

Chile won't extradite Letelier suspects

By SHIRLEY CHRISTIAN

SANTIAGO, Chile (AP)—The head of the Supreme Court refused yesterday to grant the extradition of three former Chilean secret police officials the United States wants to try for the 1976 murder in Washington of exiled Socialist Orlando Letelier.

Court President Israeli Borquez, in a brief announcement after meeting with Contreras and the other two accused, said the evidence submitted by the U.S. Justice Department was not sufficient because it was based on a "paid accusation."

He was referring to the plea bargain agreement made between U.S. prosecutors and an American, Michael Townley, who formerly lived in Chile. Townley has confessed to leading the murder mission and has given key prosecution testimony in Washington in exchange for a light sentence.

Gen. Juan Manuel Contreras, one of the three accused by the United States of ordering the assassination, said he was happy with the "professional justice" of the ruling. He called the entire proceedings "a very well-mounted show."

In Washington, E. Lawrence Barcella, a federal prosecutor in the Letelier case, called the decision "extremely disappointing" and said the U.S. govern-

ment would appeal to a Supreme Court panel in Chile.

The three will remain in custody pending appeal, Chilean authorities said.

Borquez, who followed the recommendation given last month by a special court prosecutor, did say he was turning evidence over to Chilean military justice authorities for an investigation and possible trial here because of some "contradictions."

Under existing extradition accords, this is permitted when extradition is denied.

Chile's legal system allows the head of the Supreme Court to act as both judge and jury in extradition cases. But his decision is subject to automatic appeal to a panel of five associate justices.

"The last word has not been said in this case," said Alfredo Etcheberry, the Chilean lawyer who represents the United States in the matter. "My evidence is sufficiently solid," he said, adding there have been instances in which the five-justice panel has overturned a decision of the court president.

The United States' request was for the extradition of Contreras, former chief of the police unit known as DINA, Col. Pedro Espinoza Bravo, former DINA chief of operations, and Capt. Armando Fernandez Larios, an agent at the time of Letelier's death in 1976.

Letelier, a former cabinet minister and diplomat in the Socialist government of the late Salvador Allende, was killed by an exploding remote-control bomb planted under his car in Washington, where he lived in exile.

An American co-worker, Ronni Moffitt, also died in the blast and her husband, Michael, was injured.

Letelier had been imprisoned for a year after the military overthrew Allende on Sept. 11, 1973. Once freed, he went into exile and became a leading opponent of the regime of Gen. Augusto Pinochet.

Contreras was indicted in August by a Washington grand jury for allegedly ordering the killing of Letelier. Espinoza and Fernandez also were indicted for murder. Five Cuban exiles were indicted as well—four of them for murder.

Townley lived many years in Chile and says he worked for the DINA. He said the murder was done on orders passed to him by Espinoza, the DINA chief of operations, and that Fernandez Larios monitored Letelier's movements in Washington before the bomb was planted.

Townley was turned over to the U.S. Justice Department a year ago and agreed to cooperate in return for a light sentence. He was the star witness last January in the trial in Washington of three of the Cubans, and two were convicted of murder. Two more are being sought.