9:30 a.m., Supervisory Special Agent (SSA) [REDACTED] was telephonically advised of the situation concerning the attorneys. He advised that no interview of the FBI Agents were to be conducted. He requested that [REDACTED] call him as soon as she was available. A few minutes later, [REDACTED] telephoned SSA [REDACTED] from the hotel room.

At about 10:00 a.m., [REDACTED] of the Association of Jesuit Colleges and Universities, and [REDACTED] an attorney with the Lawyers Committee on Human Rights, also arrived at the hotel. The latter was accompanied by a female attorney whose name SA [REDACTED] could not recall. [REDACTED] handed the writer a business card which read as follows:

Investigation on 1/17/90 at Miami, Florida File # MM 163A-HQ-61055

by SSA [REDACTED] [REDACTED] Date dictated 1/17/90

"State of New York
Office of the Attorney General

[REDACTED]
First Assistant Attorney General
120 Broadway
New York, NY 10271
(212) 341-2525"

[REDACTED] requested to take the witness and her family to Suite 1115 in the Raddison Hotel for extensive interviewing. His request was put off momentarily while [REDACTED] and [REDACTED] worked out the release of custody of the witness and her family from the United States Government to the Jesuits. Meanwhile, [REDACTED] began interviewing the witness in an adjacent room. [REDACTED] drafted a statement accepting custody and responsibility for the witness and her family. The document was signed by [REDACTED] SA [REDACTED] and SA [REDACTED]. This document remained in the custody of the U.S. Department of State. The Agents did not receive a copy of the document because there was no photocopying facility available. After this, both Agents departed.

Contact with the witness and her family during this period was minimal and consisted of occasional small talk. The relationship with the witness, her family, the priests, and the attorneys remained cordial and professional.

During the course of his dealings with the witness and her family, SA [REDACTED] recalls only limited casual conversation. He remarked on one occasion, it was too bad they were not going to be in Miami much longer for it was a beautiful city and there was much to be seen. His impression of the family was that they were comfortable and at ease while they were at the Raddison Hotel.

SA [REDACTED] indicated he could recall no additional pertinent information regarding this matter at this time.



FEDERAL BUREAU OF INVESTIGATION

1

Date of transcription 1/17/90

Special Agent (SA) [REDACTED] was advised of the identity of Supervisory Special Agent (SSA) [REDACTED] and of the fact that he was being interviewed in connection with an inquiry being conducted into the interview of two witnesses from San Salvador, El Salvador. SA [REDACTED] furnished a copy of a memorandum dated 1/16/90. The memorandum reports the events that took place while SA [REDACTED] was providing security for the Salvadorian Nationals on 11/25/89. In addition to the memorandum, SA [REDACTED] provided the following information:

SA [REDACTED] stated that he has been a SA of the FBI [REDACTED]. Following training he was assigned to the Miami Division of the FBI and is currently assigned to the Major Case Squad designated as C-3. SA [REDACTED] advised that on Friday, 11/24/89, he was notified to report to the RADDISON HOTEL on Saturday, 11/25/89. He said he was contacted by the case agent, SA [REDACTED]. He said his assignment was to provide protection for two Salvadorian individuals who had been relocated to the Miami area. He stated that as reflected in his memorandum he relieved SA [REDACTED] at about 4:00 PM. Present at the time he made his report were RICHARD CHIDESTER and JAMES MICHAEL FOSTER of the U.S. DEPARTMENT OF STATE (DOS). He said at approximately 4:15 PM he was introduced by the DOS official to the Salvadorians and was told that later that evening they had intended to meet with a Jesuit Priest, [REDACTED].

At approximately 5:30 PM SA [REDACTED] said that he left the RADDISON HOTEL and drove to the residence of [REDACTED]. He said that [REDACTED] provided the Salvadorian witnesses with some type of medicine and clothing. He said that [REDACTED] commented that he could not get the specific brand of medicine that the female Salvadorian needed but he believed it was related to her hypertension condition. He said that the pills provided to the Salvadorian witness were yellow capsules which were packaged on a board with clear plastic covering.

SA [REDACTED] said that the clothing consisted of one shopping bag filled with clothes and a second bag which was dark in color. He stated that [REDACTED] told the male Salvadorian that the only clothes he could locate for that individual was clothing from another priest. [REDACTED] stated that these clothes should fit because the man was approximately the same size as the priest from whom he had obtained them. [REDACTED] said that he would get back to the Salvadorians with whatever else they needed. SA [REDACTED] said that [REDACTED] told the

Investigation on 1/17/90 at Miami, Florida File # MM 163A-HQ-61055

By SSA [REDACTED] [REDACTED] P Date dictated 1/17/90

Continuation of FD-302 of SA [REDACTED], On 1/17/90, Page 2

Salvadorians that they were in good hands here in the United States and they need not worry.

Following this meeting, SA [REDACTED] stated that he was requested by CHIDESTER to drive through the area known as Calle Ocho in order to show the Salvadorians the types of neighborhoods as well as the Spanish residents who live in the Miami area. He said that in addition to Mr. CHIDESTER, JAMES FOSTER accompanied the party. He said the FOSTER guided their party to a Honduran restaurant in the vicinity of 1351 N.W. 12th Street. He said that the party had an evening meal at this Honduran restaurant. He said that he was seated next to the Salvadorian male and he explained some of the Cuban plates which were listed on the menu. He said that the Salvadorians asked about the types of steaks that were on the menu, however, eventually settled on chicken dinners with beans and rice. From his discussion with the Salvadorian male, he believed that the individual was an intelligent person, was fully aware of what was going on and appeared to be satisfied with their meal that evening. He said upon conclusion of their dinner they returned to the hotel at approximately 9:00 PM.

He said that he remained on duty until approximately 11:00 PM, when he was relieved by SA [REDACTED]

P SA [REDACTED] advised that he had left his business card with Father [REDACTED] and he believed that the following Tuesday he had a call from one of [REDACTED] associates. He said he believed it was [REDACTED] who called him and told him that the Salvadorian female's mother requested to know how she and her family were doing in the United States. He said [REDACTED] asked if the FBI could have this woman write a brief note to her family. SA [REDACTED] said that he advised [REDACTED] that he would determine whether or not that would be feasible and he would call him back.

SA [REDACTED] discussed this request with the case agent, SA [REDACTED] who told him that he believed it would be no problems for a communication to be prepared, however, he would have to be careful so that no addresses would be revealed because of security concerns. He said later during that day he gave the Salvadorian female a blank piece of white paper, explained that her mother had requested a note and asked if she would please prepare a note for her mother.

SA [REDACTED] said the next day she gave him her note which he took to the teletype room and attempted to facsimile it to a telephone number that [REDACTED] had previously given him. For some reason or other, the note could not be successfully transmitted. He stated he decided to mail it to the Jesuits and did so. He said it was a brief note and he looked at it simply to ensure that no indication as to the current location of the Salvadorian family was given to the woman's mother.

Continuation of FD-302 of SA [REDACTED]

P

, On 1/17/90

, Page 3

He said that he recalled that the day he received the request for a note from the Salvadorian woman, he stopped by the interview rooms on a couple of occasions. He said that he had also purchased the young girl accompanying the Salvadorians several boxes of candy. He said the candy was M & M's and that the family appeared grateful for these candies. He characterized the family as very well-mannered and decent people.

He said it was his opinion that the family was pleased with the attention provided to them and felt that their experience with the FBI in the Miami Division was very positive.

He said he recalled one other contact with the Jesuits between the period of time 11/25/89 to 12/1/89. He said a priest telephonically inquired how the family was doing. He responded that they did not have any specific requests of the Jesuits and that they were doing fine. ..

R

FEDERAL BUREAU OF INVESTIGATION

1Date of transcription 1/21/90

Special Agent (SA) [REDACTED] Squad F-3, was contacted by Supervisory Special Agent (SSA) [REDACTED]. SA [REDACTED] was advised that he was being contacted for any information he could provide concerning the treatment of two witnesses in connection with a Foreign Police Cooperation matter.

P SA [REDACTED] stated on Sunday, November 26, 1989, he was assigned to a protection detail at the RADDISON HOTEL. He advised when he reported for duty, he had relieved SA [REDACTED] at approximately 4:00 p.m. He stated that after about two hours, he was introduced to a woman, a child and a man by a Department of State employee named CHIDESTER. [REDACTED] stated he assisted the family in reviewing the room service menu and explained the items on the menu. He stated he then ordered steak dinners for the witnesses. After placing the order, he stated they returned to their room. When the food arrived, [REDACTED] advised he knocked on their door and allowed the waiter in. He recalled the woman stated, "This is so much; it is so wonderful".

SA [REDACTED] recalled that before dinner, shortly after their introductions, CHIDESTER asked the Salvadorians how they were doing and stated that he knew a Salvadorian who was currently in the United States. CHIDESTER inquired if LUCIA BARRERA would like to talk to this individual. She agreed and in fact spoke to the Salvadorian male. He stated that the conversation lasted some time and he believed that the woman was put at ease by her discussions.

Following dinner, SA [REDACTED] stated there were no further requests of the family and they retired.

Investigation on 1/18/90 at Miami, Florida File # MM 163A-HQ-61055
 by SSA [REDACTED] dictated 1/18/90

15



U.S. Department of Justice

Federal Bureau of Investigation

Office of the Director

Washington, D.C. 20535

January 2, 1990

MEMORANDUM TO MESSRS: CLARKE
REVELL ✓
BAKER ✓
COLLINGWOOD

RE: FBI INVESTIGATION OF THE MURDER OF SIX JESUIT
PRIESTS IN EL SALVADOR--11/16/89

P Attached is a packet of material received on December 27, 1989, regarding the treatment of [REDACTED] the alleged witness to events associated with the murder of six Jesuit priests in El Salvador on November 16, 1989. The material consists of a letter to President Bush and a report, commissioned by the National Offices of the Jesuit Conference, prepared by the Lawyers Committee for Human Rights.

While I do not think an immediate reply directly from me is necessary at this time, I do believe that the FBI will be called upon at a later time to respond to the allegations contained in the Lawyers Committee report. In anticipation of that likelihood, I would like Mr. Baker to carefully examine the report and compare it to the FBI investigation. Appropriate responses to the allegations in the report should be readied, and additional investigation and inquiries, if needed, should promptly be conducted.

I also believe that this matter will become the topic of congressional hearings. I would like Mr. Collingwood to work closely with Mr. Baker to coordinate responses to the allegations raised in the Lawyers Committee report and to begin preparation for anticipated congressional testimony.

William S. Sessions
Director

Enclosure
WSS: [REDACTED]

JESUIT CONFERENCE

the Society of Jesus in the United States

December 21, 1989

The President of the United States
The White House
Washington, D. C. 20500

Dear Mr. President:

On December 3, 1989, the U. S. Department of State delivered into the protection of the American Jesuits a witness in the case of the recent brutal murders of six Jesuits and two members of their household staff in El Salvador. Prior to her arrival in the United States, that witness, [REDACTED] provided testimony to the investigating judge in El Salvador that on the night of the murders she heard loud voices and shots and observed armed men wearing camouflage uniforms at the scene of the crime. On November 23, [REDACTED] daughter were flown to the United States for their personal security.

Following the [REDACTED] family's arrival in the United States, and during the period that they were in the exclusive custody and control of the Department of State, the witness and her husband were subjected to four days of intensive incommunicado interrogation by two agents of the Federal Bureau of Investigation and a Salvadoran Lieutenant Colonel. On the third day of her interrogation, frightened, confused and convinced that her three interrogators did not believe her testimony of what she had seen on the night of the murders, the witness decided to stop cooperating with the investigators and told them that she had seen nothing. We have been reliably informed that the United States Ambassador to El Salvador, William Walker, and other members of the Embassy staff thereafter asserted to reporters and others in El Salvador that the testimony of the witness is of no value. On December 9, the President of El Salvador asserted at a press conference that the witness lied in her original testimony to the investigating judge.

On December 10, a letter was sent to the Secretary of State objecting to Ambassador Walker's statements. On the same morning in El Salvador,

December 21, 1980

Archbishop Rivera y Damas accused United States investigators of mistreating the witness during her interrogation and forcing her to recant her testimony. The following day, December 11, you stated publicly that you had personally inquired into allegations that the witness had been mistreated and had been assured that she was not. As reported in the Washington Post on December 12, you stated:

"I have confidence that our Attorney General would not permit the kind of inquisition process that was alluded to in the papers today...I've already guaranteed to my satisfaction that she is not being mishandled. And I don't think that people would tell me something that's not true there because there would be a price to pay for that."

P
Knowing that you are concerned about the treatment of [REDACTED] enclosed is a copy of a report that was prepared at the request of the Jesuit Conference of the United States, Association of Jesuit Colleges and Universities and Jesuit Secondary Education Association by the highly respected Lawyers Committee on Human Rights. Based upon three days of interviews with [REDACTED] the Lawyers Committee has concluded that she is a forthcoming and highly credible witness to the events she has testified to observing in El Salvador on the night of the murders and to the treatment she received after arriving in the United States. The Lawyers Committee found her testimony as given to the investigating judge in El Salvador to be trustworthy and consistent with all known facts relating to the murders. Finally, the report documents that the witness was mistreated and abused during four days of intensive incommunicado interrogation in the United States, and concludes that the United States and Salvadoran investigators "treated an obviously frightened and traumatized woman more like a criminal suspect than a potential cooperating witness with useful information."

The Lawyers Committee's report raises extremely serious questions about the manner in which United States and Salvadoran authorities are investigating the murders of our brothers in El Salvador. Specifically, we would like to know why these authorities found it necessary to subject the witness to four days of abusive incommunicado interrogation, and thereafter discredit her testimony in public. We would also like to know what steps the authorities have taken to pursue the important lead offered by the witness' testimony.

Finally, we must inform you that the insensitive and apparently abusive manner in which this witness was treated and the apparent lack of progress

December 21, 1989

to date in investigating the murders, has caused Jesuits in the United States and El Salvador to question the commitment of the United States government officials who have been assigned responsibility for this case. The Secretary of State has not yet responded to the earlier letter to him expressing some of these concerns. We remain willing to discuss with him and other appropriate officials the steps which must be taken to assure that justice is accomplished and that this terrible crime will not go unpunished.

Sincerely yours,

Patrick J. Burns, S.J.

Patrick J. Burns, S.J.
President, Jesuit Conference

Paul S. Tipton, S.J.

Paul S. Tipton, S.J.
President, Association of Jesuit Colleges
and Universities

Charles P. Costello, S.J.

Charles P. Costello, S.J.
President, Jesuit Secondary Education Association

Enclosure

cc: James A. Baker, III
Secretary of State

Richard L. Thornburgh
Attorney General

✓ William S. Sessions
Director, Federal Bureau of Investigation

Bernard Aronson
Assistant Secretary of State

Thomas S. Foley
Speaker, U. S. House of Representatives

Joe Moakley
Member of Congress

JESUIT CONFERENCE

the Society of Jesus in the United States

PRESS RELEASE: ~~Embargo December 1989~~ 

LAWYER'S REPORT ON INTERVIEWS OF KEY WITNESS IN SALVADORIAN MURDERS INVESTIGATION

The attached pages report the results of several lengthy interviews with Lucia B. Barrera de Cerna and her husband Jorge Cerna.

The interviews were conducted on December 3, 1989, and December 9-10, 1989, by Attorney Scott Greathead, First Assistant Attorney General of the State of New York and Member of the Board of the Lawyers Committee for Human Rights and Ms. Martha Doggett of the same group.

The interviews were conducted on behalf of the Jesuits of the United States, represented by Rev. Patrick J. Burns, S.J., President of the United States Jesuit Conference, and on behalf of the educational institutions sponsored by the Jesuits in the United States, represented by Rev. Paul S. Tipton, S.J., President of the Association of Jesuit Colleges and Universities, and Rev. Charles P. Costello, S.J., President of the Jesuit Secondary Education Association.

In Attorney Greathead's judgment, the interviews reveal that Lucia Barrera de Cerna is an important and reliable witness to the presence of armed men in military garb in the courtyard of the Jesuit residence in San Salvador shortly before six Jesuit priests associated with the University of Central America, together with their cook and her teen-aged daughter, were brutally murdered in the early hours of November 16, 1989.

In addition, Attorney Greathead's report describes in some detail the type of questioning and pressures Lucia and her husband were subjected to while they were in State Department custody in Miami and before they were released into the care of the Jesuits. The questioning was carried on by agents of the F.B.I. and the Salvadorian government.

On behalf of the Jesuits of the United States we are making this report available to officials of the U.S. Government, members of Congress, and others to attest to the reliability of the testimony of Lucia Barrera to the investigating judge in the Court of El Salvador. We earnestly desire a fair and timely investigation and prosecution of those responsible for the assassination of our Brother Jesuits in the hope it can be a part of bringing peace to El Salvador.

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THE JESUIT MURDERS: A REPORT ON THE TESTIMONY OF A WITNESS

A report by the Lawyers Committee for Human Rights
to
The Jesuit Conference
The Association of Jesuit Colleges and Universities
and
The Jesuit Secondary Education Association

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THE JESUIT MURDERS:
A REPORT ON THE TESTIMONY
OF A WITNESS

INTRODUCTION

In the early morning hours of November 16, 1989, six Jesuit priests, their cook and her fifteen-year-old daughter were brutally murdered in the Oscar Romero Pastoral Center of the University of Central America Jose San Simeon Canas in San Salvador. To date, only one person has stepped forward to provide eye witness testimony relating to the crime. That witness, Lucia Barrera de Cerna, gave a declaration to the investigating judge in San Salvador on November 22, and was immediately flown to Miami, Florida for her personal security.

After the witness' arrival in Miami, the Society of Jesus in the United States assumed responsibility for her safety and well-being. U.S. Jesuit officials also took steps to assist their brothers in El Salvador in obtaining a vigorous and effective investigation of the murders by Salvadoran authorities. To that end, the Jesuit Conference, the Association of Jesuit Colleges and Universities, and the Jesuit Secondary Education Association asked the Lawyers Committee for Human Rights to interview the witness and provide them with a report evaluating her testimony and its utility in the Salvadoran criminal proceedings.

This mission was undertaken by R. Scott Greathead, a member of the Lawyers Committee Board of Directors and First Assistant Attorney General of the State of New York, and Martha Doggett, the coordinator of the Lawyers Committee's Program on Latin America. Mr. Greathead has visited El Salvador twelve times on behalf of the Lawyers Committee since 1982, and assisted in the representation of the families of the four U.S. churchwomen who were murdered in El Salvador in December, 1980. Ms. Doggett has been a frequent visitor to El Salvador on behalf of the Lawyers Committee and other organizations. She is the author of the Lawyers Committee's most recent report on human rights and the administration of justice in El Salvador, Underwriting Injustice: AID and El Salvador's Judicial Reform Program (April, 1989).

Mr. Greathead and Ms. Doggett interviewed the witness on December 3, in Miami, Florida, and on December 9 and 10 in another location where she is living under the care and protection of the Jesuits. They were accompanied on both occasions by Paul S. Tipton, S.J., the President of the Association of Jesuit Colleges and Universities.

THE LAWYERS COMMITTEE FOR HUMAN RIGHTS

December 15, 1989

I. The Murders On November 16.

The campus of the Central American University Jose Simion Canas (UCA) is built into a hill which backs onto a comfortable middle class residential neighborhood known as Jardines de Guadalupe. The main entrance to the campus is along the highway leading south out of the city called Autopista Sur. Across the highway is the Colonia Militar Manuel Jose Arce, a neighborhood inhabited by military officers and their families. Within one mile is the headquarters of the High Command of the Armed Forces, the Estado Mayor. One block from the location where the priests were killed is Torre Democracia, a high-rise glass office tower situated on a corner at one edge of the campus. The tower has been attacked by the FMLN in the past and is often guarded by soldiers. There are two additional gates to the university. One block up the hill a small gate leads directly into the grassy area where the Jesuits were killed. A second entrance is off Calle Cantabrico, and is generally where students enter on foot.

On Saturday, November 11, the evening the FMLN offensive began, one of the first places fighting broke out was at the Torre Democracia. A chronology of events surrounding the killings prepared by the Jesuit Province of Central America^{*},

^{*} Cronologia de Acontecimientos Relacionados con el Asesinato de los Seis Jesuitas de El Salvador, Provincia Centroamericana de la Compania De Jesus, November 1989.

indicates that guerrillas fled through the campus near the priests' residence after exploding a small bomb in order to open the gate. According to the chronology, members of the Salvadoran Armed Forces were on the scene within ten minutes and "controlled the situation."

From Saturday evening soldiers were posted at the Torre Democracia and at the main gate to the UCA. From 8:00 p.m. Sunday, November 12, San Salvador was placed under curfew. That curfew was extended from 6:00 p.m. to 6:00 a.m. on Monday, November 13. Areas of the city where the heaviest combat was occurring were under a 24-hour curfew.

On Saturday evening, November 11, at 11:00 p.m. most Salvadoran radio stations were forced onto a nationwide hook-up, which later was revealed to be Radio Cuscatlan, the radio station of the Armed Forces of El Salvador. News of the fighting ceased and in its place were propaganda spots from the government and military. People called in seeking relatives, while others delivered impassioned tirades against the FMLN. Some callers made threats against the lives of Archbishop Arturo Rivera y Damas and Auxiliary Bishop Gregorio Rosa Chavez, against the Jesuits in general, and against Father Ignacio Ellacuria in particular.

On Monday, November 13, Father Ellacuria, the UCA Rector, returned from Spain where he had been given a human rights award. He entered the campus by the main gate and, before preceeding up the hill, was questioned by soldiers.

At approximately 7:00 p.m. that evening, uniformed members of the Salvadoran Armed Forces arrived at the Oscar Romero Pastoral Center, where the priests had been living the last few months, and conducted a thorough search of the premises. Unlike earlier raids of the university, the soldiers took no interest in books, files, or other written materials, instead focusing exclusively "on the place and the people," according to a source familiar with the raid who was interviewed by the Lawyers Committee. The source added that the soldiers took notes. Though Father Ellacuria invited the soldiers to return to the campus during daylight hours to search the rest of the instituiton, the men seemed only interested in the Pastoral Center and did not return to the UCA the following day.

On Wednesday, November 15, the military continued to patrol the area surrounding the UCA. That morning an officer told one of the Jesuits that in the afternoon or evening there would be "a lot of movement."

Members of the U.S. - trained Atlacatl Batallion were patrolling part of the area surrounding the UCA on the evening of November 15.

At about 1:00 a.m. on November 16, area residents say uniformed men entered the UCA campus by all three entrances. Residents of Jardines de Guadalupe heard loud shooting between 2:30 a.m. and 3:00 a.m., and later heard two explosions.

The six Jesuits were killed outside the Pastoral Center on the lawn at the eastern end of the building. The first killed was Father Joaquin Lopez y Lopez, a 71-year old Salvadoran, who was the only victim not shot through the head. Father Juan Ramon Moreno, 56, received a bullet through the right eye and other wounds in the lower body. These two men were dragged back into the residence where their bodies were found in rooms where they were not known to have been sleeping. The other four victims were Father Ellacuria, Father Amando Lopez, Father Ignacio Martin-Baro and Father Segundo Montes. These four were apparently ordered to lie face down and shot one by one in the back of the head. The killers next went below and executed Julia Elba Ramos, a cook for the Jesuits, and her daughter, Celina Marisette Ramos, age 15. The women's bodies were found on the floor near the sofa where they were sleeping.

While the exact sequence of events is not known, the attackers also ransacked and burned several offices on the opposite side of the Pastoral Center. The facade of the building was sprayed with machine gun fire and cars parked in the area were also hit with bullets.

Residents say that the uniformed men withdrew from Calle Catabrico at 4:45 a.m. The last of the uniformed men on the UCA campus left at 5:45 a.m., that is, fifteen minutes before the end of curfew at 6:00 a.m.

II. What The Witness Saw and Heard On November 16.

Lucia Barrera de Cerna and her husband, Jorge Alberto Cerna Ramirez, live with their four-year-old daughter, Geraldina, in Soyapango, a working class suburb of San Salvador. Jorge is a baker, and Lucia has worked since 1981 as a house keeper for the Jesuits attached to the University of Central America.

Soyapango was the scene of heavy conflict during the recent guerrilla offensive in San Salvador. On Wednesday, November 15, Lucia, Jorge and their daughter fled their home under a white flag. Upon reaching a safer location in the city, they telephoned Father Ignacio Martin-Baro, whom Lucia refers to as Padre Nacho, to ask for assistance. Padre Nacho offered them a place to stay in a former Jesuit residence at the UCA, known as Casas 15 and 16, on the Calle Cantabrico. The houses are adjacent to the Oscar Romero Pastoral Center. On their arrival at the UCA, Padre Nacho set them up for the night in Casa 16. where they could spend the night on the floor of a small room. There was no electricity, but Padre Nacho brought them blankets to make them comfortable for the night.

Sometime during the night - they believe it was about 1 a.m. - Lucia and Jorge were awakened by the sound of gunfire. Lucia believed it was coming from a wooded area called "el bosque," located to the west of Casa 16. They also heard shouting and loud voices from the Pastoral Center. Lucia crept to the window in an adjacent room which had a view of a portion of the residence. Jorge stayed with Geraldina, who was sleeping between them on the floor; he was afraid that she would awake and call attention to them by crying out. Peeking through the curtains on the windows, Lucia observed five men standing by a gate that leads to the Pastoral Center. Three of the men were in shadows, but two were standing in the moonlight and she could see that they were wearing camouflage uniforms. They were carrying rifles, and wore caps with visors. At about this time she heard Father Nacho saying in a very loud voice:

"This is an injustice! This is an abomination!"

("Esto es una injusticia! Son una carroña!")

She then saw the men running, and heard shots, the noise of doors slamming and what sounded like glass being broken. She returned to the bedroom trembling and very afraid. Jorge estimates that she was not out of bed longer than twelve minutes.

When she returned to the bedroom, Jorge was peeking out of the window in that room. He reports that he observed seven or eight men walking swiftly (with long strides, but not running) from the direction of the Pastoral Center around the

west end of the chapel and toward a road that leads to a back entrance to the UCA. He could not see them well, but believes they were wearing dark clothes and caps with visors.*

Jorge and Lucia resumed their positions on the floor on either side of their daughter, and tried to sleep. They awoke at first light, around 5:30 a.m. Looking out the window in the adjoining room, Lucia noticed that an iron gate on a passageway leading from the chapel to the Pastoral Center, which was normally locked, was open.

A short time later, while Lucia was in the bathroom, Jorge heard a tapping at the window and someone calling, "Padre, Padre." Responding to the tapping, Jorge encountered four night watchmen (vigilantes) from the UCA, who assumed there was a priest staying in the house. The watchmen told Jorge that there had been "a lot of shooting" (una gran balacera), that it had come very close to them, and that they were all lucky to be alive. They reported seeing what looked like bundles in the area of the Pastoral Center. Jorge accompanied one of the watchmen to inspect the area. Lucia and their daughter followed. Upon approaching the Pastoral Center, Jorge saw the bodies of the cook and her 15-year-old daughter, and then glimpsed the head of one of the murdered fathers. Lucia, having seen the priest's head, did not want to see more, and returned to Casa 16 with their daughter. Jorge and the watchman went to

* Jorge decided not to relate what he saw to investigators. See, infra, pp.19-20.

the lawn outside the Pastoral Center, where they saw the bodies of four of the murdered priests.

Jorge returned to where Lucia and Geraldina were waiting. Leaving Jorge with their daughter, Lucia hurried west on Calle Cantabrico to another Jesuit residence at Calle Mediterraneo 50. Father Pedroza met her at the door, and she told him to prepare himself for terrible news. Inside the house she saw Father Estrada and Father Ibisate. The husband of the slain cook was already there, apparently relating what had happened. This man had been sleeping nearby but had escaped detection by the murderers.

Several of the priests quickly left Mediterraneo 50 and ran to the Pastoral Center to see what had happened. Father Estrada told Lucia that the Jesuits could no longer protect her or her family, and advised her to seek safety elsewhere. Lucia related to some of the priests what she had seen and heard the preceding night. She recalls being extremely upset and crying, and that the priests tried to calm her down.

Lucia returned to Casa 16, where she and Jorge packed their belongings. They departed with Geraldina on foot to the home of Lucia's mother in nearby Antiguo Cuscatlan. They did not tell any of the Jesuit fathers where they were going, but on the way they encountered Lucia's aunt, who also works for the Jesuits, and informed her.

Lucia, Jorge and their daughter remained at her mother's house from Thursday, November 23, through Sunday, November 27. On Monday, fighting in the city appeared to have subsided, and Lucia decided to return to work at the UCA. She left her mother's home about 8:00 a.m., and walked to the Curia, the Provincial's headquarters, which is down the street from Mediterraneo 50.

When she arrived, she saw Brother Francisco, who was talking on the telephone. Lucia began cleaning up, emptying the wastebaskets, etc. Brother Francisco was talking to Lucia when Father Tojeira, the Jesuit Provincial, opened the door to his office and invited her in. Father Tojeira was with a woman that Lucia had never met, but recognized from seeing on television. Father Tojeira introduced Lucia to the woman, who was Maria Julia Hernandez, the director of Tutela Legal, the human rights office of the Archdiocese. He told Lucia that she could speak with confidence to Hernandez about what she might have heard or seen on the night of the murders.

Lucia told Hernandez what she had heard and what she had seen. Hernandez then suggested that they visit Casa 16. They went there, accompanied by Brother Francisco.

While they were at Casa 16, some men arrived who Hernandez appeared to know who were also investigating the case. Hernandez told Lucia that because of what she saw, she

needed protection and asked her to go to the Spanish Embassy. She told Lucia an Embassy car was there to transport her. Lucia told us that this was the first time she realized the gravity of her speaking about what she had witnessed.

Accompanied by Father Rogelio Pedraz, Lucia was taken to the Spanish Embassy in the car. Hernandez remained behind in Casa 16 with Brother Francisco.

Lucia arrived at the Embassy about lunchtime, and was taken to a bedroom on the second floor. Father Pedraz was still with her. Later, others arrived, including Father Tojeira and the Spanish Ambassador. The others were talking and she overheard Father Tojeira say that before she leaves she had to talk to the judge.

Lucia gave a priest who was present a note to Jorge telling him she was waiting for him. The note did not indicate where she was. Lucia's aunt delivered the note to Jorge. A short time later, Father Fermin Saenz arrived in a car at Lucia's mother's house. He told Jorge to pack their clothes and that he was going to take him and Geraldina to Lucia. The car proceeded to Mediterraneo 50, where they met Father Pedraz, changed to a Spanish Embassy car, and proceeded to the Embassy.

On arriving at the Embassy, Jorge and Geraldina were taken to the second floor, where Jorge was introduced to the

Spanish Ambassador. The Ambassador told Jorge that it was necessary to give his family security and protection until they could be transported to Spain or the United States, whichever country they preferred.

At about 5:00 p.m., the French Ambassador arrived and was introduced to Jorge. The French Ambassador told Jorge not to worry, and that he and his family had three options: they could go to Spain, France or the United States.

During this time, Lucia was in the kitchen of the Embassy warming a bottle for Geraldina. She was presented to the Embassy employees as the maid of a Spanish couple.

Lucia, Jorge and their daughter remained in the Spanish Embassy Monday night, and all day Tuesday, during which there was heavy fighting in San Salvador. On Wednesday, Hernandez arrived with a photographer to take their pictures. She explained that the photos were necessary for their passports.

Prior to this, Jorge and Lucia had discussed their options and decided to go to Miami, rather than France or Spain. Neither of them had ever been outside of El Salvador, and they were very unhappy to have to leave. They decided to go to Miami because it was closer to home.

On Wednesday afternoon, Lucia was taken to a room in the Embassy to make a declaration to the investigating judge.

Others were present in the room, including Hernandez, the Fiscal General, Dr. Mauricio Colchado*, whom Lucia recognized from television, and a member of the Fiscal General's staff. The following is a translation of the pertinent portions of Lucia's declaration**:

"The declarant committed herself to doing her chores, lying down at approximately 7:00 p.m. Since there was no electricity she heated up the water for a baby bottle with old newspapers that had been in the house. Then she fell asleep almost immediately because of the fatigue that she felt, waking up later at about one in the morning on Thursday the 16th, because of the shooting that could be heard inside the UCA. She said that firing was by the grove of trees [bosque] inside the UCA. Seconds later she heard the sounds of the doors of the Fathers' residence as if they were being opened and closed forcefully. Because of the intense shooting the declarant got up and without shoes on, she slowly went to the bedroom, locating herself in the window looking toward the interior of the Fathers' residence from where one could observe part of the corridor of said residence. She heard voices, without being able to distinguish what the voices were saying, only the voice of Father "Nachito" saying that it was an injustice, an abomination, at which point the declarant moved closer to the window and saw five subjects in front of the stairs that

* The office of the Fiscal General is the equivalent of the Attorney General in the United States, and has the principal responsibility for prosecuting crimes in El Salvador.

** The declaration is in the stilted language of Salvadoran legal documents. In the translation, we have corrected certain obvious typographical errors. The declaration suggests that Lucia saw a total of eight armed men, rather than five. In our interview, Lucia was firm in recalling seeing only five men. Lucia does not recall having read the declaration after it was completed. Whether she misspoke or the stenographer misunderstood her, we do not know.

face the lateral part of the Monsenor Romero chapel of said university. These subjects shot at the Fathers' residence. The declarant was able to observe that said subjects were dressed in camouflaged uniforms with dark headgear although she could not see their faces. Said subjects were so tall and robust that their shoes could not be seen. The declarant could see all this by the light of the moon, which made the early morning like daytime, adding moreover that she could not see the emblem nor any other identifying feature of said persons. There were three other subjects to the left of those who were firing and whom the light of the moon did not illuminate, but yes, she could distinguish that these individuals wore uniforms that were dark but not black. The others that she had seen were darker than these. They also had headgear like the others that have already been described. During all this time, the firing continued as well as the opening and closing of the doors. Later, the five subjects directed themselves to the small corridor of the Fathers' residence. The declarant could not see anything more because the wall that was found in this place was covered up. The declarant heard more shooting than before and that Father "Nachito" had stopped speaking. The declarant then heard no further voices; there was a silence that lasted approximately several seconds, but she did hear pieces of furniture being dragged around as well as glass being violently strewn about. The declarant also heard something being dragged around that she could not see. Still at the same window, she then withdrew toward the mattress where she sat down and her husband scolded her and told her that because of her meddling a bullet could have hit her. She tried not to cry upon

imagining what could have happened, because the father was no longer speaking. Moments later she listened to the explosion of the bomb also within the UCA compound and seconds later a second explosion also within the UCA compound, resulting later in total silence. The declarant slept until approximately 5:30 in the morning when she woke up because of a nightmare....

* * *

"When she refers in this declaration to camouflaged uniforms she refers to uniforms of various colors that she has seen soldiers in the street wearing. The headgear [cachuchas] that she refers to had a short visor. When Father Nachito yelled she could tell from the sound that he was located in the house of the Fathers. She is not able to say whether said screams were inside or outside the house."

The declaration was taken down by a stenographer. Lucia believes it was also tape recorded. She answered questions put to her by the judge, as well as questions put by the assistant fiscal. The Fiscal General did not ask her any questions. During the portion of her declaration in which she described the men she observed wearing camouflage uniforms, the Fiscal General stared at her with what she took to be an angry expression.

Lucia did not complete her declaration on Wednesday. That night, she, Jorge and Geraldina were put up in the French Embassy, where the declaration was continued the next day. When it was completed, the family departed for the airport. The French Ambassador accompanied them. Lucia and Jorge understood

that he was traveling to France, and had agreed to take them to Miami on a French Government aircraft. On the flight to Miami they met for the first time Richard Chidester, the legal advisor of the United States Embassy in San Salvador.

III. Miami, Florida: November 23 to December 3

Upon their arrival in Miami, the Cerna family was ushered through immigration by representatives of the State Department. They were taken to several hotels and ultimately to the Raddison Hotel, near the Miami airport, where they were housed by the U.S. Government until Sunday, December 3. During this period, they were under 24-hour protection by agents of the F.B.I., who occupied an adjoining room in the hotel.

As soon as they learned of the family's arrival in Miami, U.S. Jesuit officials informed the State Department that they were prepared to take responsibility for the Cerna family as soon as they were released to their care. When Jesuit officials inquired when the family would be released to them, State Department officials informed them that the F.B.I. needed a period of time to perform a risk assessment so that the Jesuits would know how much protection Lucia and her family required.

The family remained under the exclusive charge and control of the State Department from Thursday, November 23, to

Thursday, November 30. During the first four days of this period, the family remained largely in the Raddison Hotel. As detailed below, each day from Monday, November 27, to Thursday, November 30, Lucia and Jorge were subjected to hours of intensive, incommunicado interrogation at an F.B.I. office in Miami by two agents of the F.B.I. and a Salvadoran military officer. On the third day of this interrogation, Lucia, who was frightened and intimidated by the harsh manner in which she was being questioned, concluded that the investigators did not believe her testimony. At this time, she changed her testimony and began telling the investigators that she had not seen anything on the night of the murders. She was then subjected to a series of polygraphs. The next day, Thursday, November 30, Jorge was polygraphed.

During the four days of their interrogation, Lucia and Jorge were not given any opportunity to consult with or obtain counsel from any priest, lawyer or other person they knew. During the entire eight-day period from November 23 to November 30, the only visitors who were allowed to see them were Spanish-speaking Jesuits living in the Miami area, with whom the family visited briefly on three occasions.

Late on the afternoon of Thursday, November 30, after Lucia had broken and changed her story, State Department officials informed the Jesuits that they could take the family into their care. When Jesuit officials asked the State

Department about the results of the F.B.I.'s lengthy risk assessment, they were told that the F.B.I. was in fact not in a position to perform a risk assessment for a person in Lucia's category as a witness.

On December 2, two Jesuits, Father Paul Tipton and Father Joe Berra, flew to Miami, to be with the family. That night, Father Berra, who had known Lucia in Salvador, slept on the floor of their hotel room. On Sunday, December 3, after the Jesuits had made arrangements for transporting the family to a secure and comfortable location in another state, the State Department formally turned the Cerna family over to the Jesuits.

The Interrogation

(i) Monday, November 28.

At about 8 a.m. on the morning of November 27, Chidester picked up Lucia, Jorge and Geraldina at the hotel and took them by car to an office in Miami. They were accompanied by a Spanish-speaking man named Sanchez, who apparently is a special agent of the F.B.I. Jorge and Lucia believe the place to which they were taken was an F.B.I. office.

At the office, they met Fred Rivero, a special agent of the F.B.I.* At about 10 a.m., Jorge was left in a waiting

* Jorge and Lucia recall being questioned briefly in the hotel by Sanchez and Rivero on the preceding Friday or Saturday.

room with Geraldina, and Lucia was taken to another room by Sanchez and Rivero.

Inside the room, the investigators asked Lucia to relate the details of the events beginning with the family's departure from their home in Soyapango on November 15. Lucia did so. She recalls that she talked for what seemed to her a very long period of time, relating the events of November 15 and 16. The two investigators listened and asked few questions.

At about 1 p.m., Lucia was brought back to the room where Jorge and Geraldina had been waiting. Hamburgers were brought in for the family's lunch, which they ate in the waiting room.

Jorge was then taken to a room for questioning, leaving Lucia alone with Geraldina in the waiting room. In the room, Jorge was asked by the two investigators to relate everything that had happened after leaving home in Soyapango on November 15. Jorge believes his interrogation was tape recorded.

Jorge had not previously disclosed to anyone that he too had looked out a window on the night of the murders and observed armed men. Like most Salvadorans who have witnessed crimes implicating the military or security forces, he was

reluctant to discuss what he saw and has a natural distrust of government investigators.* The alien setting and disbelieving manner in which Sanchez and Rivero questioned Jorge only reinforced this feeling of distrust, and he decided not to tell them what he had seen. He did, however, tell them that he had heard gunfire and voices, and confirmed Lucia's testimony that she had seen five men in camouflage uniforms from the window of the room adjoining the bedroom.

The questioning of Jorge lasted several hours. During this time, Lucia and Geraldina were in the waiting room. Lucia was growing increasingly anxious about the time it was taking to question Jorge. She was also worried about four-year-old Geraldina, who was still wearing the shorts and sandals she had on when they left San Salvador. The weather in Miami in November is somewhat colder than El Salvador.

Jorge believes it was about 6 p.m. when his interrogation ended and the family was driven back to the hotel.

(ii) Tuesday, November 28.

On the morning of November 28, Chidester called sometime prior to 7 a.m. and told Lucia and Jorge that they had

* With the exception of the case of the four American churchwomen, which resulted in the conviction of five National Guard enlisted men, no significant human rights case involving the military or the security forces has ever been successfully prosecuted in El Salvador.

to be ready to leave the hotel at an even earlier hour than they had the day before. They ate breakfast and were put into a car for the trip to the F.B.I. office at about 7:30 a.m.

On the way, they stopped at another hotel to pick up a Salvadoran whom Chidester introduced to them as "Doctor." Chidester told Jorge and Lucia that "the Doctor" was a man they could speak to with confidence.

Later, Jorge overheard the man addressed as "colonel." He is in fact Lt. Col. Jorge Rivas Mejia, a Salvadoran army officer assigned to the Special Investigative Unit, or "S.I.U.," a Salvadoran investigatory agency established with U.S. assistance in 1985 to investigate significant human rights cases.*

Upon arriving at the office, Jorge was the first to be questioned. Lucia was left in another room with Geraldina. Rivas joined Sanchez and Rivero in questioning Jorge. Jorge was

* The Special Investigative Unit, known in Spanish as the Comision de Investigacion de Hechos Delictivos, is one of four components of the U.S. - funded Administration of Justice program attempting to reform the Salvadoran justice system. The SIU, staffed by members of El Salvador's security forces, has recieved \$5.5 million in U.S. funding since 1985. The unit was originally trained by instructors on loan from the FBI and continues to receive extensive U.S. training. Mandated to tackle the most sensitive human rights cases in which the military or prominent civilians are implicated, the SIU has instead focused on common crime and corruption cases. A Lawyers Committee study conducted in 1988 and early 1989 found the SIU's record "undistinguished" in solving the kinds of human rights cases it should be investigating. See Underwriting Injustice: AID and El Salvador's Judicial Reform Program, Lawyers Committee for Human Rights (April, 1989).

asked to relate again everything he had testified to on the preceding day. He was frequently interrupted with questions, many of which Jorge took to be insulting.

Sanchez told Jorge he could not believe that a real Latin man would have let his wife get out of bed and look out a window during a gun battle. Sanchez expressed disbelief and said to Jorge, "You have sideburns and a mustache, I can't believe you are that effeminate," or words to that effect. Jorge was angered and insulted by this, but insisted that Lucia had looked out the window and had seen what she said she had seen. At some point in the interrogation, Sanchez asked Jorge whether he had any relatives with the guerrillas, and whether he was political. Jorge answered "no" to both questions, and told them that he had two brothers who had served in the Salvadoran army.

Rivas questioned Jorge in a manner he found particularly rude and demeaning. Rivas' questions were put harshly and in a tone of disbelief. He persisted in addressing Jorge in the "vos" or familiar form of Spanish, a form which in Salvador is limited to use between close friends or parent and child, or when speaking harshly or contemptuously to another person.

Jorge was offended by many of the questions put to him. One of the investigators asked Jorge how long Lucia had known the Jesuits and how she earned money. When Jorge responded that she had worked for eight years for the Jesuits as a cleaning woman, Sanchez asked, "Are you sure that's what she was doing for them?"

Jorge's interrogation lasted a number of hours. Lucia, waiting in another room with Geraldina, again became worried and apprehensive. When a man passing by said in Spanish, "Yes, there is extradition," she was terrified that they were thinking of sending Jorge back to Salvador.

Jorge believes his interrogation ended at about 12:30 p.m. He was taken to the room where Lucia and Geraldina were waiting. Before Jorge left the room, Rivas said to him, "don't talk about this with your wife."

Lucia recalls that Jorge was white and shaking when he joined her. Jorge wanted to talk to Lucia about what he had experienced, but during the entire time they were together waiting for the next interrogation session there was an investigator sitting with them.

Between 1:00 p.m. and 3:00 p.m. Sanchez, Rivero and Rivas went out together for lunch. For these two hours, they left Lucia, Jorge and four-year old Geraldina sitting in the

F.B.I. office. Once again, hamburgers were brought in for the family to eat.

At 3:00 p.m., Lucia was taken in to be questioned. The investigators told her to relate once again everything that had happened after her family had fled Soyapango on November 15 for the relative safety of the U.C.A. The investigators occasionally interrupted her with questions.

At about 5:00 p.m., the investigators told her it was time to go. Chidester drove the family back to the hotel.

(iii) Wednesday, November 29.

The next morning, November 29, Chidester woke the family at 6:30 a.m. They were driven to the F.B.I. office at 8:00 a.m. Lucia was the first to be questioned.

She was told once again to describe everything that had happened after the family left Soyapango on November 15. This time the investigators peppered her with questions. At the point in her testimony where she describes calling Padre Nacho for assistance, the investigators, principally Rivas, began repeating questions that had already been asked.

After three days of interrogation, Lucia was frightened and confused. She did not understand why she was

constantly being asked to tell the investigators over and over again about events she had already described in the first two days of questioning. She was a long way from the only home she had ever known, in a foreign country being questioned incessantly by strange and intimidating men. She was worried about her four-year old daughter, who had spent seven days cooped up in hotel rooms and an F.B.I. office. She wanted the questioning to stop, but had no idea when it would end or what these men would ultimately do to her family. She was especially concerned about Jorge, and what they would do to him. She remembered hearing the man on Tuesday say the word "extradition," and she was terrified they would send him back to Salvador.

Lucia did not think the investigators believed what she was telling them. She recalls that at one point, when she was describing once again what she had seen from the window, one of the investigators asked her what priest had told her to say these things. The investigator stared at her, and she was very frightened. She replied that no one had told her to say these things. A short time later, she was asked again to describe what she had seen from the window. Lucia recalls that Rivas was staring hard at her, and that she was very frightened. She told us that "she was afraid they were going to make me tremble the way they made Jorge tremble." At this point she decided to tell them she had seen nothing.

The investigators wanted to know who had told her to say she saw soldiers. They pressed her. Rivas said, "Tell us the name of the priest.... If you tell us the name of the priest, we'll give you some whiskey to celebrate. Which priest said this?" Lucia was afraid and felt she had to say something. She did not want to say it was any of the priests she knew, for whom she felt great loyalty and affection. She decided to give them the name of someone who was not a priest and whom she did not know personally. She gave them the name of Maria Julia Hernandez, the director of Tutela Legal.

Lucia was tired, confused and frightened, and has difficulty remembering with precision Wednesday's interrogations. She remembers that she was asked to start again from the beginning, and that she told the investigators that she had heard things - shots and voices - but had seen nothing. She remembers the investigators asking whether any priest told her to say things, whether she was collaborating with the guerrillas, or with the priests. She remembers the name of a particular Jesuit being mentioned, and one of the investigators telling her he was a guerrilla. Lucia defended the Jesuits and insisted that they were good people and that she didn't know anything about politics.

The questioning continued until lunch time. Hamburgers were brought in and the family was allowed to eat them in the room where Jorge and Geraldina had been waiting.

After lunch, one of the investigators asked Lucia whether she was ready for "la maquina." He was apparently referring to a polygraph. Lucia saw the apparatus, with its wires, tubes and electrodes. It made her think of an electric chair, and she was terrified. She told the investigators that doctors had told her she suffered from hypertension. They told her not to worry.

Lucia recalls being wired to the machine and being asked a series of questions. She was asked whether she had seen anything from the window, to which she responded "no", and whether Maria Julia Hernandez had asked her to say things, to which she responded "yes." She recalls being asked the same series of questions three separate times.

At one point in the process, the polygraph operator left the room and spoke to the investigators. One of the investigators came in and appeared agitated. He told Lucia that he did not understand, that she had said she had seen nothing from the window, but that the machine indicated that she was not telling the truth. He kept asking her to tell him what she saw from the window. Lucia told him she saw nothing. She does not think he believed her. Rivero said, "The maquina says you went to the window."

Lucia recalls being on the polygraph all afternoon, with one break which she was able to spend with Jorge and Geraldina. At about 4:30 p.m., after her second session on the

polygraph, Lucia was unstrapped from the machine and taken back to the room where Jorge and Geraldina were waiting. They stayed in the room until 6:30 p.m., and were driven back to the hotel.

That night in bed, Jorge and Lucia talked softly so the F.B.I. agent in the next room could not hear them. She told him that she had changed her testimony and was now saying that she did not go to the window. They decided that Jorge would support her in saying this.

(iv) Thursday, November 30.

On November 30, the family was driven to the F.B.I. office at about 8 a.m. Only Jorge was questioned this day. Jorge was asked whether either he or Lucia had seen anything on the night of the murders. He told them that they had not.

The investigators pressed Jorge on this point. One of them told Jorge, "Tell us the truth - what you tell us will determine whether you stay here or go back to Salvador." Jorge told them that neither he nor Lucia had gotten out of bed on the night of the murders. He was asked whether any priest had told him to say things. He told the investigators he didn't have access to any priests. Jorge told us: "All morning they were asking the same. I couldn't stand it any more....The suffering of my daughter....I wanted them to leave us in peace."

After an initial round of interrogation in the morning, Jorge was put on the polygraph. He was asked a series of questions and continued to deny that he or Lucia had seen anything on the night of the murders. After lunch, Jorge was polygraphed again.

Lucia, waiting in another room with Geraldina, continued to be distraught. Her anxiety deepened as the hours passed while Jorge was being questioned. At one point, an investigator came into the room, and she told him she wanted to call a Spanish speaking Jesuit from the Miami area who had visited with the family briefly after their arrival in the U.S. The investigator told her that they did not have the priest's telephone number.

In the afternoon, after his second session on the polygraph, Jorge was reunited with Lucia and Geraldina in the room where they were waiting. One of the investigators accused them of telling lies just to be able to come to the United States. The investigator warned them, "Tell us the truth, or go back to Salvador where death is awaiting you", or words to that effect. At this time, or on an earlier occasion when a similar threat was made to her, Lucia remembers telling the investigators: "If I'm here, it's out of necessity, because I would much rather be back in Salvador. We could get by, I could

work, even if it meant selling pupusas."

* * *

On the afternoon of Thursday, November 30, the State Department informed Jesuit officials that it was prepared to turn the Cerna family over to the care of the Jesuits. Paul Tipton immediately began making arrangements to take the family to a safe and comfortable location in another state. He arranged for Father Joe Berra, a Spanish speaking Jesuit who had known Lucia in Salvador, to fly to Miami and spend Saturday night with the family.

On Friday, December 1, the family was once again taken to the F.B.I. office in Miami. There they were introduced to another Salvadoran investigator, who took elaborate notes on Jorge's and Lucia's physical features and characteristics. He took hair samples, asked for the addresses of family members, and took their fingerprints. No one clearly explained why this was being done. This was the family's last encounter with investigators.

CONCLUSIONS

Based on our three days of interviews with Lucia Barrera de Cerna and Jorge Cerna, we found them both to be

"Pupusas are a popular Salvadoran food, often made and sold on the streets.

forthcoming and highly credible witnesses to the events they told us they observed in El Salvador and the treatment they received after arriving in the United States.

In our initial interview with Lucia, on December 3, she was in a highly emotional state, clearly traumatized by the days of interrogation she had undergone in the F.B.I. office. Before our interview of them, we anticipated that the family would be anxious and disoriented by the trauma of what they had experienced in El Salvador and the suddenness of their relocation to a new and alien country. For that reason, and because we were strangers to them, we asked Father Joe Berra, who knew Lucia during his residence in El Salvador, to sit with us during the interview on December 3. We also decided to delay the second interview for a week, to give the family an opportunity to rest and accustom themselves to their new surroundings.

Had the F.B.I. agents taken similar precautions and conducted their questioning with greater sensitivity to the emotional and physical needs of this frightened and vulnerable family, we are convinced that the results would have been different.

It is our firm conclusion that Lucia Barrera de Cerna's testimony of what she observed on the night of the murders is credible and trustworthy. Several factors support this conclusion. First, the declaration she gave to the

investigating judge in El Salvador and the statements she made to us are consistent with all facts known to us which relate to the murders.

Moreover, it was against Lucia's personal interest to have come forward to testify in the way that she has. It is well known in El Salvador that grave risks face witnesses, judges, lawyers and others involved with the investigation or prosecution of crimes in which the military or security forces are implicated. Many have been murdered, many more have been threatened with death. Lucia's decision to speak about what she had seen to the priests on the morning after the murders, and later to Tutela Legal, put her and her family at risk, and was made without any promises or commitments. She had nothing to gain by doing this, and a great deal to lose.

Finally, Lucia does not attempt to exaggerate what she reports seeing and hearing. For example, she does not purport to have seen facial characteristics, insignia, or other identifying features that could be used to identify individual suspects. Indeed, Lucia's testimony does not add a great deal to the substantial body of circumstantial evidence that already pointed toward military involvement in the murders.

The very same factors completely discredit the unsupported allegation made by certain representatives of the State Department that Lucia was induced to fabricate her

testimony. To believe this would be to believe that Lucia would have put herself and her family at grave risk by fabricating testimony that added very little to the large body of circumstantial evidence that was already known.

Lucia's brief recantation of her testimony on the third day of her interrogation by the F.B.I. was a completely understandable response to the manner in which she had been treated and the circumstances in which she found herself. She was gravely concerned about the safety and well being of her child and husband, and without any idea of what the future would hold for her family. Alone and uncounseled in a foreign country, subjected to days of intense interrogation at the hands of men she found rude, threatening and disbelieving, it is hardly surprising that she chose to stop cooperating with her interrogators.

State Department representatives have insisted that they had no intention of discrediting Lucia's testimony, and that their only intention was to obtain information about the crime. While this may be true, their efforts were greatly misguided, profoundly insensitive, and ultimately counterproductive.

The utility of Lucia's testimony in the Salvadoran criminal proceeding may well have been compromised by the manner in which Special Agents Rivero and Sanchez and Col. Rivas

conducted their interrogation. They treated an obviously frightened and traumatized woman more like a criminal suspect than a potential cooperating witness with useful information. Virtually any witness can be forced into contradictions and inconsistencies by non-stop, incommunicado interrogation. To have treated a witness in Lucia's circumstances this way made it inevitable that she would recant and stop cooperating. The authorities compounded this error by failing to maintain the confidentiality of the results of their examination, making it a virtual certainty that Lucia's temporary recantation will be available for impeachment purposes if this case ever goes to trial and she is a necessary witness. The President of El Salvador is now on the record as stating "that Cerna had admitted that she lied in her testimony." Washington Post, December 11, 1989, at A.24. This is clearly going to be a problem for the prosecution.

An even larger obstacle to a successful investigation has been created by the widely held perception that U.S. and Salvadoran investigators abused and tried to discredit the only witness who so far has stepped forward to testify. There are without doubt other witnesses to the events on the night of the murders, and some of them may have far more important evidence to offer than Lucia Barrera de Cerna. One of them is the husband of the slain cook, who apparently was on the scene and is now in hiding. A second is Jorge Cerna, who was already unwilling to testify. Knowledgeable individuals have told us

that other houses close to the scene of the crime were occupied by people who may well have eye witness or other evidence to offer. As we have said, witnesses to crimes such as this one in El Salvador face grave risks and are always reluctant to step forward. The record of Lucia's treatment will only make them more reluctant.

Finally, apart from the human trauma it caused, the most disturbing aspect of the handling of this witness by U.S. and Salvadoran authorities is what it may say about the manner in which the Jesuit murders are being investigated. While investigators were spending days in the United States interrogating a single witness about what she had seen during a period of less than twelve minutes, and ultimately compromising the value of her testimony, what was happening to the investigation in El Salvador? Was the lead presented by Lucia Barrera de Cerna's testimony being pursued? Were military personnel who were posted that night on the outskirts of the UCA campus being questioned about who may have passed through their lines and why they did not respond to the sound of gun fire at the Jesuit residence? Has the military unit that conducted a search of the residence on November 13 been identified, and its members questioned? Have fingerprints been lifted and bootprints photographed and analyzed? Are ballistics tests being performed? Has there been any effort to locate other witnesses?

The answers to these and similar questions are essential to determine whether the inexcusable mishandling of one witness' testimony was simply an unfortunate aberration or an early sign that the Jesuit murders will become yet another entry on the growing list of permanently unresolved human rights crimes in El Salvador.

December 15, 1989



P
RICHARD CHIDESTER, Department of State, U.S. Embassy, San Salvador, telephonically contacted SSA [REDACTED] at the Miami FBI Office. CHIDESTER advised that the two Jesuit Priests which met the airplane at the airport on Thursday evening, 11/23/89, were [REDACTED] and [REDACTED]. He said that the Priests were contacted by him and provided the telephone number of the hotel at which they were first lodged. He stated that hotel was the EMBASSY SUITES in Miami. He said that none of the Jesuits appeared at the hotel. He said later on Friday, he called the Jesuits from the new hotel and later that day, the Jesuits appeared and held a meeting with the family. CHIDESTER said that he believed at the second meeting, arrangements were made to pick up some additional clothing and medicine for the witnesses from San Salvador.

CHIDESTER stated that he believed that the FBI was very helpful and fair in their handling of the witnesses and that he would gladly give a declaration to that effect. He stated that he could be contacted at telephone number [REDACTED]



163A/HQ-61055
[REDACTED]

The following investigation was conducted at Miami, Florida on November 26, 1989 by SA [REDACTED]

P On November 26, 1989, SA [REDACTED] was assigned a witness protection detail for a Salvadorian couple and child at the Raddison Hotel from 8:00 AM to 4:00 PM. During the course of this detail, SA [REDACTED] did not have any contact with the protected witnesses.

MM 163A-HQ-61055
[REDACTED]

1

P [REDACTED] The following investigation was conducted by SA [REDACTED]
at Miami, Florida on 11/30/89:

Security was provided to a Salvadorian couple and their daughter from Midnight to 8:00 a.m. on Thursday, 11/30/89 at the AIRPORT RADDISON HOTEL. There was no contact with the witnesses during the security detail.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 3/19/90 BY SP4 [REDACTED]

P On 12/02/89, SA [REDACTED] provided security for two Salvadorian citizens and their daughter at the RADDISON HOTEL, Miami, Florida. Also present on this date at the hotel was a State Department official. The security detail provided by SA [REDACTED] was from 8:00 a.m. until 4:00 p.m. and the only discussion that SA [REDACTED] had with the Salvadorian nationals was when they, along with the State Department official, had breakfast at the RADDISON HOTEL that morning. The Salvadorian citizens and their daughter all seemed content and seemed happy to be in Miami. Breakfast took place from approximately 8:30 a.m. until 9:30 a.m. and upon returning to the adjoining hotel rooms, there was no further discussion between SA [REDACTED] and the Salvadorian citizens.

Regarding security for the Salvadoran witnesses, SPECIAL AGENT [REDACTED] was scheduled and worked third shift on Saturday December 2, 1989- 12:00am-8:00am.

P During this shift SA [REDACTED] never had any contact with the witnesses as they were sleeping in an adjacent room. Upon my arrival for my scheduled shift, SA [REDACTED] had arranged a makeshift desk in a closet so as not to disturb Department of State personnel sleeping in the main portion of the hotel room. SA [REDACTED] spent in the entire shift in this same closet.

163A-HO-61055
[REDACTED]

On 12/2/89, [REDACTED] was introduced to SPECIAL AGENT [REDACTED] FEDERAL BUREAU OF INVESTIGATION, by [REDACTED] U.S. DEPARTMENT OF STATE. He provided the following information:

[REDACTED] felt very comfortable with us taking into consideration the situation they were in. He brought data with him, from El Salvador, and was concerned for his security. He felt comfortable with the agents that were providing security for him and his family. Everyone he had come in contact with had treated him well.

P [REDACTED] wished to go outside, but realized that they were in a different situation. Their freedom of movement was limited as they had brought certain data from El Salvador.

On 12/2/89, [REDACTED] was introduced to SPECIAL AGENT [REDACTED] FEDERAL BUREAU OF INVESTIGATION, by [REDACTED] U.S. DEPARTMENT OF STATE. She provided the following information:

CERNA felt scared with the situation they were in and did not want to go outside. She wants to wait and talk to the Jesuits, especially [REDACTED] because she has known and worked for them for years. CERNA stated that the Jesuits have similar lifestyles that she is familiar with. She would like to continue working for them. They do not discriminate against them because they are poor.

Memorandum



Exec AD Adm. _____
 Exec AD Inv. _____
 Exec AD LES _____
 Asst. Dir.:
 Adm. Servs. _____
 Crim. Inv. _____
 Ident. _____
 Insp. _____
 Intell. _____
 Lab. _____
 Legal Coun. _____
 Off. Cong. & Public Affs. _____
 Rec. Mgnt. _____
 Tech. Servs. _____
 Training _____
 Telephone Rm. _____
 Director's Sec'y _____

To : Mr. Baker

Date 1/12/90

From : N. M. O'Hara

Subject : UNSUBS;
 MURDER OF SIX JESUITS
 EL SALVADOR
 FPC

PURPOSE: To respond to your request to determine the techniques utilized, as well as the conduct of the interviews of witnesses [redacted] in light of the 12/21/89 letter from the Jesuit Conference to the Director.

DETAILS: SSAs [redacted] and [redacted] have reviewed the typed transcripts of the interviews of Lucia Barrera and Jorge Cerna conducted by FBI personnel and a representative of the Special Investigative Unit from El Salvador.

Briefly, each interview is synopsised as follows:

On 11/27/89, [redacted] advised that while sleeping at the University compound she was awakened in the night by gunfire. She looked out the window of a room adjacent to the one she was sleeping in, and saw five soldiers shooting at the priest's quarters. She also heard a disturbance and loud voices. Several days later she told her story to the legal representative for the Human Rights Office for the Archdiocese.

On 11/28/89, [redacted] changed her statement. Early during this interview, she admitted she had been advised to alter facts concerning her observations the night the murders occurred. This advice was given to her by the legal advisor to the Human Rights Office for the Archdiocese. She stated she was

- 1 - Mr. Baker
- 1 - Mr. O'Hara
- 1 - Mr. Hale
- 1 - Mr. Guido
- 1 - Mr. Gallagher
- 1 - Mr. Collingwood

[redacted]

4-8-94 CA# 94-263

(CONTINUED - OVER)

3.12.92

1048

[redacted]

Memorandum from N. V. O'Hara to Mr. Baker
Re: Unsubs; Murder of Six Jesuits, El Salvador, FPC

told to include a part about seeing the soldiers even though she saw nothing. This legal representative is the same person Lucia Barrero talked with on 11/20/89.

On 11/29/89, [REDACTED] was again interviewed. She reiterated the previous statement of 11/28/89 (i.e. she saw nothing and was told to lie).

On 11/27 and 11/28/89, [REDACTED] was interviewed. On both occasions, he told the version wherein his wife saw the soldiers. Both these interviews were done prior to the change of his wife's testimony. The letter from the Jesuit Conference indicated a subsequent interview of [REDACTED] on 11/30/89. No transcription of the interview was found, however, Cerna may have been interviewed during the course of his polygraph examination on 11/30/89.

P
None of the verbatim transcripts of the [REDACTED] interviews exhibited accusatory verbiage by the interviewers, although [REDACTED] was challenged occasionally to specify her answers and clarify discrepancies, as warranted. As mentioned, her recanting of the portion of her statement relating to seeing soldiers occurred early in the 11/28/89 interview. After recanting her 11/27/89 statement, her principal stated concern was that having now told the truth, she was afraid she would go to jail or be killed. She was assured that she was in the protection of the U.S. Government. No indication of a hostile or confrontational attitude on the part of Barrera or the interviewers was noted.

The two interviews of [REDACTED] were more confrontational. Discrepancies were noted between the statement and [REDACTED]. The interviewers pursued these differences aggressively with the clear intent of establishing a consistent version of the events. On several occasions, [REDACTED] account of his behavior during the incident was challenged as being unmanly or not "Latin." In particular, the interviewing agents questioned [REDACTED] decision to allow [REDACTED] to place herself in danger during the shooting by leaving the room and going to a window while he stayed with their child. [REDACTED] responses were not indignant and he did not appear outraged. This line of questioning did not detract from the focus of the interview.