

United States Department of Justice



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

to whom these presents shall come, Greeting:

I certify That Deborah A. Robinson whose name is signed

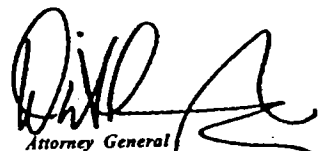
on the accompanying paper, is now, and was at the time of signing the same,

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

duly commissioned and qualified.

In witness whereof, I, Dick Thornburgh

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


Attorney General

By Michael J. Roper
Deputy Assistant Attorney General for Administration

IN THE UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF COLUMBIA

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

Washington) SS
District of Columbia)

AFFIDAVIT

I, William Hunter, being duly sworn, do depose and say that:

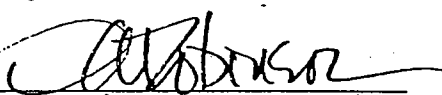
1. I am a citizen of the United States of America.

2. On August 7, 1991, I testified under oath in response to a request dated June 6, 1991, from the Fourth Criminal Court Judge of San Salvador, Republic of El Salvador. A complete and accurate transcript of my testimony is attached to this affidavit.

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

William C. Hunter, Jr.

Sworn to and subscribed before me
this 8th day of August, 1991



Judge, United States District Court
for the District of Columbia

DEBORAH M. ROBINSON
U.S. Magistrate Judge

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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

Washington, D.C.

Wednesday, August 7, 1991

Deposition of:

LTC WILLIAM C. HUNTER, JR.

a witness of lawful age, taken on behalf of the Department of
Justice in the above-entitled action, before Harlyne S.
Blum, a Notary Public in and for the District of Columbia,
at the Office of International Affairs, 1400 New York Avenue,
N.W., Fifth Floor, Washington, D.C. 20530, commencing at
3:10 p.m.

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WASHINGTON, D.C. 20005

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APPEARANCES:

On Behalf of the Department of Justice:

JOHN E. HARRIS, ESQ.
 Deputy Director
 Office of International Affairs
 Criminal Division
 U.S. Department of Justice
 1400 New York Avenue, N.W., Suite 5400
 Washington, D.C. 20530

On Behalf of the State Department:

JULIE OETTINGER, ESQ.
 Attorney Adviser
 Office of the Legal Adviser
 U.S. Department of State
 Washington, D.C. 20520

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

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

* * * * *

C O N T E N T S

EXAMINATION BY:	Page
Counsel for the Department of Justice	4

* * * * *

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P R O C E E D I N G S

1
2 MR. HARRIS: It is 3:10, August 7th. We're in the
3 conference room of the Office of International Affairs in
4 Washington, D.C. I'm John Harris, the Deputy Director of the
5 Office of International Affairs in the Criminal Division of
6 the United States Department of Justice.

7 Present with me today is the witness, COL William
8 Hunter. Also present is Ms. Julie Oettinger, Attorney
9 Adviser, Office of the Legal Adviser in the Department of
10 State, and Ms. Beth Wilkinson, Assistant General Counsel,
11 Department of the Army.

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

17 I'll now ask the court reporter to swear in the
18 witness.

19 Whereupon,

20 LTC WILLIAM C. HUNTER, JR.

21 was called as a witness and, having been first duly sworn, was
22 examined and testified as follows:

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1 EXAMINATION BY COUNSEL FOR THE DEPARTMENT OF JUSTICE

2 BY MR. HARRIS:

3 Q COL Hunter, would you please state your occupation?

4 A I'm an Army officer.

5 Q COL Hunter, you're here today to voluntarily provide
6 truthful answers, under oath, to the questions posed by the
7 Fourth Criminal Court in San Salvador, is that correct?

8 A That's correct.

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

11 (Witness examined the document.)

12 BY MR. HARRIS:

13 Q Have you now read the questions contained in the
14 request from Judge Ricardo Alberto Zamora Perez in San
15 Salvador?

16 A Yes, I have.

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

19 A Yes, I am.

20 Q Very well. COL Hunter, when were you in El Salvador?

21 A I was there from July 1988 to June 1990.

22 Q And what was your job and what were your

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1 responsibilities?

2 A I was the Senior Adviser to the Joint Staff. My
3 responsibilities were coordinating the activities of the
4 advisers to the Joint Staff, and I advised, first, COL Vargas
5 and then COL Rubio.

6 Q What were MAJ Eric Buckland's responsibilities while
7 he was in El Salvador?

8 A He was the Senior PSYOP Advisor. He advised COL
9 Aviles, who was the C5, and he supervised CPT Puentes.

10 Q What were you doing during the first week of the
11 guerrilla offensive?

12 A I was working at the Estado Mayor.

13 Q Where were you?

14 A At the Estado Mayor Conjunto, the Army headquarters.

15 Q Did you see MAJ Buckland during those days?

16 A Yes, I did.

17 Q Did you discuss the Jesuit case?

18 A After the murder occurred, we did.

19 Q And what was the content of your conversation?

20 A We felt that the FMLN had done it.

21 Q Did you hear comments regarding the Jesuits or the
22 UCA from Salvadoran military officers during or before the

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1 guerrilla offensive?

2 A Yes, I did, since Ellacuria was frequently on
3 television, usually talking derogatorily about the government.
4 However, I do not recall hearing any threats directed at him.

5 Q COL Hunter, were you aware of the threats made
6 against the Jesuits broadcast by Radio Cuscatlan during the
7 first days of the offensive?

8 A I do not recall.

9 Q Do you know who was behind those threats?

10 A I don't recall the threats, so I wouldn't know who
11 was behind them.

12 Q Did you have any suggestions regarding the threats?

13 A Since I don't recall the threats, I didn't have any
14 suggestions.

15 Q COL Hunter, when did you become aware that the
16 Salvadoran armed forces held any responsibility for the murder
17 of the Jesuits?

18 A I became aware of the allegations against certain
19 members of the armed forces around noon on the 2nd of January,
20 1990. I went to MAJ Buckland's office on another matter, and
21 after we discussed that, he related to me his now famous story
22 about who had participated and how he found out.

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1 Q What action did you take?

2 A I went to the embassy and I told COL Menjivar, the
3 Mil Group Commander.

4 Q What transpired in the January 2, 1990, meeting in
5 GEN Ponce's office regarding what was confided to MAJ
6 Buckland?

7 A Well, initially, COL Menjivar and Miss Elmore had met
8 with COL Ponce. MAJ Buckland and I were called in, at which
9 point MAJ Buckland restated the facts as he had expressed them
10 to me.

11 When he had finished with that, COL Ponce asked that
12 COL Aviles be brought in, and he confronted him with what had
13 just been told to him.

14 COL Aviles denied knowing who had killed the Jesuits,
15 and he denied having told MAJ Buckland the story that MAJ
16 Buckland was attributing to him.

17 Shortly after that -- or, excuse me. Since the two
18 stories were conflicting, they agreed at that time to be
19 polygraphed at a later date.

20 Soon after that, we left the office.

21 Q Did MAJ Buckland later give any additional
22 information regarding the case?

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1 A Yes, I understand he gave additional information to
2 the FBI about possible prior knowledge of the murders.

3 Q What do you know about any additional information
4 that MAJ Buckland had?

5 A I know that he was under a lot of pressure at the
6 time that he was making these statements to the FBI. He was
7 concerned about his career, about his ability to take care of
8 his family in the future, about flunking so many polygraph
9 tests, and he was trying to reconstruct events that had
10 occurred over two months prior with knowledge gained after the
11 fact, so I don't put a lot of credibility on what he said.

12 In addition, as I understand his additional comment
13 -- other than the comments that he made on the 2nd of January,
14 his additional comments involved that COL Ponce had told COL
15 Aviles to go speak to COL Benavides because COL Ponce had
16 allegedly found out that COL Benavides was plotting the death
17 of the Jesuits.

18 This does not make any sense at all from several
19 standpoints. Number one, if COL Ponce had known this in
20 advance, he would have called in COL Benavides into his
21 office, I believe, and would not have let him leave the office
22 until he was sure that, in fact, he had ceased those kind of

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1 thoughts.

2 If he hadn't taken care of it personally, he probably
3 would have sent COL Rubio to talk to COL Benavides since COL
4 Rubio enjoyed a very prestigious position within the year
5 group.

6 He certainly would not have sent an officer that was
7 two years junior to them, and he wouldn't have sent somebody
8 from outside of their class.

9 Q Do you have anything to add, or do you want to
10 clarify any of your answers?

11 A Could we go off the record, please?

12 (A discussion was held off the record.)

13 THE WITNESS: If we could go back to question h, I
14 would like to make it clear that the only part of MAJ
15 Buckland's statements that I do not put a lot of credibility
16 in are the statements he made after he left El Salvador to the
17 FBI about having prior knowledge.

18 I would tend to believe his statements made inside of
19 El Salvador.

20 MR. HARRIS: Thank you, COL Hunter.

21 THE WITNESS: Thank you.

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1 (Whereupon, at 3:20 p.m., the deposition of
2 LTC WILLIAM C. HUNTER, JR., was concluded.)

3 * * * * *

4 I have read the foregoing, which reflects a correct
5 transcript of the answers given by me to the questions herein
6 recorded.

7 Deponent William C. Hunter, Jr

8 Date 7 August 1991

9
10

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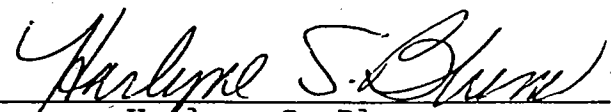
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C E R T I F I C A T E

THE UNITED STATES OF AMERICA)
)
 IN THE DISTRICT OF COLUMBIA)

I, Harlyne S. Blum, Notary Public, before whom the foregoing deposition was taken, do hereby certify that the witness whose testimony appears in the preceding pages was duly sworn by me; that the testimony of said witness was taken by me by stenotype and thereafter reduced to typewritten form; that said deposition is a true record of the testimony given by said witness; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this deposition was taken; and, further, that I am not a relative of or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of this action.


 Harlyne S. Blum
 Notary Public in and for the
 District of Columbia

My commission expires:

November 15, 1995

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