

3-1-2007

## Four Arrested In Killing Of Murdered Parlamentarians; Guatemalans Fear A Failed State

Mike Leffert

Follow this and additional works at: <https://digitalrepository.unm.edu/noticen>

---

### Recommended Citation

Leffert, Mike. "Four Arrested In Killing Of Murdered Parlamentarians; Guatemalans Fear A Failed State." (2007).  
<https://digitalrepository.unm.edu/noticen/9489>

This Article is brought to you for free and open access by the Latin America Digital Beat (LADB) at UNM Digital Repository. It has been accepted for inclusion in NotiCen by an authorized administrator of UNM Digital Repository. For more information, please contact [amywinter@unm.edu](mailto:amywinter@unm.edu).

## **Four Arrested In Killing Of Murdered Parliamentarians; Guatemalans Fear A Failed State**

*by Mike Leffert*

*Category/Department: Guatemala*

*Published: 2007-03-01*

The murders of three Salvadoran members of the Central American Parliament (Parlacen) Feb. 19 in Guatemala (see NotiCen, 2007-02-22) plunged both countries deeper into confusion with the subsequent murders of four Guatemalan police officers charged with the crime. The four officers were killed while in custody at a prison other than the one to which they were remanded by a judge, giving rise to speculation of a wide-ranging conspiracy to silence them and bringing to public view the depth and breadth of corruption at all levels of government.

Initially, the events allowed the presidents of both nations to use them to advance their respective political agendas. Salvadoran President Antonio Saca blamed the communists for the first crime, while Guatemalan President Oscar Berger blamed gangs in the prison for the second. When the police were arrested, the two heads of state agreed on a common theme: the cops were tied to drug-trafficking rings.

"The latest report I received is that a band of drug traffickers with ties in both countries was responsible for the killings and that elements of Guatemala's Policia Nacional Civil (PNC) form part of the gang," said Berger. "All the evidence indicates that a specific group touched political structures in El Salvador. Organized crime is a reality in Central America and can be related to contraband and to drug trafficking," said Saca, apparently giving up on the communist angle. Neither president, however, strayed into the question of motivation for the murders of the parliamentarians, Eduardo D'Aubuisson, Jose Ramon Gonzalez, William Pichinte, and their driver, Jose Ramirez.

It was left to Guatemala's principal newspaper Prensa Libre to report, "The police officers who were arrested told investigators that they had been paid to intercept the vehicle driven by the legislators and steal the drug shipment that they were supposedly carrying or the money from its sale." That bit of reporting may have sounded the death knell for the cops, Luis Herrera Lopez, head of the PNC organized crime unit, Jose Korke Lopez Arreaga, Jose Adolfo Gutierrez, and Marvin Escobar Mendez. But the newspaper cannot be credited for the capture of the four.

For that, their collective stupidity played the major role. The car they used to intercept the parliamentarians' vehicle, unbeknownst to the high-ranking officers, had a global positioning system (GPS) installed. Their every movement had been tracked by satellite, recorded, and timed. With that to go on, investigators located witnesses and even videotape from the Empresa Municipal del Transporte putting them at the scene. El Salvador's police chief Rodrigo Avila let it be known that his department had evidence "that it wasn't the first time these subjects had committed crimes."

Once in custody, the four were brought before Judge Nery Medina at the Juzgado Noveno de Primera Instancia in Guatemala City. Prensa Libre reported the four admitted guilt and said they killed the legislators on orders from a Jutiapa (Guatemala) drug trafficker who told them the legislators were carrying US\$5 million in drugs and/or cash. This report brought up a potentially important issue. Prosecutor Alvaro Matus denied knowing anything about the statement and said the alleged perpetrators had not said anything when brought before Medina. "Here in Guatemala, it is illegal to interrogate a person if he is not before a judge, as was the procedure yesterday, when they refused to make a declaration."

Matus also wondered why, or how, President Berger knew and spoke of the link to narcotrafficking the day before. "I don't know why the president said that. I don't know what his source of information was. For the moment I don't discard it, but there are several lines of investigation, and we have to exhaust them, corroborate them, or rule them out." Guatemala's police chief Erwin Sperisen, however, confirmed a confession. "Yes, they admitted it," he said. "At one point they asked for some kind of negotiation in exchange for telling who was the intellectual author of the murders." Sperisen did not say whether a deal was made, but, from that point at the Juzgado Noveno, an unseen hand was guiding the four alleged culprits toward their own demise.

Judge Medina ordered them remanded to the Centro Preventiva in Zone 18, on the outskirts of Guatemala City, but instead they were sent, on the authority of the police involved in their capture, to El Boqueron prison, 70 km from the city, where all hell was soon to break loose. The prisoners at El Boqueron are for the most part members of Mara Salvatrucha, the large international gang whose members are frequently rounded up on any pretext and herded into jails in Guatemala. This happens also in neighboring countries whose officialdom executes a *mano dura* (firm hand) policy toward the youths, many of whom have been deported back to their Central American countries from the US.

## *Differing accounts*

According to initial reports, unknown assassins had entered the jail during visiting time on Sunday, Feb. 25, and shot the four policemen to death with a barrage of assault-weapon fire and then beheaded them, after first having cut electricity to the facility. This was a version from other prisoners and from visitor witnesses. They described the assassins as appearing to be "police-paramilitary." But police said the four were killed during a riot initiated by Salvatrucha inmates that broke out Sunday afternoon. They were unable to say whether the four were killed during or after the riot. Police spokesperson Maria Jose Fernandez said she did not know who actually killed the men.

During the 12-hour riot, a Salvatruchan inside the prison contacted reporters by phone and told them that the riot broke out when prisoners feared being blamed for the murders. The rioters took hostages the warden and four others for negotiating purposes. The hostages were freed after lengthy bargaining with officials and only after the prisoners were permitted access to a TV news crew to tell the world they were not responsible for the killings. The events left all governmental credibility in embers.

Said spokesperson for the Procuraduria de los Derechos Humanos Carla Villagran, "Everything at this moment is in doubt. There could be many hypotheses. One can think that there was a lot of interest in silencing these policemen. In fact, one of the policemen, upon being arrested last week, mentioned that he would prefer being killed or that he preferred committing suicide before giving information about why they did what they did with the parliamentarians and who had ordered them to do it." At a loss for any credible explanation for what has transpired so far, or why, Guatemala's Interior Minister Carlos Vielmann could only tell reporters for certain that the four policemen could not have been killed as they had without the complicity of personnel of the penal system because whoever did the killings had to pass through several locked doors, all of which had been opened at the time of the attack. "The information about events at the prison got to the ministry's authorities long after it happened, which is abnormal procedure," said Vielmann. It was determined that each locked door would have had to be opened by a different guard, because each had a different key.

Another abnormality, said Vielmann, was that, as early as 10 a.m. on Sunday, one of the outside guards at the prison sent a note to authorities inside asking for help. A prisoner's relative had told him that someone was going to kill the four cops. This information never got either to the ministry or to the Direccion de Presidios. "We didn't know there had been an alert from security at the prison, because they didn't advise us," said Carlos Leon, deputy director of prisons. One further question Vielmann could not answer was why, if the murders had been committed from within, the arms used were not found when the premises were searched after the riot.

The Interior Ministry is wedded to the idea that the gang members did it with the help of guards. They are pitted against the human rights office, which favors the idea of outside assassins. Evidence gathered by investigators from the Ministerio Publico (MP) would appear to favor the prisoners' version that the perpetrators entered from outside. Marco Aurelio Pineda, chief of criminal investigation for the MP, said 32 shell casings from an AK-47 and a 9 mm weapon were found on the scene, while 15 bullets were found outside, and no AK-47 turned up in the search of the premises. Since the common denominator in the opposing theories was complicity of prison personnel, 21 guards and their director were arrested and incarcerated in their own jail.

A spokesperson for the Public Ministry said these were the people on duty at the time of the murders. They had claimed not to have heard or seen anything. Also pointing to complicity from prison personnel, investigators determined that the crime scene had been altered, that there had been efforts to wash down the area to remove evidence. "Without the help of the guards, these people could not have succeeded in assassinating the victims with impunity so they couldn't testify [about the murders of the deputies]," said Samuel Villalta, the local chief prosecutor.

A by now discredited President Berger said the crime was committed by armed mafiosos who arranged everything with the guards. He told the media, "There is a war among them that has occasioned this violent death of four very important witnesses for the state of law in Guatemala." He explained, "They were taken to [El Boqueron] because it was the place of greatest security. It seems they passed freely through eight doors. There must have been many involved." After failing to satisfy reporters with his explanations, Berger offered apologies to El Salvador for bungling the clarification of the murder of its nationals, the parliamentarians.

Not placated, El Salvador's vice minister of security Astor Escalante said a delegation of Salvadoran officials would go to Guatemala "to ask the Guatemalan authorities how it was possible to penetrate this 'security' penitentiary, and how it was possible to eliminate the four presumed material authors." Escalante said at present there is no evidence linking criminal organizations in Guatemala with criminals in El Salvador for these killings. "Nevertheless, it is a subject that we still can't rule out because the investigation is just beginning."

The continuing investigation of the murders of the legislators, meanwhile, revealed that other police officers, in addition to the four, were still at large. Victor Soto, chief of the Division de Investigacion Criminal (DINC), said three other PNC officers participated in the crime. Salvadoran authorities said that one of these three is a high-ranking officer. Soto said the others were involved in bringing the white phosphorus used to burn the bodies in their vehicle and in informing the killers of the route taken by the Parlacen deputies. The Salvadoran authorities said they have evidence of the cell-phone conversation from El Salvador to a police cell phone used by Herrera giving the description and license number of the car in which the legislators were riding.

### *Evidence of a failed state*

For Guatemalans, meanwhile, the details of the case, however mysterious and compelling, run a poor second to the implication that Guatemala is again flirting with failed-state status. That is the subject of many letters of commentary written to the newspapers, all of which have been covering the story with several articles in each edition ever since the legislators were found dead. An editorial in *Prensa Libre* began, "One of the demonstrations of the ungovernability in which a country can fall is the incapacity of the authorities to exercise control and the impossibility of preventing criminal acts as a consequence of a mix of technical inability, poor preparation, neglect, or infiltration of organized crime into state agencies dedicated to controlling or reducing its effects."

The editorial calls the behavior of authorities absurd and holds them completely responsible for the events to date. It holds them in contempt for being ignorant of facts that reporters on their own have already disclosed. It says that the police situation is reprehensible, especially in view of the high rank of at least one of the alleged perpetrators and that two others have received medals for their performance in the past. The lack of confidence in the police is the worst part of it all, says *Prensa Libre*. "It is unacceptable, it is worrisome, and it is becoming a reality that sooner or later it will affect all citizens." The most resonant sentence in the piece reads, "Guatemala is coming dangerously close to what is known as a failed state, where it is impossible for institutions to function."

-- End --