MORI DocID: 814934

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COUNTRY: (U) PERU (PE).	
COMBINE: COMPLETE	
SUBJECT: DFFICER NOT IN JAIL (CORRECTED COPY) (U)	
WARNING: (U) THIS IS AN INFORMATION REPORT, NOT FINALLY EVALUATED INTELLIGENCE. REPORT CLASSIFIED	
S.F.C. R. E. T. NOFORN WHINTEL.	
- DEPARTMENT OF DEFENSE	
DOI: (U) 931213.	
REQ: (U)	
·SOURCES: A. (6)	•
BOOKELS. A. 16	(b)(1)
· B. (S/NE/100)	
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SUMMARY: (C/NF) PERUVIAN ARMY OFFICER TELMO ((HURTADO))	
IS NOT SERVING TIME IN PRISON FOR HIS PARTICIPATION IN THE 1985 ACCOMARCA MASSACRE. HE WAS RELEASED IN 1991,	
PROMOTED TO CAPTAIN, TRIED IN COURT, AND IS NOW WORKING AT THE INFANTRY SCHOOL.	(h)(2)
•	(b)(2)
TEXT: 1. (C/MF) INDICATE THAT LIEUTENANT TELMO ((HURTADO)) HURTADO, CONVICTED AND SENTENCED TO SIX YEARS IN PRISON	(b)(1)

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(b)(2).

(b)(1)

(b)(2)

IN CONNECTION WITH THE 1985 PERUVIAN ARMY ACCOMARCA MASSACRE, IS NOT IN PRISON, BUT RATHER, HAS BEEN PROMOTED AND IS STILL ON ACTIVE DUTY IN THE PERUVIAN ARMY. HURTADO WAS TRIED IN 1992 AND A MILITARY REVIEW BOARD HEARD THE CASE IN FEB 93, INCREASING HURTADO'S SENTENCE FROM FOUR YEARS TO SIX YEARS.

- 2. (S) IN NOVEMBER 1993, REPORTED THAT HURTADO WAS NOT IN PRISON AND WAS STILL ON ACTIVE DUTY IN THE PERUVIAN ARMY. FURTHER REPORTED THAT HURTADO HAD BEEN RELEASED IN 1991 ON THE ORDERS OF THEN COMMANDING GENERAL OF THE ARMY, GENERAL PEDRO ((VILLANUEVA)) VALDIVIA. HURTADO WAS ALSO PROMOTED TO CAPTAIN. IN DECEMBER 1993, REPORTED THAT HE HAD LOCATED HURTADO, WHO HE CLAIMS IS CURRENTLY ASSIGNED TO THE STAFF OF THE PERUVIAN ARMY'S INFANTRY SCHOOL LOCATED IN THE CHORRILLOS DISTRICT OF LIMA.
- EXPLAINED THAT HURTADO HAS BEEN OFFICIALLY GIVEN CRDIT BY THE PERUVIAN ARMY FOR SERVING HIS SENTENCE BEFORE BEING ABLE TO BE RELEASED UNDER GOOD CONDUCT PROVISIONS.

 SAYS THAT THE ARMY CREDITED HURTADO'S PRETRIAL CONFINEMENT AS HIS REQUIRED MINIMUM CONFINEMENT.
- 4. (5/NF) INDICATES THAT AS OF JULY 1992
 HURTADO WAS STILL BEING CARRIED ON THE PERUVIAN ARMY
 ACTIVE DUTY ROLES AS AN INFANTRY CAPTAIN, INDICATING THAT
 HURTADO WAS STILL ON ACTIVE DUTY AND THAT HE HAD BEEN
 PROMOTED PRIOR TO JULY 1992.

COMMENTS: 1. (6)
BELIEVE THAT HURTADO HAD SERVED A TOTAL OF TWO YEARS
PRETRIAL CONFINEMENT

HURTADO WAS CONVICTED IN 1992
BY THE PERUVIAN MILITARY COURT SYSTEM OF ABUSE OF
AUTHORITY FOR HIS ROLE IN THE 14 AUG 85 MASSACRE AT
ACCOMARCA, AYACHUCHO DEPARTMENT. IN THIS INCIDENT, 69
VILLAGERS, INCLUDING WOMEN AND CHILDREN, WERE KILLED.
HURTADO WAS A SUB-LIEUTENANT AT THE TIME OF THE MASSACRE,
OR THE EQUIVALENT OF A SECOND LIEUTENANT, AND HAD BEEN
PROMOTED TO THE EQUIVALENT OF FIRST LIEUTENANT BY THE
TIME THAT HURTADO'S TRIAL BEGAN SEVERAL YEARS LATER. HE
WAS CONVICTED IN 1992 AND SENTENCED TO FOUR YEARS IN
PRISON. A MILITARY REVIEW BOARD REVIEWED THE CASE IN

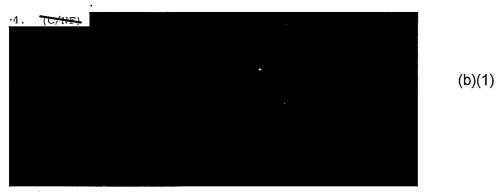
FEBRUARY 1993 AND INCREASED THE SENTENCE FROM FOUR YEARS TO SIX YEARS IN PRISON. THE PERUVIAN ARMY ALSO ANNOUNCED AT THAT TIME THAT HURTADO HAD BEEN PERMANENTLY DISCHARGED FROM ACTIVE DUTY.

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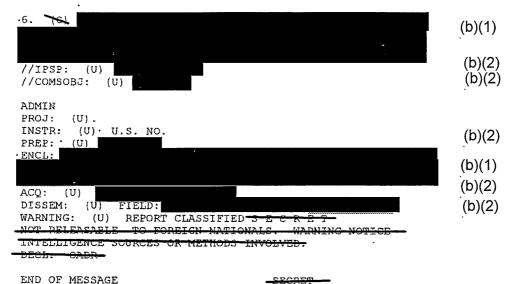
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5. THE PERUVIAN MILITARY LEGAL CODE DOES NOT HAVE PROVISIONS FOR CHARGES SUCH AS MURDER OR MANSLAUGHTER. ALTHOUGH THE MILITARY IS ABLE TO BRING THESE CHARGES INTO A MILITARY TRIAL THROUGH A PETITION TO APPLY THE CIVILIAN CHARGE, IT IS RARELY EVER DONE. THE ARMY NORMALLY CHARGES MILITARY PERSONNEL WITH "ABUSE OF AUTHORITY" IN THESE CASES.



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