

CHAPTER FOURTEEN

RESIDUAL SUSPICION

The conscience of the world
refused to stir when the
Temple cried out against
persecution. Now, instead
of searching itself and its
conscience, the world is
persecuting the Temple,
even in death.

-- Mohamet Hamaludin
Guyanese journalist
November 25, 1978

Since November 18, 1978, the United States government has spent millions of dollars investigating Peoples Temple. These investigations ranged from Congressional studies and hearings, to lengthy probes by almost every agency of the federal government, from the General Accounting Office to the Federal Bureau of Investigation.

Most of the studies had one of two purposes. The first, and most important, was to absolve the government of any malfeasance or negligence regarding Peoples Temple. The second purpose was to complete earlier investigations into allegations of illegal activities, such as gun-running and narcotics violations, by the church. None of these studies could support any of the charges, neither those made against the government, nor those against Peoples Temple. There was no welfare fraud, no illegal government payment, no hit squad, no arsenal.

The only individuals ever brought to trial on any crimes connected with Peoples Temple were Charles Beikman and Larry Layton. Beikman, who pleaded guilty to the attempted murder of a young girl at the Temple's Georgetown headquarters, served a five-year prison term in Guyana. A jury in Guyana acquitted Larry of attempted murder charges, while a jury in this country deadlocked over conspiracy charges. Both the United States and Guyana governments used the Layton and Beikman trials to demonstrate that they had done something about Jonestown and about Congressman Ryan's death. But in spite of the money, time and effort spent, we still don't know why, or even how, the people in Jonestown died.

Because of these tragic and bizarre deaths, "residual suspicion" -- a description used by House committee investigators -- clings to Peoples Temple. That suspicion can't be dispelled until the U.S. government conducts a thorough study of its relationships with the Temple, and makes its findings public. All the research thus far has focused on small bits of the Peoples Temple story.

The longest and most well-known government document on Peoples Temple is the House Foreign Affairs Committee report on "The Assassination of Representative Leo Ryan and the Jonestown, Guyana Tragedy". The 782-page report, prepared by a Staff Investigative Group (SIG) comprised of George Berdes, Ivo Spalatin, and Thomas Smeeton, devotes 37 pages to actual analysis and recommendation. Reprints of newspaper articles, copies of the Freedom of Information Act, the Privacy Act and other federal regulations, as well as legal opinions justifying the investigation of cults fill over 500 pages of the report. The remaining 200 pages reprint letters from committee chairman Clement Zablocki to various government agencies, and their responses. State Department documents form the bulk of this section. For some reason, however, the State Department did not include any report from the man who had the most contact with Peoples Temple, U.S. Embassy Consul Richard McCoy.

Part of the report is classified. We believe the material is sizable, since the committee has twelve volumes of collected documents. The Table of Contents for the SIG's findings shows what the committee left out of its public version.

- A. Jim Jones and Peoples Temple
 - 1. (Tactics: In classified version only.)
 - 2. (Motivations: In classified version only.)
 - 3. Staff Investigative Group internal memorandum describing Internal Revenue Service (IRS) rules and regulations concerning tax exempt status of religious organizations.
- B. Conspiracy Against Jim Jones and the People's Temple?
 - 1. (In classified version only.)
 - 2. Executive Orders 11905 and 12036 limiting and defining CIA responsibilities with respect to intelligence gathering on U.S. citizens
- C. (Opponents and media intimidated, public officials used: In classified version only.)
- D. (Awareness of Danger, Predicting the Degree of Violence: In classified version only.)
- E. (U.S. Customs Service Investigation: In classified version only.)
- F. (Conspiracy to Kill Representative Leo Ryan: In classified version only.)

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- G. The Privacy Act and Freedom of Information Act
1. (In classified version only.)
 2. Correspondence between the Department of State and Hon. Clement J. Zablocki
 3. Department of State implementation of the Privacy Act and the Freedom of Information Act
 - a. Materials provided to the Staff Investigative Group stemming from the February 2, 1979 letter from the Hon. Clement J. Zablocki
 - b. Staff Investigative Group internal memorandum describing the general provisions of the Privacy Act and the Freedom of Information Act and analyzing the Department of State's performance in implementing those two acts
 - c. Staff Investigative Group memorandum elaborating on the provisions of the Freedom of Information Act and the exemptions from agency disclosure of information under the Freedom of Information Act
- H. (Role and Performance of the U.S. Department of State: In classified version only.)
- I. (Involvement of the Government of Guyana: In classified version only.)

A statement our family made to the committee is among the classified documents.

The Foreign Affairs Committee approved the SIG's recommendation to release transcripts of interviews on January 1, 1985. George Berdes, a staff investigator, explained that the late declassification date protected the witnesses. He admitted to our private investigator John Hanrahan, however, that the committee wanted to prevent critics "from second-guessing the investigation, and second-guessing the kinds of questions we asked."

Information in the report relating to the CIA has a higher classification and may never be released. The report provocatively asserts that, "No conclusive evidence is available to indicate that the CIA was acquiring information on Mr. Jones or People's Temple." Does this mean there might have been inconclusive evidence of CIA involvement? The report adds that "the CIA was

legally proscribed from engaging in any activities vis-a-vis People's Temple," and includes copies of executive orders which prohibit the CIA from spying on U.S. citizens. The report doesn't point out that these legal constraints have not prevented the CIA from engaging in such activities in the past.

The evidence the Staff Investigative Group gathered about the alleged hit squad was equally inconclusive. Nevertheless, the SIG decided that although it "cannot be concretely documented, it should not be totally discounted."

As an official document, the House committee report was disappointingly insubstantial. Staff investigators had difficulty documenting most of their suspicions. They relied on "circumstantial evidence", "unconfirmed reports", and "reported statements" -- in other words, hearsay. As a result, they added little to the investigation of Congressman Ryan's death, nothing to the general knowledge of Peoples Temple, and nothing to the understanding of Jonestown.

The Foreign Affairs Committee held a single hearing in May 1979 the day its report was released. Staff investigators testified, reiterating the opinions expressed in their report. They urged an overhaul of the exemptions in the Privacy and Freedom of Information Acts. They also suggested that Congress review IRS guidelines for tax-exempt churches. Despite the advice of several specialists in constitutional law, who found no legal distinction between churches and cults, the investigators called for a "concentrated program of research and training on cults."

Neither the report -- even in its complete, classified version -- nor the hearing satisfied one Member of Congress. Representative Bill Royer, Leo Ryan's successor, adopted Ryan's role as Congressional spokesman for the Concerned Relatives. Royer used oversight hearings held by the Foreign Affairs Subcommittee on International Operations as a platform for allowing a group of relatives to discuss their frustration with the State Department. The subcommittee met in early 1980 to examine how the State Department had implemented changes in Freedom of Information Act and Privacy Act reporting in the wake of Foreign Affairs Committee recommendations.

In addition to two parents of adult children who died in Jonestown, Ryan aides Jackie Speier and Joe Holsinger testified at the first hearing. All voiced harsh words for the State Department. "Is it State Department policy," Holsinger asked, "to make protection of American

commercial interests abroad its top priority at the expense of American citizens?" Two minor State Department officials appeared at the second hearing to rebut the charges. One of the officials, the Undersecretary of State for Security Assistance, Science and Technology, couldn't answer many of Royer's questions.

Other Congressional committees slammed the door on further investigations. The House Permanent Select Committee on Intelligence, for example, announced that it found no evidence of CIA involvement in Jonestown. The committee did not publish a report of its findings, however. The Judiciary Committee refused to hold oversight hearings on the Justice Department's investigation of Ryan's assassination. Chairman Peter Rodino said the problem lay outside the committee's jurisdiction.

The investigations by individual Members of Congress continued in the Leo Ryan tradition. Highly publicized, they had little real substance. Senator Robert Dole held a one-day hearing on cults which featured Jackie Speier and a cast of media stars and demonstrators. In January 1979, Senator Alan Cranston scheduled a hearing on alleged welfare fraud by Peoples Temple. Cranston acted on what turned out to be erroneous information.

The problem began when the California Social Services Department Director for Mendocino County claimed that Peoples Temple had cared for 150 foster children at one time or another. Cranston believed this meant that Peoples Temple had 150 foster children in its care on November 18 and, by extension, that most had died in Jonestown. The California Senator asked the General Accounting Office to learn if federal dollars had been spent on those children while they lived in Guyana. That kind of payment was illegal, since the children would have lost eligibility once they left the U.S.

Although preliminary figures came out a few months after Cranston's hearing, the GAO's final report didn't appear until the end of 1980. According to the GAO, of the 294 children under age 18 who died in Guyana, 17 had been in foster care prior to their move to Guyana. However, only one child was in active foster care at the time of emigration, and that child survived the mass deaths.

While foster children ultimately did not pose financial or moral problems for the government, over twenty children in guardianship care did. The State of California estimated that \$20,000 had been overpaid under Aid to Families with Dependent Children. Adults

in the Temple who maintained legal guardianships received these payments. Overpayment occurred when checks were issued to guardians who had moved to Guyana. Although some unwarranted payments were made, they generally happened by mistake, and welfare officials quickly caught the problem. An investigation by the California Attorney General's office also found that children in guardianship custody had permission to move to Guyana from at least one parent or guardian.

Potential overpayment to Social Security recipients posed another problem. Shortly after November 18, the Social Security Administration (SSA) scrambled to account for 748 U.S. Treasury checks -- totalling over \$100,000 -- the Guyana police found in Jonestown. Because the body count remained low for several days, SSA officials worried that many beneficiaries might have died before November 18. Additionally, Debbie Blakey claimed she had processed \$65,000 worth of SSA checks each month. Since that amount was \$25,000 more than the agency's own estimate, staff at SSA grew doubly concerned.

Four days after the suicides, representatives from seven regional SSA offices met to discuss the possibility of welfare fraud. They began by cross-checking the lists of beneficiaries against the lists of identified dead and known survivors. They also suspended all payments going to the U.S. Embassy in Georgetown, including those addressed to survivors.

The Social Security Administration already had a thick case file on Peoples Temple. As early as 1975, it investigated the Temple's practice of depositing beneficiaries' checks directly into bank accounts. In 1977, the District Office in San Francisco went to "extraordinary lengths" to stop payments to recipients who were emigrating to Guyana. That same fall, SSA asked the U.S. Embassy in Georgetown to make sure beneficiaries were not assigning their checks to the Temple. Consul Richard McCoy interviewed thirteen seniors in early 1978 and reported that everyone he talked to seemed healthy and happy. Adverse publicity prompted SSA to request another Embassy investigation, this time "on a face-to-face basis, in a place where privacy is assured, rather than dealing with them by mail." The visit to Jonestown was scheduled for January 1979.

As of June 1978, about \$37,000 worth of checks went to beneficiaries each month. The recipients at that time included 93 retirees, 23 disabled persons, 12 children and 13 aged widows. The embassy again verified that everyone receiving a check was in fact alive. By Novem-

ber 1978, almost 50 more SSA recipients lived in Jonestown. After the suicides, reporters called Social Security with the names of individuals who allegedly died before November 18. The agency found that only one -- Lisa Layton -- still received checks. The mother of Larry Layton and Debbie Layton Blakey, she'd died of cancer in October. One reporter also charged that many were ineligible for benefits because "the beneficiaries were all working their asses off." SSA officials explained to Ken Wooden, who wrote The Children of Jonestown, that the work Jonestown residents did could not be considered employment, since it was not performed for wages. The agency added that the Embassy determined that beneficiaries were not employed in January 1978.

The Department of Health, Education and Welfare, the predecessor to the Department of Health and Human Services, submitted its final report to the House Foreign Affairs Committee in June 1979, a month after the committee's report came out. In a letter to Chairman Zablocki, HEW Secretary Joseph Califano noted that:

A total of 188 beneficiaries of social security retirement, survivors, disability insurance (RSDI) died in the Mission Village mass suicide/homicide of November 18, 1978. There were 8 survivors. Of the 188 who died, the bodies of 169 have been positively identified. The bodies of 12 adult and 7 child beneficiaries were not identified and are presumably among the more than 200 unidentified remains in Dover. Handwriting analysis has confirmed that the endorsements on the checks dated November 3, 1978, issued to the 12 adult beneficiaries were genuine, proving that the beneficiaries were alive and in receipt of their checks as of that date. The 7 children did not receive checks in their own name. Therefore, handwriting analysis of the endorsements on their checks could not be used to verify that the children were alive.

A review of Supplemental Security Income (SSI) records has identified 160 individuals who received SSI payments at some time prior to leaving the United States for the Peoples Temple in Guyana. All but three of these individuals died in the suicide/homicide. In comparing SSI termination dates with the dates of arrival in Guyana,

SSA has determined that 28 of the deceased individuals continued receiving SSI after arriving in Guyana. All of these SSI checks were mailed to addresses in the United States. The records of these individuals are being referred to the social security offices serving the last known United States address of each person to determine whether recovery of the overpayment is possible and to ascertain the extent of any fraudulent activities. SSI payments to the three survivors were properly terminated while they were outside the United States; therefore, overpayment did not exist in these cases.

The subsequent investigation revealed that the 28 people noted in HEW's report cashed 93 SSI checks, totalling \$17,000, for which they were ineligible. Peoples Temple members in San Francisco located, and returned, another 102 SSI checks. Only one or two SSI checks turned up in Guyana. The SSI checks comprised the only overpayments made to Peoples Temple beneficiaries. The move to Guyana did not affect social security and disability payments. Based upon the HEW report and its own investigation, the San Francisco SSA field office said it "failed to disclose any perpetration of fraud."

Because the Temple had extensive welfare dealings in California, the State Attorney General's office studied the group's relationship with local welfare officials. The Investigative Report, prepared by the Deputy Attorney General, concluded that there had been no collusion or unusual involvement. In addition to its own findings, the report noted the Mendocino Grand Jury's investigation of the Temple after the suicides. "The county welfare fraud investigation was closed," the report observed,

as no evidence of welfare fraud involving members of Peoples Temple was found. Welfare Director Dennis Denny agreed that no fraud had been found in his search of county social service records...

All cases of welfare fraud uncovered by the counties were frauds perpetrated by individuals for personal gain and were not part of any conspiracy by Peoples Temple to finance its operations by fraudulently obtaining public monies.

The California Attorney General also looked into allegations that Peoples Temple had engaged in fraud during the 1975 San Francisco city elections, in which George Moscone defeated John Barbagelata in the mayoral race by 4443 votes. After the election, one hundred voter registration books, each containing 25 registration forms, could not be located. Peoples Temple became an immediate suspect, even though the county Democratic chairman stated that Jim and the Temple delivered volunteers, not votes.

This investigation of election fraud was the second. In 1976, the San Francisco District Attorney presented his findings to a county grand jury and came up with 39 indictments. None involved Temple members. The participation of Temple member Tim Stoen, who was Assistant District Attorney at the time, could have tainted the first investigation's findings, though. Unfortunately, voter fraud could not be proved or disproved later, because records from the 1975 election had been routinely destroyed. Nevertheless, then-Attorney General George Deukmejian stated at the end of his ten-month probe that "no persons interviewed or examined under oath could give direct evidence of any voter fraud perpetrated by a member of Peoples Temple."

Although the Social Security Administration and California welfare agencies came under attack following November 18, critics reserved their harshest comments for the State Department. State, through the U.S. Embassy in Georgetown, had the most direct contact with Peoples Temple once the group left the United States. The department received numerous letters and complaints from members of the Concerned Relatives and from Peoples Temple. By June 1978, State had over 912 documents on Peoples Temple, according to the Embassy's Consul, Richard McCoy. When McCoy returned to Washington in May 1978, he briefed department officials extensively about Jonestown. He related Debbie Blakey's concerns and fears, which she'd communicated to him as he escorted her back to the U.S. As criticism of State mounted after the massacre, the department responded by claiming it had devoted more time to Peoples Temple in the previous eighteen months than to any other group of American citizens living abroad. In that case, critics wondered, why didn't State warn Ryan of the potential for violence, or predict the mass suicides?

State responded by appointing two retired Foreign Service Officers to examine its handling of Peoples Temple. "The Performance of the Department of State and the

American Embassy in Georgetown, Guyana in the People's Temple Case", or the "Crimmins Report", as it came to be known, found that the State Department knew all the "critical aspects" of the Peoples Temple controversy, but that both the department and the Embassy failed to use the information "as well as they could and should have."

The report studied two main areas of State Department involvement. The first covered the relationship between the Temple and the Concerned Relatives. Both the department in Washington and the Embassy in Georgetown viewed the conflict between the two -- particularly the Stoen custody case -- as a fight between two groups of Americans. As the representative of all Americans in Guyana, the Embassy was supposed to remain neutral, although the report concluded "there was a 'tilt' towards the Stoens' position in early official actions."

The second area of State Department responsibility in regard to Peoples Temple encompassed the preparation and handling of Leo Ryan's visit to Jonestown. In this respect, the area of highest public criticism, the Crimmins Report felt "the briefings for the Congressional visit were quite thorough in content and scope." Ryan's aides disagreed. They pointed out that the State Department made very few, if any, cables or documents available to them. Additionally, department and Embassy officials did not warn Ryan of the possibility of violence. The report explained that "there was nothing in their dealings with Jonestown to warrant such a caution."

State and Embassy officials had difficulty judging accusations from the Concerned Relatives and from Peoples Temple, because both sides exaggerated. For Richard McCoy, the Concerned Relatives had a "credibility problem, since many of their claims were untrue." McCoy frequently interviewed people who were supposedly being held against their will in Jonestown. Time and again, people told him they remained in Jonestown voluntarily. And, he added, they did not appear to be in fear and under pressure. The evidence he saw in Jonestown belied the allegations of the Concerned Relatives.

This may explain why McCoy and others at the State Department did not take the Temple's suicide threats seriously, and why they discounted the Concerned Relatives. Although Temple members announced they would die before giving up John Victor Stoen, and although Blakey personally told McCoy, and later the department by affidavit, about suicide rehearsals, the State Department believed in neither.

However, Congressman Ryan had more faith in the

Concerned Relatives. Their allegations persuaded him to go to Guyana to investigate Jonestown. They accompanied him and his staff on several meetings to the State Department. And on November 14, 1978, fourteen relatives gave an "emotional recital ... of allegations of physical abuse of their kin" to Ambassador Burke, Congressman Ryan, and two of his aides.

Leo Ryan possessed largely the same information the State Department had. While State ignored warnings provided by Concerned Relatives, Ryan did not. At the same time, State knew that the Concerned Relatives would inflame the Temple against the Congressman. The Crimmins Report noted that:

The record does demonstrate that Congressman Ryan and his staff members were clearly advised that the presence of concerned relatives might cause friction with Jonestown about access.

The Crimmins Report really doesn't analyze why the State Department ignored the suicide threats. In fact, its omissions reveal more than its contents. For example, the report never mentions the Guyana Desk Officer by name. Although Frank Tumminia held the post until July 1978 and should have been a key contact in the department, the report fails to study his role in any depth. And even though the document states that Embassy relations with Peoples Temple "declined" with the arrival of Deputy Chief of Mission Richard Dwyer in May 1978, it doesn't explain why. The Crimmins Report does not mention the awareness the Embassy had of the content of Temple radio communications. It doesn't mention the Embassy's additional intelligence about the church's contacts with foreign governments. Finally, the Crimmins Report does not discuss the actions of Embassy officers on November 18. This is a particularly serious omission, since the audio tape made on November 18 includes Jim Jones saying, "Get Dwyer out of here."

Instead of answering some of the questions these issues raised, John Hugh Crimmins and Stanley S. Carpenter, authors of the report, attacked both the Freedom of Information and the Privacy Acts. They recommended "the necessity and practicality of seeking amendment to the two statutes." These statutory "constraints", coupled with First Amendment protection of freedom of religion, obliged the State Department and the Embassy

to follow a cautious policy that stressed

impartiality, objectivity, accuracy, adherence to strict legality, and insistence on hard evidence as the only basis for action...

Concern about the FOIA and the provisions of the Privacy Act permitting access by an individual to government files about himself reduced Embassy reporting and led to an emphasis on the purely factual at the expense of the speculative and analytical.

Were Embassy officials purposely interpreting the law in a legalistic fashion? Richard Dwyer told us in May 1979 that restrictions of the Privacy Act prevented the Embassy from doing more. He spent more time discussing privacy than describing what happened in Jonestown. But if Embassy officials knew, or suspected, something was wrong in Jonestown, neither the Privacy Act nor the Freedom of Information Act nor the First Amendment prevented them from acting responsibly.

In fact, Ambassador Burke understood his responsibility when he sent a cable to the State Department in June 1978, requesting authorization to approach the Guyana government about Jonestown. "Because of the importance of the telegram to the Ambassador," said the Crimmins Report, "the Ambassador, by telephone, called it to the attention of the Desk Officer for Guyana requesting that it receive careful consideration." The Desk Officer, Frank Tumminia, did not remember Burke's call.

In spite of Burke's concern, and in spite of the fact that several officials in the department knew what the ambassador meant -- including recently-returned Consul Richard McCoy --

No one was quite sure what the Embassy was driving at... The Director of SCS [the Office of Special Consular Service] ... questioned the necessity of the action for which the Embassy was requesting authority on the grounds that the approach should not be undertaken unless there were evidence of lawlessness. The Chief of the Division questioned the propriety of the approach since the area was under the control of the Guyanese Government and there might be a charge of interference...

The Desk Officer for Guyana [Frank Tumminia] did have a better grasp of the Embassy's purpose... In his opinion, the Em-

bassy was asking: what action can we take? With these thoughts in his own mind, the Desk Officer told SCS that prompt action was needed. There is no evidence, however, that he transmitted his opinions to SCS or inquired about the SCS understanding of the telegram. Moreover, he took no exception to the Department's reply even though perturbed by the failure of SCS to clear it with him before dispatch.

The State Department responded by telling the Embassy that any approach to the Guyana government could be construed as interference by the U.S. government. Unless evidence of lawlessness surfaced, or unless American citizens requested assistance, the Embassy could do nothing.

Both the ambassador's cable and the department's response were remarkable. In light of the Embassy's diplomatic note to the Government of Guyana concerning the Stoen custody case, Burke's request seemed moderate.

In a personal interview with John Hanrahan, Richard McCoy said that the State Department "fully understood" Burke's telegram. "The people who received that telegram had been personally briefed by me regarding Jonestown for several hours, three and a half weeks before that telegram was sent. They knew all about it here." If, for some reason, they forgot McCoy's briefing, or failed to read the massive files already available on Peoples Temple, or if they truly did not understand the ambassador's vaguely-worded message, "all they had to do was ask."

Since everyone at State knew, or had the opportunity to find out, what the cable meant, Ambassador Burke did not pursue the matter when he made a personal visit to Washington, D.C. the very next month. The Crimmins Report only notes that Burke did not discuss the telegram with anyone at State during his month-long visit. Again, it does not explain why.

McCoy, who became the Guyana Desk Officer in August 1978, blamed his predecessor for "mishandling" Burke's cable. The people who had the most information about Jonestown were "low-level people ... somewhat inexperienced." They lacked the power to convey the true picture to people who could make political decisions. Embassy staff also felt that department officials in Washington did not want to get involved in anything controversial.

Burke sent a second telegram in September, when he learned of Ryan's impending visit. His September 26 cable asked the Caribbean Area Director to "review" the June exchange carefully. Since the director remembered the "tenor" of the exchange, he did not actually look at the telegrams.

Ambassador Burke received the major part of what little blame the Crimmins Report assigned. McCoy said that the report's authors sincerely believed that an ambassador had the primary responsibility for Embassy activities. If Burke felt strongly about Jonestown, they reasoned, he should have protested State's inaction on his request to approach the Guyana government. He did not.

Burke himself was stung by the criticism. After the report came out, he wrote to State's legal advisor "reiterating my position that the Embassy took appropriate steps" regarding Jonestown. John Hanrahan asked Burke for this letter, which isn't classified. Burke referred him to the legal advisor's office, which refused to give him the letter.

In addition to precipitating Leo Ryan's trip to Guyana, the Concerned Relatives and ex-Temple members also encouraged other investigations, both before and after November 18. The U.S. Customs Service, for instance, began looking into their allegations of gun-running early in 1977. A two-year probe could not confirm any of the charges, however, in spite of surveillance conducted in San Francisco, Houston and New Orleans. Nevertheless, Foreign Affairs Committee staff believed the investigation had been compromised by leaks to the Temple, and therefore was inconclusive.

Arsenal and gun-running stories emerged again after the suicides. Reporters from the Associated Press found papers in Jonestown which suggested the possibility of systematic smuggling. Some of the documents observed that it was easier to prevent extensive searches by Guyana Customs if sanitary napkins were placed on top of items in crates.

The rumors seemed more credible following an incident two weeks after the mass deaths. On December 2, 1978, Los Angeles police raided the real estate office of a Temple member and discovered 200 rounds of ammunition and a dummy bomb. The Los Angeles District Attorney had already been investigating the real estate agent in connection with the Medlock case.

Within days after November 18, the Treasury Department's Bureau of Alcohol, Tobacco and Firearms began

a trace on the 35 weapons recovered in Guyana: seven shotguns, fourteen rifles, ten pistols and a flare-launcher found in Jonestown; and three pistols taken from Larry Layton, Tim Carter, and his brother Mike.

On January 2, 1979, the ATF reported that, "There was no evidence to date of any violation of laws under ATF jurisdiction and ... ATF had no reason to continue the investigation." Government investigators traced 25 firearms to the Yokayo Rifle Shop in Ukiah, California, and learned that all but three of the weapons had been purchased before March 1975. At least thirteen were bought prior to 1970. "Hardly an arsenal," as Skip Roberts commented.

Though not an arsenal, these weapons had been smuggled into Guyana. No one in Peoples Temple had obtained an export license for any of them. No one had registered the guns in Guyana. But the pistols, rifles and shotguns recovered from Jonestown could not be considered paramilitary weapons, so ATF closed the case without finding "a conspiracy ... to supply firearms illegally to extremist groups."

Ex-members also promoted the stories, and fears, about a Temple hit squad. The San Francisco District Attorney drew up a hypothetical list of assassination targets the day after Ryan's death. The prosecutor based his list on word of mouth, "sometimes from only one source, and often from persons who have not been associated with the temple in years," according to The Reno Evening Gazette. By November 30, the list of "hit men" had reached 60. A few days later, The New York Times reported that "virtually every member who survived the massacre two weeks ago was named by one or another of the former members as a potential assassin."

The reports contradicted themselves. On December 9, for example, Terri Buford told reporters no hit list existed, although she added that the Temple had set aside three million dollars for a "Last Stand Plan". She claimed "there are still people alive who could be members of a hit squad." Ten days later, she said Senator John Stennis was on a Temple hit list.

Several federal and local law enforcement agencies, including the San Francisco Police Department, investigated the threat of a hit squad. They had to. Jimmy Carter and Richard Nixon, reporters Lester Kinsolving and Marshall Kilduff, and defectors such as Tim Stoen and Al and Jeannie Mills all appeared on the defectors' list. The killings of San Francisco Mayor George Moscone and Supervisor Harvey Milk fueled hit squad stories the week after the suicides. The rumors

were short-lived, however. The assassin, a disgruntled ex-supervisor, surrendered within hours of the shootings. Dan White had no connection to Peoples Temple.

As early as November 28, The Washington Post observed that investigators could find "no evidence that 'death squads' of Jones' loyalists are waiting to assassinate them, as many survivors fear." Two days later, the Justice Department attorney heading up the Ryan investigation added, "This investigation had uncovered no evidence that this early [hit] list was credible or that there is a more current one."

A year and a half later, the murders of Al and Jeannie Mills and of their daughter Daphene revived fears of a hit squad. As enemies of Peoples Temple and organizers of the Concerned Relatives, the Mills' would have headed any hit list. But police investigators could not link the killings to Peoples Temple, and downplayed any possibility of a hit squad. Most of the available evidence indicated that a relative, or someone the Mills' knew, committed the execution-style murders. The case remains unsolved.

Survivors bore the brunt of ex-members' accusations and of the public's suspicions. Upon their return, they faced interrogation by the FBI, the Customs Service and several grand juries. Initially, eighty FBI agents gathered at Charleston Air Force Base in South Carolina to await the survivors' return. By the time Guyana police allowed the Americans to leave, however, the Air Force had completed its primary mission, returning the bodies, and had already left Guyana.

The majority of those who escaped the massacre flew to New York, where Customs Service agents gave them "personal examinations" and interviewed them on the plane. The Customs Service inquiry "dealt with the transportation of currency into and out of the United States ... and with the transportation of firearms and ammunition from the United States to Guyana." The agents also examined documents brought in by survivors "to determine if they were treasonous or seditious." After the agents made their determinations, they placed the material on the interview table for the duration of the questioning.

Once the Customs Service completed its interrogation, FBI and Secret Service agents then escorted the survivors to 17 Winnebagos set up for more interviews. Many survivors were questioned for up to nine hours. The interrogation of Jim Jones' son, Tim Jones, lasted more than ten hours. "The FBI had shifts of two agents, which

changed every two or three hours," said Tim's attorney. When Jones requested a lawyer, the agents told him he couldn't have one. Other survivors said the FBI agents called them liars during their ordeals.

What was the FBI's interest in survivors? Ostensibly the agency has primary responsibility for investigating the murder of any Member of Congress, even if the death occurs in a foreign country. The FBI tried to persuade Guyana to allow its agents into the country. The government resisted until November 30, when it permitted four FBI experts in ballistics, photography and engineering to work with the Guyana police. Later on, the country allowed an FBI agent to attend the trial of Larry Layton.

Beyond its interest in Leo Ryan, however, the FBI said it had no authority to probe the deaths of other American citizens. No American agency had that authority, since the deaths occurred on foreign soil.

But the extraordinary circumstances of the deaths, and a lack of information made the American public demand an investigation. The families of Ryan and the newsmen slain at Port Kaituma wanted the State Department to explain its involvement with Jim and Peoples Temple. Liberal and radical black leaders believed there might have been a racist conspiracy, since so many of the victims were black. U.S. medical examiners protested the lack of proper post-mortem examinations. And relatives simply wanted to know why it happened, and how.

Initially the Justice Department said it would not inquire into Jim's death or the mass suicides because the FBI had "enough eyewitnesses who have given us accounts of what happened in Jonestown," according to a Justice Department spokesman. Two days later, Justice reversed its position and announced it would perform autopsies on a few bodies. "We wanted to know who led it, who planned it and how did these events come about," said Assistant Attorney General Philip B. Heymann. If the Justice Department ever found out, it never disclosed that information.

A federal grand jury also worked under the auspices of the Justice Department. Convened November 30, it planned to study the possibility that Peoples Temple members had plotted Congressman Ryan's murder from the U.S. It looked into stories of hit squads, rumors of millions of dollars, and everything else but how and why Peoples Temple died in Guyana. A grand jury called by San Francisco County paralleled this investigation.

The federal grand jury issued dozens of subpoenas against returning Temple survivors. During their appearances many took the Fifth Amendment or conferred

with their lawyers on each question. Some asked U.S. District Judge Robert Peckham to let them study transcripts of the interviews they'd given to the FBI at the New York airport prior to testifying before the grand jury. Peckham delayed the proceedings two weeks to allow this.

Terri Buford provided the most sensational testimony that the grand jury heard. Terri defected from the Temple October 27, 1978, although she found asylum with Mark Lane, one of the Temple's attorneys. In the grand jury room, she accused Tim Stoen of planning illegal activities while he belonged to the Temple; she alleged that a hit list existed; she claimed that a San Francisco Temple member led an assassination team; and she denied she had any authority within the Peoples Temple organization. Mark Lane based his account of the Temple in his book, The Strongest Poison, primarily on information from Terri.

The federal grand jury heard evidence from almost everyone connected with Peoples Temple, as well as from a good many who weren't. It extended its eighteen-month term to forestall Larry Layton's escape from American justice. And it effectively prevented any information about the Temple from reaching the public. Grand jurors and law enforcement officials are proscribed from repeating what they say and hear during jury proceedings, and many witnesses declined to.

In addition, the grand jury's ongoing investigation hampered Freedom of Information requests to the Department of Justice and the FBI. Both agencies delayed release of most documents until the investigation by the U.S. Attorney -- that is, the grand jury -- was completed. Larry Layton's trial in the United States, and the government's attempt to retry the case, have continued to delay the release of certain documents.

In late 1980, more than a year after it heard the bulk of the testimony about Peoples Temple, the federal grand jury charged Larry with conspiracy, and aiding and abetting the murder of Congressman Ryan. Larry couldn't be extradited to the United States until legal proceedings against him in Guyana had concluded. The grand jury had waited until then.

Judicial proceedings against Larry and Charles Beikman took almost two years to get to a jury in Guyana. Although bureaucracies function slowly in the tropics, most of the delays resulted from tactics employed by the attorney they shared. One of Guyana's most prestigious lawyers, Rex McKay stretched out the proceedings, and succeeded in getting the charges against both Larry and Chuck reduced.

Because the case against Chuck Beikman had no international repercussions, Guyana found him easier to prosecute. The police initially charged the ex-Marine with the murder of Sharon Amos and her children Liane, Thomas and Christa at the Temple's headquarters in Georgetown. McKay negotiated a guilty plea for the attempted murder of Stephanie Jones, a niece of Stephan Jones, in exchange for a government promise to drop the murder charges.

When John went to Guyana in December 1979, he spent most of his time at the Georgetown Gaol, visiting Larry and Chuck. John got to know Chuck a little bit and found he liked the man. Over a year after his visit, he recalled Chuck in a letter:

I was jogging this morning when I heard, and then saw, some children playing on the school ground. I thought of Annie. The train of thought ended with Chuck Beikman and his spontaneous smile and response at the mention of Annie's name... I found him insightful and believable...

He said that he suspected Patricia [Cartmell] of being the one whose voice from the grave Jim Jones called and talked with in one of their services. He confronted Patricia about it a long while later. When Jim Jones said that shots had been fired at them from the road in Redwood Valley, he said that he went out and found shells on the ground. 'The firing' was phony too, he said...

My own judgment is that, from my interview, he was insightful, made his decision and had his reasons for staying, and might be without guile, certainly more trustworthy as a witness than 'defectors'.

McKay told John that the prosecutor had an "exceedingly poor case against Beikman." Nevertheless, McKay advised Beikman to accept the guilty plea on the lesser charge of attempted murder, because it would have been difficult for a barrister to explain why Chuck was in the bathroom with Sharon. He thought Chuck would get three years on the lesser charge.

Chuck didn't want to plead guilty. John told him that his brother, Dale Beikman, wanted him to follow McKay's advice regardless of his personal feelings. Chuck said he'd go along, because "Dale's paying the bill."

Beikman's case didn't go to court until April

1980. He pleaded guilty. Although the judge knew that Beikman had already served eighteen months in jail, he sentenced him to an additional five years.

Some critics believe that Temple leaders living at Lamaha Gardens used Beikman to get themselves out of a bad situation. One account explains that the Guyana police threatened to keep everyone under house arrest until they came up with a murderer. But Sharon, a zealous Temple member, probably did murder her children and then killed herself. "Sharon and Liane would do anything Jim said," Chuck told John. How could he have done it, he asked, if he had no blood on himself or his clothes?

During Beikman's preliminary hearing shortly after the deaths, Stephan Jones testified that Chuck was in the bathroom with Sharon, and that he tried to cut Stephanie's throat. Eight-year-old Stephanie, the only eyewitness, provided contradictory and confusing testimony. Stephan narrowly escaped prosecution himself, after he jokingly claimed from the witness box that he killed Sharon Amos. The police didn't think it was funny, and arrested Stephan. A few days later, the court formally charged him with the deaths of Sharon and her children. After a few delays and two months in jail, the court released Stephan in February 1979.

Larry Layton didn't get off so easily. As the only living suspect in the airstrip killings, he couldn't. Police arrested him shortly after the shootings, and the court held an arraignment hearing a few days later. It charged Larry with the murder of Leo Ryan. At a preliminary hearing in mid-December, the prosecutor introduced a confession in which Larry said he took "full responsibility" for what happened at the airstrip. The court scheduled the trial for February 1979. Eighteen months later, a jury finally heard Larry's case.

In the meantime, Rex McKay convinced the court to throw out the results of the preliminary hearing. Almost a year after Ryan's death, the court convened a second preliminary hearing, and McKay persuaded the judge to reduce the charges against Larry to attempted murder.

Not all of the delays stemmed from Larry's defense. One of his other Guyanese lawyers, Jai Narine Singh, believed the government played a deliberate waiting game. Singh felt the government wanted the case to die a natural death, since the prosecutor didn't have enough witnesses to succeed in a murder or conspiracy trial. "Do not be unduly worried," Singh told John. "Larry will never be convicted here of the murder of Ryan or the press people. But he faces the second charge [discharging a firearm with intent to kill or harm] with some difficulty."

When the trial for attempted murder finally started in May 1980, Larry pleaded not guilty. A few days after the trial opened, and a few hours after its deliberations began, a Guyanese jury returned a verdict of not guilty. The jurors said the government failed to produce sufficient evidence against Larry. "A child would have acquitted him," said one.

The police took Larry back into custody on the chance the government might eventually bring some conspiracy charges against him. The prosecution had failed once, however, in the case for which it had the most evidence.

Guyana and the United States reached an agreement on Larry's extradition that fall. Larry was released into the custody of U.S. marshals, who escorted him to San Francisco, where the trial would be held. At the arraignment in U.S. District Court over two years after Leo Ryan's death, Larry pleaded not guilty to charges of conspiracy in the murder of Ryan and the attempted murder of U.S. Embassy officer Richard Dwyer. He also pleaded not guilty to the charges of aiding and abetting the deaths on the Port Kaituma airstrip.

While awaiting trial in the San Francisco County jail, Larry wrote John and Barbara that conditions there represented a big improvement over the Georgetown Gaol. By July 1981, when jury selection for his trial began, he'd been imprisoned almost three years.

Like McKay in Guyana, Larry's attorneys in this country tried to delay his trial. The defense began by challenging the law under which Larry would be tried. His lawyers claimed that Larry could not be tried in the United States for a crime that occurred in another country. The request for a dismissal went to the U.S. Supreme Court, but in June 1981, Justice William Rehnquist refused to hear it. Rehnquist's denial for the court, without comment, effectively upheld the opinion of the district court judge that the federal law against murdering a Member of Congress had worldwide coverage.

As jury selection began, it looked as though Larry's lawyers -- his private attorney and federal public defenders -- might use an insanity defense. They asked prospective jurors their thoughts on brainwashing and mind control. The defense eventually discarded this approach. At the end of the five-week trial, Larry's attorneys rested their case without calling a single witness.

We were relieved. John and Barbara visited Larry in jail several times before the trial started. They'd

given a name of a psychiatrist who might be willing to testify for Larry, and they'd offered to testify as character witnesses. In June 1981, however, an assistant to one of Larry's attorneys told John some things that made him retract his offer. Mary Ann Bachers revealed that the defense had documents showing that Carolyn had helped plan the mass suicide, and that Ann had experimented with poison before the final day. John didn't see these documents, nor have we been able to obtain them under the Freedom of Information Act. Bachers warned John that the prosecution would bring up these documents to try to impeach his testimony.

"I thought of Becky's words that 'worse things can happen to us,'" wrote John. "There are questions as to the validity of the documents," he continued, "and whether in fact there is any evidence that people were murdered prior to November 18. Nevertheless, I am dealing with this as though it were true."

Perhaps the abundance of negative testimony discouraged the defense from calling any witnesses. Certainly the prosecution painted a grim picture of Jonestown throughout the trial. The strategy backfired. It must have become clear to the jurors that Larry was as much a victim as those who died at the airstrip. Prosecution witnesses revealed that everyone who lived in Jonestown endured physical hardships and psychological stress. How could Larry escape that? Additionally, the witnesses described Larry's severe depression following the death of his mother Lisa a month before Ryan's visit.

During the trial, the defense tried to question U.S. Embassy officer Richard Dwyer about CIA connections with Jonestown. But U.S. District Court Judge Robert Peckham refused to allow that line of questioning. He also barred the prosecution from entering the so-called "death tape" as evidence, because he felt it was hearsay. The people on the tape were all dead. They could not be cross-examined. Furthermore, they spoke knowing they were likely to die.

The jurors heard plenty of other witnesses, though. They listened to accounts from the defectors who fled Jonestown that last day. They learned of Larry's confession to the Guyanese police, which Peckham allowed over defense objections. They saw the videotape NBC's Bob Brown made as he was gunned down. But after eight days of deliberations, the jury announced it was deadlocked. On September 26, 1981, Judge Peckham declared a mistrial. After the trial, the jury revealed that it voted 11-1 in favor of acquittal on conspiracy charges, and was stuck 7-5 for conviction on the charges of aiding and abetting.

The judge denied a defense motion for acquittal, but did free Larry on bond. Meanwhile, the government announced it would re-try the case. To succeed in its second attempt against Larry, the prosecution renewed its request to enter the death tape as evidence. After listening to the tape again, Judge Peckham declared he was more convinced than ever that it should be barred from any trial. The U.S. Attorney appealed the ruling.

Almost two years later, the U.S. Court of Appeals reversed Judge Peckham's ruling. Peckham had felt that playing the tape violated the defense's right to cross-examine Jim Jones. The appeals court said the district court judge erred in his reason for excluding the tape. However, the appellate court said, the tape could be excluded for other reasons.

On February 21, 1984, Peckham set the date for Larry's retrial. In April, he again barred the prosecution from using the death tape in the court action set for September 4. In his 19-page decision, the judge said the tape "represent[s] the cognitive meanderings of a crazed mind." Peckham did agree to admit incriminating evidence he had excluded from the first trial, however. A conversation between Jim and Charles Garry implicated Larry in the airstrip shootings.

Then, in August, Judge Peckham reversed himself and decided to allow another tape admitted as evidence. In that tape, Jim declares that Leo Ryan might not leave alive. But the judge remained adamant in his refusal to allow the death tape as evidence. "There's no way the prejudice can be eliminated," he said.

The retrial was postponed indefinitely when the court learned that Larry had to undergo surgery. The prosecution said it may again appeal the decision on the death tape. The trial, and the issues surrounding it, are far from resolution. In the meantime, the Justice Department will not release any more FOIA documents on Jonestown.

For a long time, we looked to Guyana to answer our questions, solve our riddles. And, for a while, that seemed possible. Of all the agencies, U.S. or Guyanese, which investigated Peoples Temple, the Guyana police undertook the task with the most thoroughness. But the magnitude of the situation overwhelmed them. A few days after the deaths, the U.S. Joint Chiefs of Staff shipped five polaroid cameras with film, and five fingerprint kits to the Guyanese police. The police worked with a single medical examiner, assisted by a U.S. pathologist, to examine the 900 bodies at Jonestown and to conduct autopsies on the five killed at the airstrip. The crime scene was miles from anywhere. And politicians pressured

them to get rid of the Jonestown problem in a hurry.

Nevertheless, the police questioned everyone they could find who was involved in Peoples Temple. They held Mike Prokes and Tim and Mike Carter for several days. They charged Larry Layton and Charles Beikman with murder. For weeks, they didn't let anyone leave the country. They went over the evidence and came to their own conclusion: death in Jonestown by suicide.

The Guyana coroner's jury ruled differently following an inquest in Matthews Ridge a month after the deaths. After meeting for six days, the jurors determined on December 22 that all but three individuals died at the hands of Jim Jones and persons unknown. Jim himself, they said, was also murdered. Those who committed suicide: Ann Moore, Maria Katsaris, and Don Sly. The verdict was the



Mending a net at the Matthews Ridge courthouse, May, 1979.

jury's second. It initially returned a verdict of suicide for all 900, but the presiding magistrate shouted that it couldn't have been suicide. Ten minutes later, the jury came back with a declaration of murder.

The jury of four men and one woman heard several theories about what actually happened on November 18. The prosecutor hypothesized that Jim had planned to escape with some money, but an irate Temple member killed him after the massacre. The chief pathologist, Dr. Leslie Mootoo, citing the evidence of injections he discovered on 70 individuals, supported the murder verdict. However, he testified that Ann had been murdered too, because she had a look of surprise on her face. Skip Roberts questioned Mootoo's conclusion about Ann. "Perhaps she was born with a look of surprise," he told us. "We don't know." He theorized that Annie killed Jim, killed the animals, and then killed herself. Roberts, who heard

the death tape and talked to the witnesses, still believes most of the people of Jonestown committed suicide.

Some Guyanese officials may have wanted to uncover the truth about Jonestown, and November 18, but the tragedy created a political crisis for that country. When Deputy Prime Minister Ptolemy Reid refused to answer questions about Jonestown following his initial statement to Parliament, members of the country's opposition parties cried "cover-up". Opponents questioned Prime Minister Forbes Burnham's connection with Jim Jones, and quoted news articles about money and favors the Temple allegedly provided as payoffs to government officials.

Burnham has not wanted anyone to look at Peoples Temple too closely. Public pressure forced him to announce in January 1979 that an independent Commission of Inquiry would study his government's relationship with Jim. The commission consisted of a single person, the acting Chief Justice of Guyana's Supreme Court. That investigation effectively ended in the summer of 1979, when the building which housed all of the nation's records on Peoples Temple burned to the ground.

The public's interest in Jonestown and Peoples Temple died shortly after the story faded from the front pages of the newspapers. All the investigations into the tragedy, in this country and abroad, are closed. Congress cancelled a hearing into State Department handling of Jonestown, and Larry Layton's retrial does not promise any new revelations. No politician will champion a cause as unpopular as Peoples Temple. No one cares anymore, except for the relatives, except for us.

We had to continue. The official answers were uninformative, or evasive. We had to continue.