

S.F. nonprofit sues former Salvadoran commander

Group accuses man of torture, war crimes

Tyche Hendricks, Chronicle Staff Writer
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A San Francisco nonprofit that has successfully sued foreign military leaders for crimes against humanity has again filed suit, this time against a former Salvadoran military commander the group says is responsible for torture and assassinations during the early years of El Salvador's civil war.

The Center for Justice and Accountability, along with a Tennessee law firm, claims in a civil suit filed in Memphis that Nicolas Carranza, a U.S. citizen living in Memphis, was El Salvador's vice-minister of defense between 1979 and 1981, a time during which violent attacks were mounted against Salvadorans who criticized their government.

"The case is not about revenge, but sending the message that you can't commit crimes against humanity and then retire to the United States," said the center's director, Sandra Coliver.

Carranza did not respond to a message left at his Memphis home requesting comment.

The center is bringing the case on behalf of seven Salvadoran plaintiffs -- six of whom now live in the United States -- who say they were tortured or had family members killed by security forces under Carranza's command. The plaintiffs are asking for unspecified punitive and compensatory damages.

One plaintiff, San Francisco security guard Jose Francisco Calderon, said he still vividly remembers the night in September 1980 when members of the National Police shot his father to death in the family's home in the town of Ahuachapan.

"I still have nightmares about it," said Calderon, his voice choked with tears. "My father was a humble schoolteacher. He was willing to speak up for better education for the poor."

Calderon said he fled to San Francisco after witnessing his father's murder. He applied for political asylum here but was denied. He has since gained legal status and become a U.S. citizen. Berkeley psychologist Adrienne Aron, who has worked extensively with Salvadoran and Guatemalan torture victims, said such a lawsuit has tremendous psychological value for the survivors.

"To see the perpetrators brought to justice, that is the thing that can set the world aright again after it's been so terribly disturbed," said Aron. "It enables them to believe that the world can again be a safe place."

In El Salvador, a 1993 amnesty passed after the peace accords that ended the war prevents charging



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military officers or troops with wartime atrocities.

The U.S. suit against Carranza was brought under a 1789 law that allows victims to seek redress in U.S. courts even if the offenses occurred elsewhere, as long as the perpetrator is in the United States.

The Center for Justice and Accountability used the same law last year to win a \$54 million verdict against two retired Salvadoran generals in Florida.

Legal experts say such victories could make the United States a less appealing place for foreigners with a history of human rights abuse.

"It's outrageous that such a man was able to become a U.S. citizen," said Coliver. "We hope that the case will result in his being denaturalized and deported."

<http://sfgate.com/cgi-bin/article.cgi?f=/c/a/2003/12/11/MNG2I3KUV91.DTL>

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