

Unusual extradition fight plays out over priests' slayings

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By JONATHAN DREW August 18, 2015

RALEIGH, North Carolina (AP) — North Carolina is the unlikely scene of a court battle that could determine whether a former Salvadoran military colonel is prosecuted for the notorious slayings of Jesuit priests more than two decades ago during El Salvador's civil war.

An extradition hearing Wednesday for Inocente Orlando Montano Morales is the latest twist in a case that stretches back to 1989, when authorities say members of the military killed six priests and two witnesses. He is one of 20 former military members indicted by a court in Spain, the native country of five of the priests.

But Montano — who is in custody in North Carolina — is currently the only former officer within the reach of Spanish prosecutors. Most of the others are in El Salvador, where authorities have no plans to prosecute or extradite them because of an amnesty law for crimes committed during the 12-year civil war that ended in 1992.

Montano, 73, has denied involvement in the killings of the priests. A defense lawyer in the extradition case didn't respond to an email seeking comment.

Carolyn Patty Blum, a human rights lawyer who helped persuade Spanish authorities to take up the case, said Montano offers the best chance for mounting a trial that would show what role top military officials played in the killings.

"There will be no movement in El Salvador for the vast majority of the defendants unless there is an erosion of the amnesty law," said Blum, senior legal adviser to the Center for Justice & Accountability.

Calling arguments against extraditing Montano a "nonstarter," Blum said she believes the judge will have all the information she needs by the end of the next hearing and could rule from the bench or issue a written ruling later.

The State Department has a final say, but it seems unlikely that it would refuse extradition because one of its lawyers already reviewed Spain's request before the department referred it to federal prosecutors.

The killings sparked international outrage and helped erode U.S. support for the right-wing Salvadoran government's fight against leftist rebels.

"The overall reaction was one of shock, and recognition of what was actually happening in El Salvador and what role the U.S. government was playing," said Tim Byrnes, a political science professor at Colgate University.

The U.S. government supplied money, weapons and training to government forces. But the plentiful weapons also fell into rebel hands. "In effect, we were arming both sides," U.S. Sen. Daniel Patrick Moynihan said on the Senate floor the day after the killings.

The deaths occurred the early morning of Nov. 16, 1989, when court documents say members of the Salvadoran military killed six Jesuit priests, their housekeeper and her daughter at a university in the country's capital city. The priests had been calling for discussions to end the fighting.

Two military officers were sentenced to prison in El Salvador in 1992 for the killings, but they were released a little over a year later after the amnesty went into effect. Montano and other high-level officials were never tried.

An extradition complaint filed by U.S. authorities in April says Montano, who also served as El Salvador's vice minister of defense and public safety, oversaw a government radio station that issued death threats against priests at the university. It says the colonel attended a meeting when another officer gave the order for the killings.

An arrest warrant issued in Spain accuses Montano of murder and other charges under a terrorism law.

Blum said her organization partnered with a Spanish advocacy group to file a 2008 complaint asking authorities there to look into the case. The indictments were issued in 2011 after an investigation by a Spanish court.

Montano arrived in the U.S. in the early 2000s and worked for six years at a candy factory in a Boston suburb. He was arrested in 2011 and sentenced to nearly two years for immigration fraud and perjury. He served his time in a federal prison in North Carolina, setting the stage for the extradition fight here.

Montano was taken into custody by U.S. Marshals after his release from prison in April. He's being held at a jail in Greenville, where the next court hearing will take place.

<http://news.yahoo.com/unusual-extradition-fight-plays-over-priests-slayings-155243790.html>