

Court sentences two Chileans, indicts US in the 1973 murder of Charles Horman

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More than four decades after two young US citizens were brutally tortured and murdered, along with thousands of Chilean workers, students and political activists, a court in Chile has sentenced two former military intelligence officers in connection with the crime, while directly indicting the US government for setting it into motion.

Pedro Espinoza, a retired Chilean army brigadier general, was sentenced to seven years in prison in connection with the executions of Charles Horman, 31, and Frank Teruggi, 24, in the days following the September 11, 1973 US-backed military coup that overthrew the government of Socialist Party President Salvador Allende. Rafael Gonzalez, a Chilean air force intelligence operative, was sentenced to two years of police supervision for being an accomplice in the killing of Horman.

The Horman case was made famous by the book *The Execution of Charles Horman: An American Sacrifice*, written in 1978 by Thomas Hauser in cooperation with Horman's widow, Joyce, and father, Ed Horman. The book was subsequently the basis of the award-winning 1982 movie *Missing*, directed by Costa-Gavras.

Espinoza was the second-in-command of DINA, the Chilean secret police, and was named as the “material author” of the crime. He was already imprisoned for numerous other political murders, including that of the exiled former Socialist Party foreign minister of Chile, Orlando Letelier, who was killed in a terrorist car bombing in Washington, DC in 1976. He has also been condemned to life in prison by a court in Paris for the killing of four French citizens.

Gonzalez played an intimate role in the case, apparently spying on Horman and Teruggi—who were both politically sympathetic to the Allende government and collaborated in editing a left-wing weekly news

digest known as “FIN”—and then interrogating Horman after soldiers abducted him from his home in Santiago on September 17, 1973.

Horman was executed the next day after suffering brutal torture. Frank Teruggi was arrested on September 20 and taken to the Santiago National Stadium, which was turned into a giant concentration camp through which some 40,000 perceived enemies of the military junta were to pass. Like many of them, Teruggi was tortured and killed within a day of being taken there.

Defecting the year after the coup and seeking asylum in the Italian embassy, Gonzalez recounted that he was present when the decision was made at the Chilean Ministry of Defense to execute Horman. Also present, he said, was General Augusto Lutz, director of the Military Intelligence Service (SIM), a Chilean colonel and an unidentified US official, believed to be with the CIA.

Before his defection, Gonzalez was assigned by the Chilean junta to serve as the liaison with US officials over the Horman case. When the regime decided to exchange Horman's body for US military aid to the Chilean armed services, it was Gonzalez who knew where to find it.

The Chilean court's 276-page ruling, which the *New York Times* reported was issued on January 9 but only made public on Wednesday, makes it clear that the US government was fully complicit in the 1973 executions of the two Americans.

The murders of both Horman and Teruggi, the ruling states, were the outcome of a “secret investigation” into their political activities carried out by the United States Military Group in Santiago, commanded by Navy Capt. Ray E. Davis. The intelligence gathered by the US military was passed along to its Chilean counterparts in

what was effectively a warrant for their deaths.

Davis actually was indicted by a Chilean court in 2011, and his extradition sought from the US. Only later was it learned that he had been checked into a nursing home in Chile, where he died in 2013.

Chilean Judge Jorge Zepeda issued a ruling last year in which he found that “The military intelligence services of the United States had a fundamental role in the creation of the murders of the two American citizens in 1973, providing Chilean military officers with the information that led to their deaths.” The judge found that the executions were part of “a secret United States information-gathering operation carried out by the US Milgroup in Chile on the political activities of American citizens in the United States and Chile.”

For over two decades successive US government denied any participation in or even knowledge of what happened to Horman and Teruggi. Then, in 1999, a 1976 secret State Department memo was declassified. It declared that the Horman case “remains bothersome,” noting growing “intimations” of “negligence on our part, or worse, complicity in Horman’s death.” The memo noted that, while its focus was on Horman, “the same applies to the case of Frank Teruggi.”

While insisting that the State Department’s duty was “categorically to refute such innuendos in defense of US officials,” it added that given what information was at hand, it was not in a position to do so.

It continued that based on this information, the department was “persuaded” that “The GOC [Government of Chile] sought Horman and felt threatened enough to order his immediate execution.” It added that the Chilean regime “might have believed that this American could be killed without negative fallout from the USG [US Government].”

The memo acknowledged that there existed “some circumstantial evidence to suggest US intelligence may have played an unfortunate part in Horman’s death.” And finally, it cited Rafael Gonzalez, the recently sentenced ex-Chilean air force intelligence agent who handled the State Department’s inquiries at the time, as stating that, “Horman was considered as knowing too much.”

What Horman apparently knew too much about was the direct US role in orchestrating the Chilean military coup. At the start of the coup, he had been in the Chilean resort town of Viña del Mar, near the Pacific

port city of Valparaiso, which served at the time as the base of operations both for Chile’s military in launching the coup, and US warships and military and intelligence personnel sent to help organize it. Horman spoke with US operatives who happily took credit for the coup, and he took notes documenting these discussions.

Also present in Viña del Mar was Captain Davis, the head of the US Milgroup, who ended up driving Horman and a companion back to Santiago at the height of the military siege, when a curfew was in effect and roads were blocked by military checkpoints. Horman’s widow recounted that he was conscious of the US officer’s interrogating him during the drive and, before it was over, “began to fear Captain Davis.”

The Horman family, represented by the Center for Constitutional Rights, brought a lawsuit against former national security adviser and Secretary of State Henry Kissinger and other US officials for the wrongful death of Charles Horman. Kissinger, who played the leading role in preparing the coup, addressed a message to Chilean dictator Gen. Augusto Pinochet at the height of the bloodbath in which Horman and Teruggi were killed, praising him for his “great service to the West.” The suit was ultimately dismissed because of the US government’s withholding of secret documents and witnesses.

In response to the latest sentencing of the two Chileans for their role in the killings in 1973, Frank Teruggi’s sister, Janis Teruggi Page, told the *Times*, “Frank, a charitable and peace-loving young man, was the victim of a calculated crime by the Chilean military, but the question of US complicity remains yet to be answered.”



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