

The New York Times

Man Is Found Liable in Killing of Salvadoran Archbishop

By THE ASSOCIATED PRESS

Published: September 4, 2004

RESNO, Calif., Sept. 3 (AP) - A federal judge found a retired Salvadoran air force captain liable on Friday in the 1980 killing of Archbishop Óscar Romero and ordered him to pay \$2.5 million in compensatory damages and \$7.5 million in punitive damages.

"To be liable for the killing of a human being, you don't have to pull the trigger," Judge Oliver W. Wanger of Federal District Court said to 100 spectators in the courtroom here, many of them Salvadoran. The courtroom erupted in applause, and many in attendance began weeping.

The former officer, Álvaro Rafael Saravía, was not present and had no representation.

Vivid memories of the assassination and the archbishop's role in human rights were recalled in the courtroom in a weeklong hearing on Mr. Saravía's liability. A sniper shot the archbishop to death on March 24, 1980, as he celebrated Mass at a hospital chapel in San Salvador. No one was held responsible for the killing.

The unusual suit was brought on behalf of a relative of Archbishop Romero under a little-known 18th-century law. The suit asks the court to determine whether the evidence presented was enough to show that Mr. Saravía, last known to have been living in Modesto, could be held liable.

A United Nations truth commission linked Mr. Saravía and others to the death. Immediately after the findings were made public, an amnesty law was passed, in 1993.

The suit was brought by a sibling of the archbishop who has not been identified, because the judge agreed that there was still significant danger of retaliation.

Mr. Saravía has not responded to the suit, filed by the San Francisco-based Center for Justice and Accountability, although the judge ruled that an adequate effort had been made to contact him. Human rights groups have found that Mr. Saravía, as security chief for the late Maj. Roberto D'Aubuisson, a cashiered National Guard officer who was crucial in steering El Salvador to the right in the late 70's and early 80's, conspired to kill the archbishop. Major D'Aubuisson appeared on Salvadoran television days before the killing, condemning the archbishop's criticism of violence, which he attributed in large part to the government.