

By Center for Constitutional Rights

Case Inspired Oscar-Winning Film "Missing"

Move Believed to Be First Time Foreign Country Seeks Extradition of High-Ranking U.S. Military Official in Human Rights Case

NEW YORK - In a groundbreaking development, the Supreme Court of Chile has approved a request by an investigating judge to extradite retired U.S. Naval Captain Ray E. Davis for his role in the killings of two U.S. citizens, Charles Horman and Frank Teruggi. Davis headed the U.S. military mission at the embassy in Santiago during the 1973 military coup. Horman and Terrugi were secretly arrested, detained and executed by the Chilean military in the days following the coup, and Davis is accused of having provided information to Chilean intelligence on the two men. The request to extradite Davis came as part of a lawsuit brought in Chile by Charles Horman's widow, Joyce Horman.

The murder of the two young Americans in the national soccer stadium became a symbol of the brutality of the Pinochet regime which tortured, disappeared, and killed thousands of Chileans in the days and months following the coup.

In 1977, the Center for Constitutional Rights filed a lawsuit on behalf of Ms. Horman that charged former Secretary of State Henry Kissinger and other high-ranking U.S. officials with complicity in the murder of Charles Horman. The U.S. denied any role in Horman's death, but those denials were undermined by the emergence of a 1976 State Department memo that the case involved "negligence on our part, or worse, complicity in Horman's death." At the same time, the memo also indicated the State Department should refute any allegation implicating U.S. officials.

While the suit helped to uncover information regarding the role of the Pinochet regime and the U.S. Embassy in the Horman case, it was ultimately dismissed without prejudice because the U.S. government frustrated attempts to conduct discovery on grounds of national security. Ms. Horman, who is currently out of the country, eventually filed suit in Chile with the

assistance of her Chilean attorney, Sergio Corvalan, and Peter Weiss, a vice president of the Center for Constitutional Rights.

Said Peter Weiss, "It is gratifying that, while our own government invoked the state secrets doctrine in the U.S. case, the investigating judge in the Chilean case spent years of determined effort to get at the truth. This may yet turn out to be a fitting sequel to the movie 'Missing'," which was based on the Horman case.

For more information about the U.S. lawsuit, visit [CCR's Horman v. Kissinger case page](#).