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FM SAN FRANCISCO (89A-250) (P) COMMUNICATIONS SECTION

TO DIRECTOR (89A-4286) IMMEDIATE

SAN JUAN (89A-123) IMMEDIATE (SJ VIA FBIHQ)

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RY MUR.

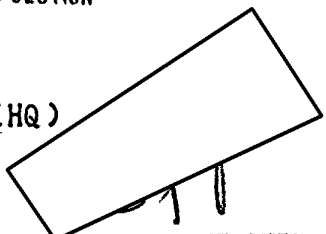
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FEDERAL BUREAU OF INVESTIGATION COMMUNICATIONS SECTION

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Adm. Servs.	
Crim. Inv.	<i>[initials]</i>
Ident.	
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Off. of Cong. & Public Affs.	
Telephone Rm.	
Director's Sec'y	



ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 4/27/93 BY 9803 RDD/udm

LAURENCE JOHN LAYTON FILED DECLARATION IN UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA (USDC, NDC). (u)

"I, LAURENCE JOHN LAYTON, MAKE THE FOLLOWING DECLARATION (u)

"1. I AM THE DEFENDANT IN THIS MATTER. (u)

"2. ON NOVEMBER 18, 1978, SHORTLY AFTER 5:00 P.M., I WAS TAKEN INTO CUSTODY ON THE AIR STRIP AT PORT KAITUMA, GUYANA. (u)

"3. I WAS TAKEN TO THE POLICE OUTPOST NEAR PORT KAITUMA (MATTHEWS RIDGE). I WAS HELD THERE FOR THREE DAYS AND WAS TRANSFERRED ON NOVEMBER 21, 1978 TO POLICE HEADQUARTERS (EVE LEARY) IN GEORGETOWN. I GAVE A SIGNED STATEMENT SOME FOUR DAYS AFTER THE INCIDENT IN QUESTION, ON NOVEMBER 22, 1978. 89-4286-2617 (u)

(sc)

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"4. FROM THE TIME OF MY ARREST ON NOVEMBER 18, 1978, UNTIL I GAVE THE STATEMENT IN QUESTION ON NOVEMBER 22, 1978, I WAS KEPT ALMOST CONTINUOUSLY IN HANDCUFFS. I WAS GIVEN NO FOOD AND DESPITE THE FACT THAT I REPEATEDLY ASKED FOR SOMETHING TO DRINK I WAS GIVEN ONLY THREE OR FOUR GLASSES OF WATER DURING THIS SAME PERIOD. (u)

"5. I WAS HELD IN CELLS WITHOUT LIGHT OR VENTILATION AND WITHOUT A BED. THE CELLS IN WHICH I WAS HELD WERE FILTHY AND INFESTED WITH INSECTS. THEY WERE ALSO FOUL SMELLING. (u)

"6. I WAS INTERROGATED ALMOST CONSTANTLY BY THE POLICE AND OTHER GUYANESE AUTHORITIES. THOSE INTERROGATIONS TOOK PLACE AT VARIOUS TIMES DURING BOTH DAY AND NIGHT TIME HOURS. I WAS AWAKENED FROM MY SLEEP FOR INTERROGATION. (u)

"7. I WAS SUBJECTED TO BOTH MENTAL AND PHYSICAL ABUSE. I REPEATEDLY, DURING THIS PERIOD, REFUSED TO MAKE A STATEMENT AND DEMANDED TO SPEAK TO AN ATTORNEY AND A REPRESENTATIVE OF THE AMERICAN EMBASSY. MY REQUESTS WERE DENIED. I WAS PERMITTED NO VISITORS. (u)

"8. DURING THIS SAME PERIOD OF TIME I WAS THREATENED THAT IF I DID NOT SPEAK AND MAKE A STATEMENT I WOULD BE PHYSICALLY HARMED.

(u)

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I WAS TOLD THAT OTHER MEMBERS OF PEOPLE'S TEMPLE HAD BEEN SHOT BY GUYANESE AUTHORITIES AND THAT I MIGHT BE SHOT AS WELL. DURING THIS PERIOD OF TIME I ALSO LEARNED FOR THE FIRST TIME THAT ALMOST ALL OF THE PEOPLE IN JONESTOWN HAD COMMITTED SUICIDE AND WERE DEAD. (u)

"9. WHEN I HAD FIRST BEEN REQUESTED TO MAKE A STATEMENT, AFTER HAVING BEEN ADVISED OF MY RIGHTS, I REFUSED TO MAKE A STATEMENT. I DID NOT INTEND TO MAKE A STATEMENT TO ANY PERSON CONCERNING THIS INCIDENT. (u)

"10. HOWEVER, AS A RESULT OF THE PHYSICAL AND MENTAL ABUSE AND THE CONDITIONS OF MY CONFINEMENT I NO LONGER HAD THE WILL TO REFUSE AND I MADE THE STATEMENT WHICH IS THE SUBJECT OF THIS MOTION. (u)

"11. I FINALLY GAVE A SIGNED STATEMENT AT ABOUT 10:30 - 11:00 O'CLOCK A.M. ON NOVEMBER 22, 1978. I WAS NOT CHARGED UNTIL ABOUT ONE HOUR AFTER I MADE THAT STATEMENT AND I WAS FIRST BROUGHT TO COURT ABOUT THREE HOURS AFTER MY STATEMENT WAS GIVEN TO THE POLICE. (u)

"11. MY STATEMENT WAS BROUGHT ABOUT BY THE CONDITIONS OF MY (u)

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SUBJECTED DURING THAT PERIOD OF TIME. (u)

"I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF." DATED AND SIGNED. (u)

SUPPRESSION HEARING SET IN USDC, NDC, SAN FRANCISCO, ON JULY 7, 1981, AND THE FOLLOWING WITNESSES FROM GUYANA HAVE BEEN REQUESTED TO APPEAR: SKIP ROBERTS, INSPECTOR JAGMOHAN, DETECTIVE ALVIN SMITH, AND CONSTABLE MORTIMER KASAN-ALLY. ALSO REQUESTED TO APPEAR, BUT NOT NECESSARILY THE SAME DATE IS JOEL CLEMEN TSON AND DR. LESLIE MOOTOO. (u)

USA, SAN FRANCISCO, DESIRE S OP INION FROM DIRECTOR OF PUBLIC PROSECUTION (DPP) WHETHER ABOVE WITNESSES ARE SUFFICIENT TO SUBSTANTIALLY REFUTE LAYTON ALLEGATIONS, PARTICULARLY ITEMS 4 - 8, OR WOULD HE SUGGEST APPEARANCE OF ADDITIONAL WITNESSES SUCH AS JAILER OR OTHER POLICE OFFICERS. USA IS AWARE THAT CHARGES BY LAYTON ARE NON-SPECIFIC AND IS ALSO FULLY AWARE THAT ALLEGATIONS ARE UNFOUNDED, HOWEVER, UNDER AMERICAN JUDICIAL SYSTEM IT IS GOVERNMENT'S RESPONSIBILITY TO DISPROVE ANY SUCH ALLEGATIONS. (u)

COMMENTS AND SUGGESTIONS FROM DPP WOULD BE GREATLY APPRECIATED. (u)

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SAN JUAN IS REQUESTED TO CONTACT GEORGE JACKMAN, ACTING  
DPP, GUYANA, OR RELAY TELETYPE TO AMERICAN EMBASSY, GEORGETOWN,  
AND REQUEST CONTACT DPP AND FURNISH HIM THE ABOVE. (u)

BUREAU IS REQUESTED TO RELAY TO STATE DEPARTMENT; BUREAU OF  
CONSULAR AFFAIRS, CA/C S/CS/ARA, ATTENTION  FOR INFO (u)

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