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Chile Project (#S199900030)

U.S. Department of State

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Exemption(s) ☐

SECRET

CA0343

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ACTION INRD-06

INFO LDG-01 COPY-01 ADS-00 CCO-00 /010 W
-----366723 261923Z /37

O 261847Z JAN 87 ZFF4
FM AMCONSUL RIO DE JANEIRO
TO SECSTATE WASHDC NIACT IMMEDIATE 9115
INFO AMEMBASSY SANTIAGO IMMEDIATE

~~SECRET~~ SECTION 01 OF 02 RIO DE JANEIRO 00363

ROGER CHANNEL

DECAPTIONED

SECSTATE FOR ARA IAS GELBARD, L SOFAER, INR MCNEIL

DEPT PASS JUSTICE DEPT FOR ASST AG WELD, FBI FOR
POMERANTZ AND TO US ATTORNEY DIGENOVA

E.O. 12356:DECL:OADR
TAGS:PTER, CI
SUBJ:LETELIER

REF: RIO 0301 *att*

1. ~~SECRET~~ ENTIRE TEXT.

2. SUMMARY: POLYGRAPH EXAMINATION HAS RESULTED IN
ACKNOWLEDGEMENT BY FERNANDEZ THAT HE "SUPPOSED" PRIOR
TO TRIP TO PARAGUAY THAT OPERATION WAS TO RESULT IN
DEATH OF LETELIER. TEAM INTENDS TO REEXTEND PLEA OFFER
AS DEFINED IN OPTION 1 OF STATE 16034 WITH GOAL OF
OBTAINING AGREEMENT TO TEN-YEAR EXPOSURE. END SUMMARY.

3. AFTER THREE DAYS OF INTENSIVE POLYGRAPH EXAMINATION,
WE BELIEVE WE HAVE FINALLY DETERMINED THE NATURE AND
EXTENT OF FERNANDEZ' PRIOR KNOWLEDGE OF THE LETELIER
ASSASSINATION. THIS HAS BEEN AN EXTREMELY DIFFICULT

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PROCESS GIVEN FACT THAT FERNANDEZ HAS HAD 12 YEARS TO RATIONALIZE TO HIMSELF AS WELL AS OTHERS WHAT HE DID AND WHAT HE KNEW. GUTIERREZ HAS DONE A SPLENDID JOB OF BREAKING DOWN THE MAN'S OWN DEFENSES.

4. THE BOTTOM LINE IS THAT FERNANDEZ CONTINUES TO ASSERT THAT HE WAS NEVER "TOLD" OR "HEARD" THAT THE PURPOSE OF THE MISSION WAS TO KILL LETELIER. INDEED, IN THIS AREA POLYGRAPH FOUND CONSISTENT SIGNS OF DECEPTION IN FERNANDEZ' DISCLAIMERS. HOWEVER, BASED ON TOWNLEY'S REPUTATION AND RUMORS ABOUT TOWNLEY WHICH FERNANDEZ HAD HEARD AROUND DIANA, HE NOW "SUPPOSED" SOMETIME PRIOR TO THE TRIP TO PARAGUAY THAT LETELIER WAS TO BE KILLED. HE HAD RATIONALIZED THAT HIS JOB WAS SIMPLY TO SURVEIL LETELIER AND REPORT THE RESULTS TO ESPINOZA. HE HAD THUS BEEN ABLE TO DISCLAIM RESPONSIBILITY FOR THE REST OF THE OPERATION. HE NOW ACKNOWLEDGES THAT HIS SURVEILLANCE CONTRIBUTED TO THE DEATHS OF LETELIER AND MOFFIT.

5. POLYGRAPH EXAMINATION CONTINUED TODAY AND FOCUSED ON THE ISSUE OF "EXCESS BAGGAGE" --ANY PARTICIPATION BY FERNANDEZ IN OTHER VIOLENT CRIMES. POLYGRAPH EXAMINATION OF FERNANDEZ THIS AFTERNOON INDICATED NO DECEPTION WHEN QUERIED IF HE HAD COMMITTED OTHER VIOLENT ACTS IN THE UNITED STATES AND OUTSIDE CHILE. FURTHER POLYGRAPH WILL TAKE PLACE THIS DATE. WE WILL ALSO CONDUCT POLYGRAPH EXAMINATION ON HIS STATEMENTS REGARDING INVOLVEMENT OF PINORHET.

6. WHEN EXAMINATION IS COMPLETED, WE PLAN TO REDUCE TEAM HERE TO THOSE NEEDED FOR NEGOTIATION OF PLEA AGREEMENT AND ESTABLISHING LOGISTICS FOR FERNANDEZ' DEPARTURE. GUTIERREZ, MINOR, CORNICK AND BROOKS WOULD

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DEPART. REARDON, GENESON, KOZAK AND PIMENTEL WOULD REMAIN.

7. ABSENT ANY INDICATION OF INVOLVEMENT IN OTHER VIOLENT CRIMES, WE INTEND TO INITIATE EXPLORATORY DISCUSSIONS WITH KLEIBOMER TOMORROW ON BASIS OF GUIDANCE PROVIDED IN STATE 16034 (OPTION 1). WE WILL SEEK TO OBTAIN TENTATIVE AGREEMENT ON A DISPOSITION INCLUDING A TEN-YEAR EXPOSURE. WE CONSIDER TEN YEARS APPROPRIATE FOR THE FOLLOWING REASONS:

--IT WOULD BE CONSISTENT WITH THE TEN-YEAR EXPOSURE TO WHICH TOWNLEY AGREED.

--OUR CAPACITY TO PROVE BY INDEPENDENT EVIDENCE FERNANDEZ' PRIOR KNOWLEDGE OF PURPOSE OF MISSION IS QUESTIONABLE ABSENT NEW TESTIMONY BY TOWNLEY.

--UNLIKE TOWNLEY, FERNANDEZ WOULD BE VOLUNTARILY PLACING HIMSELF IN OUR JURISDICTION. ABSENT AN AGREEMENT, WE WOULD NOT BE IN A POSITION TO PROSECUTE.

--FERNANDEZ' CONVICTION AND TESTIMONY WOULD BE OF SIGNIFICANT FOREIGN POLICY VALUE.

8. WE HAVE DISCUSSED WITH CONSUL GENERAL ARENALES LOGISTICS FOR DEPARTURE OF FERNANDEZ. HE WILL NEED INSTRUCTIONS REGARDING ISSUANCE OF PAROLE LETTER AT LEAST 24 HOURS PRIOR TO ACTUAL DEPARTURE AND WILL MAKE NECESSARY ARRANGEMENTS WITH IMMIGRATION AUTHORITIES AND AIRLINES. PIMENTEL AND POSSIBLY OTHER MEMBERS OF

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ACTION INRD-08

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TO SECSTATE WASHDC NIACT IMMEDIATE 9116
INFO AMEMBASSY SANTIAGO IMMEDIATE

~~SECRET~~ SECTION 02 OF 02 RIO DE JANEIRO 00363

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SECSTATE FOR ARA DAS GELBARD, L SOFAER, INR MCNEIL

DEPT PASS JUSTICE DEPT FOR ASST AG WELD, FBI FOR
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UNITED STATES TEAM WOULD ACCOMPANY FERNANDEZ TO
UNITED STATES. WE WOULD SEEK STATEMENT IN PLEA AGREEMENT
THAT FERNANDEZ IS RETURNING VOLUNTARILY TO WASHINGTON
IN PIMENTEL'S COMPANY. HE WOULD NOT BE ARRESTED UNTIL
ARRIVING IN WASHINGTON TO AVOID ANY QUESTION OF ARRAIGN-
MENT AT TRANSIT STOP IN UNITED STATES.

9. ACTION REQUESTED: THAT WASHINGTON ADDRESSEES
APPROVE PROPOSED COURSE OF ACTION OUTLINED ABOVE IN ORDER
THAT WE MAY BEGIN DISCUSSIONS WITH KLEIBOEMER MORNING
OF JANUARY 27, 1987. ARENALES

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