

ACTION OCS-01

RELEASED IN FULL

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 FM AMCONSUL CIUDAD JUAREZ  
 TO SECSTATE WASHDC 9752  
 INFO ALL USCONS MEXICO  
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 AMEMBASSY MEXICO

UNCLAS CIUDAD JUAREZ 008185

CA/OCS/ACS/WHA FOR JANIE FRIEDLEIN

E.O. 12958: N/A

TAGS: CASC, PHUM, PREL, ASEC, ALOW

SUBJECT: ARREST UPDATE: AMERICAN WOMAN DESCRIBES TORTURE AT HANDS OF

CHIHUAHUA POLICE

REF: CDJ 7237 and previous

1. SUMMARY: Cynthia Kiecker's lawyer called her to testify on September 2, with her father and conoff in attendance. Kiecker gave a detailed description of her mistreatment and torture at the hands of Chihuahua state police and Public Ministry officials. The prosecution asked no questions. END SUMMARY
2. The proceedings in the murder trial of Amcit Cynthia Kiecker and her Mexican husband Ulises Perzabal continued September 2, with Kiecker providing her own statement to the court. Seated in the cramped offices of the First Penal Court located at the prison outside Chihuahua, two prosecution representatives, two defense attorneys, Kiecker's father and conoff listened to her statement. With no judge present, the "Secretary of Projects" presided over the session, accompanied by a court typist laboriously creating a verbatim record of all proceedings. Kiecker and her husband sat in the prisoner's cell in the office area. A judge will later read the entire record of testimony and other documents in order to arrive at a decision.
3. Kiecker gave a detailed account of her arrest and torture. She said that several police broke down the door to her house at 1:00 in the morning on Saturday, May 31, 2003. She claimed the police dragged her by her long, red hair about a half a block down the street. She gave the names of the neighbors in the

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nearby houses. Then the police threw her in a white van and place a plastic bag over her head, according to Kiecker. She said they took her to a place she later heard police call The Academy. Kiecker told the court that police beat her with their fists and slapped her with open hands. She could hear her husband screaming in another room, she said. Kiecker added that the police threw her in a room with a bed, splashed water on her, and shocked her with a two-pronged device her torturers calls "la chicarra" (the cicada, apparently so named after the sound it produces). Three or four policemen shocked her with devices as they questioned her about a "party" they claimed she and her husband had at their house on March 16, 2203, the day 16-year-old Viviana Rayas disappeared. Kiecker said that when they could see she was suffocating with the bag on her head, they removed it. They peppered her with questions about the "party" and asked her what she had done with Viviana, and what other girls she had invited. "You have no idea what we're doing to your husband," they shouted, with Perzabal's screams in the background, said Kiecker.

4. Kiecker testified that the police continued to tell her the story they wanted her to repeat, namely, that she and her husband had lured young Viviana to their house, murdered her with a jeweler's tool (metal rod), and dumped her body on the outskirts of town. Kiecker said that her tormentors then left her alone for a couple of hours. Next they took her out to look for the house of a friend named Meliton. Apparently her husband had incriminated friends during his interrogation. Kiecker said that the police demanded that she lead them to Meliton's house. Kiecker testified that during the ride she was able to look into the rear view mirror to see her bruised face and fat lip. She said that she was afraid the police were taking her out to kill her. Kiecker testified that they found the house, interrogated her friend's father and then returned to The Academy.

5. The next day, according to Kiecker, she was taken to a room with some eight police officers and a female investigator named Saenz. She put in front of a video camera and told to recount the story she had been told the night before. Kiecker claims that she said that the story was a lie and that she and her husband had nothing to do with the murder. At that point the police turned off the camera. Kiecker says that a large irate policeman told her, "Don't act stupid. You better tell it exactly like you did last night or we're going to shove a big stick up your ass. You'll be really sorry. I've had enough of this crap. I haven't slept for almost three months. Do what I tell you or things will go very badly for you." Kiecker says that she then complied and gave a taped confession to the murder of Viviana Rayas. After the camera was turned off, Kiecker says that she repeated that the whole story was a lie and that she

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and her husband were innocent.

6. Before she was taken to prison, Kiecker said that a doctor came a gave her, her husband, and their friends a cursory examination. She said the male doctor asked her to undress in a co-ed holding cell. She refused. She said that her husband had burn marks from the torture, but she didn't because they shocked her through her clothes. She said she was later taken to the police station for another statement and warned not to say anything to reporters, who habitually congregate there in search of a story. She says that she was in jail another two days before she was given the opportunity to make a phone call. As reported earlier, the Chihuahua authorities made no effort at any time to report her arrest to the U.S. consulate general in Ciudad Juarez. Once her testimony had ended, the prosecution declined the opportunity to ask questions.

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