



1. (CONTAINING ENTIRE TEXT).

2. SUMMARY: THE GOG'S DEPUTY PUBLIC PROSECUTOR INFORMED EMBASSY AUGUST 25 THAT THE GOG HAS NO PLANS TO TRY LARRY LAYTON ON REMAINING CHARGES. WHETHER OR WHEN LAYTON WILL BE RELEASED IS UNKNOWN. THE QUESTION REMAINS OF WHETHER WE SHOULD NOW SEEK EXTRADITION OF LAYTON OR ATTEMPT TO OBTAIN FURTHER CONFIRMATION OF GOG INTENTIONS. END SUMMARY.

3. DURING AUGUST 25 DISCUSSION WITH EMBASSY CONSULAR OFFICER, DEPUTY DIRECTOR OF PUBLIC PROSECUTIONS (DPP) G. H. JACKMAN STATED "UNOFFICIALLY" THAT GOG HAD MADE FINAL DECISION NOT TO PROSECUTE AMCIT LAWRENCE "LARRY" LAYTON ON THE REMAINING CHARGES PENDING AGAINST

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HIM. JACKMAN'S STATEMENT CAME IN THE CONTEXT OF A LENGTHY AND WIDE-RANGING LUNCHEON CONVERSATION AND WAS UNPROMPTED BY ANY INFERENCE OF USG INTEREST IN LAYTON'S EVENTUAL RE-ARREST OR DEPORTATION. *J*

4. REFERRING EXCLUSIVELY TO SCS-RELATED CONSULAR CONCERNS, CONOFF QUESTIONED JACKMAN ON THE LEGAL BASIS FOR CONTINUED GOG DETENTION OF LAYTON. ACCORDING TO JACKMAN, LAYTON'S PROLONGED IMPRISONMENT IS PRIMARILY A BY-PRODUCT OF WHAT THE DPP PERCEIVES AS A "DISINTEREST," ON THE PART OF U.S. AND GUYANESE DEFENSE ATTORNEYS IN SECURING HIS RELEASE. JACKMAN EVEN WENT SO FAR AS TO LABEL LAYTON'S ATTORNEYS AS "OBSTRUCTIONIST", AND CLAIMED TO HAVE GATHERED FROM HIS CONVERSATIONS WITH THEM THE IMPRESSION THAT THE USG NO LONGER HAD ANY INTEREST IN A RESOLUTION OF LAYTON'S CASE. JACKMAN SUGGESTED THAT LAYTON'S ATTORNEYS PERHAPS DIDN'T WANT HIM TO RETURN TO THE U.S. "UNTIL THEY'RE READY." CONOFF DECLINED COMMENT ON CONDUCT OF LAYTON'S ATTORNEYS BUT REITERATED OFFICIAL USG POSITION (I.E., THAT A CRIME HAD APPARENTLY BEEN COMMITTED IN GUYANA, AND THAT GOG SHOULD PROCEED APPROPRIATELY WITH ANY ACTIONS INVOLVING A US CITIZEN, AVOIDING UNDUE DELAYS). JACKMAN SAID HE WAS READY TO RELEASE LAYTON "WHENEVER THE EMBASSY SHOWS AN OFFICIAL INTEREST." HE ASSURED CONOFF THAT EMBASSY WOULD BE NOTIFIED WELL IN ADVANCE OF AN EVENTUAL RELEASE, AND IN FACT IMPLIED THAT HE COULD "SCHEDULE" THAT RELEASE IN ACCORDANCE WITH EMBASSY'S WISHES.

5. AT NO TIME DURING THE CONVERSATION DID EITHER CONOFF OR JACKMAN MAKE ANY REFERENCE TO THE QUESTION OF LAYTON'S POSSIBLE EXTRADITION. THE PUBLIC PROSECUTOR DID RAISE BRIEFLY THE QUESTION OF LAYTON'S

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EVENTUAL DEPORTATION FROM GUYANA, CALLING IT A "REMOTE POSSIBILITY."

6. COMMENT: EMBASSY HAS IN PAST FOUND JACKMAN TO BE A RELIABLE SOURCE OF INFORMATION ON PENDING JUDICIAL QUESTIONS. HE HAS, HOWEVER, RARELY VOLUNTEERED ANYTHING NOT DIRECTLY SOLICITED BY THE EMBASSY, AND IN AT LEAST ONE CASE HIS OFFICE SPECIFICALLY NEGLECTED TO NOTIFY US IN ADVANCE OF A PENDING ARRAIGNMENT IN WHICH THE USG HAD AN INTEREST. WE DOUBT, THEREFORE, THAT WE CAN COUNT ON JACKMAN TO INFORM US AHEAD OF TIME OF ANY GOG PLAN TO RELEASE LAYTON. WHILE JACKMAN'S WORD IS NOT NECESSARILY THE FINAL ONE, WE HAVE NO REAL REASON TO DOUBT HIS STATEMENT THAT THE GOG DOES NOT PLAN TO TRY LAYTON ON REMAINING CHARGES. IT SHOULD BE NOTED, HOWEVER, THAT JACKMAN'S SUPERIOR, DIRECTOR OF PUBLIC PROSECUTIONS EMMANUEL RAMAO, IS CURRENTLY OUT OF THE COUNTRY, AND WE MAY WANT TO AWAIT HIS RETURN TO ATTEMPT TO CONFIRM JACKMAN'S INFORMATION. RAMAO IS EXPECTED BACK SEPTEMBER 8, 1980. 4

IF, IN FACT, THE GOG IS HOLDING LAYTON WITH NO INTENTION OF PROSECUTING HIM, WE WOULD APPEAR TO HAVE AN OBLIGATION TO RAISE OBJECTIONS WITH GUYANESE AUTHORITIES. WHILE WE HAVE NO CONCLUSIVE WORD ON WHETHER OR WHEN GOG INTENDS TO RELEASE LAYTON, WE MUST RECOGNIZE THAT HIS RELEASE, WITHOUT PROSECUTION, NOW APPEARS TO BE MORE PROBABLE, ALTHOUGH FROM WHAT JACKMAN TOLD US IT DOES NOT APPEAR IMMINENT. EMBASSY WOULD APPRECIATE WASHINGTON'S VIEWS ON WHETHER WE SHOULD REQUEST LAYTON'S EXTRADITION AT THIS TIME OR EXPLORE FURTHER WITH THE PROSECUTOR'S OFFICE OR OTHER GOG OFFICIALS GOG INTENTIONS IN THIS CASE.

GOODMAN

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