

The New York Times

Family of Slain Chilean Folk Singer Files Suit in Florida

By PASCALE BONNEFOY Published: September 5, 2013

SANTIAGO, Chile — A former Chilean Army officer charged with murdering Víctor Jara, a popular folk singer, shortly after the 1973 military coup has been sued in a Florida court under federal laws allowing legal action against human rights violators living in the United States.

Mr. Jara, then 40, was a member of the Communist Party and an accomplished theater director and songwriter whose songs of poverty and injustice remain vastly popular. He was arrested with hundreds of students and employees at the Santiago Technical University, where he was a professor, a day after the Sept. 11 coup that ushered in 17 years of the Pinochet dictatorship.

The prisoners were taken to Chile Stadium, used to hold thousands of prisoners. There, Mr. Jara was singled out with a few others, beaten, tortured and shot. His body, with 44 bullet wounds, was found dumped outside a cemetery with four other victims. The arena was later renamed Víctor Jara Stadium.

The lawsuit against the former officer accused of his murder, Pedro Pablo Barrientos, comes as Chileans take part in a number of cathartic, emotionally charged events leading up to the 40th anniversary of the coup. It was filed on Wednesday by the San Francisco-based [Center for Justice and Accountability](#) in a Jacksonville district court on behalf of Mr. Jara's widow and daughters under the Alien Tort Statute and the Torture Victim Protection Act of 1991. Mr. Barrientos, 64, moved to the United States in 1989 and became an American citizen. He lives in Deltona, a city southwest of Daytona Beach, Fla.

Last December, a Chilean [judge charged](#) Mr. Barrientos and another officer, Hugo Sánchez, with committing the murder. Another six officers were charged as accomplices. All are free on bail.

“Although ideally justice should be achieved in the home country, international justice efforts are at the service of the victims and by pursuing them, we can support and invigorate justice at home,” said Almudena Bernabeu, a lawyer for the center.

Mr. Barrientos was located in Deltona last year by a Chilean television crew and denied having ever been in the stadium. But a dozen soldiers from his regiment have testified that he was in charge of the companies sent there. One of the soldiers, José Paredes, said in legal testimony that he witnessed Mr. Barrientos and other officers beat and torture Mr. Jara and other prisoners.

“After that, Lieutenant Barrientos decided to play Russian roulette, so he took out his gun, approached Víctor Jara, who was standing with his hands handcuffed behind his back, spun the cylinder, put it against the back of his neck and fired,” Mr. Paredes stated. The gun went off and Mr. Jara “fell to the ground,” he added. The other officers fired as well, he said.

Although the Chilean Supreme Court authorized the judge’s request to extradite Mr. Barrientos from the United States in January, the Chilean government has not sent the extradition request to American officials. The 543-page legal file is still being translated, according to the Foreign Ministry.

The center for justice filed a similar lawsuit in 1999 against another Chilean human rights violator residing in Florida, Armando Fernández Larios, for complicity in the torture and murder of Winston Cabello in 1973. A Florida jury found Mr. Fernández liable in 2003 and awarded \$4 million in damages to the Cabello family.

After Mr. Jara’s murder, his wife, Joan Jara, a British-born dancer who moved to Chile in 1954, left the country with her two young daughters. She returned 11 years later and has dedicated the past 40 years to “rescuing Víctor from being merely a victim.”

Since she first filed a criminal lawsuit in Santiago in 1978, the case has been handled by half a dozen judges; it was closed and later reopened, Mr. Jara’s remains were exhumed for forensic analysis and reburied in 2009, and the truth about his murder has been coaxed out of witnesses drop by drop.

“All of the information that has been dug out about the officers who were in the stadium has been discovered without the help of the army,” she said.

The legal action against Mr. Barrientos seeks damages for torture; extrajudicial killing; cruel, inhuman and degrading treatment; crimes against humanity; and arbitrary detention. The plaintiffs are requesting trial by jury. The ultimate goal, Ms. Jara said, was not monetary compensation, but to use the only available legal tool in the United States to hold Mr. Barrientos accountable. Mr. Barrientos could not be reached for comment.

“There’s no money that can cure the damage that has been suffered,” she said in a recent interview. “I’ve had two lives: one before and one after 1973.”

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