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PORTUGAL: MAN ALLEGES SERIOUS POLICE ILL-TREATMENT PRIOR TO COMMITTING SUICIDE

Amnesty International is concerned about allegations of police ill-treatment that were made by Vítor Santos to members of his family and to others, shortly before he was found shot through the head on Sunday, 9 February 1997. An autopsy concluded that the cause of death was suicide, but also found on his body a number of marks indicating he could have been beaten very shortly before death.

Vítor Manuel Soares dos Santos was born in 1972 in Casal da Seralheira, Monte Gordo, near Vila Franca de Xira, a town to the north of Lisbon. He worked with his father as a carpenter and also spent much of his time working on the family's vegetable plot. On the night of 8 February, during carnival, he told his family that he was going to the cinema. Later he visited the cafe-restaurant Maioral in Rua Elvas Redol. According to the proprietor, he was there at about 2am on 9 February, at the same time as four officers of the Public Security Police (*Policia de Segurança Pública* - PSP), one in civilian clothes, the others in uniform. "They were," said the proprietor, "taking their usual coffee halfway through their round." Either deliberately or by accident, Vítor Santos spilt his second beer over one or more of the officers. "They seized hold of him and took him off."¹

¹"Estavam a tomar café, como fazem habitualmente no meio da ronda ... Agarraram-no e levaram-no." - *Público*, 11 February 1997

The PSP's version of events varies from this to some extent. One officer states that no policeman had been using the bar at the time. The PSP had been called there because a man (presumably Vítor Santos) was drunk and disorderly and annoying the customers. The officer reportedly stated that as Vítor Santos denied having caused a nuisance, he turned away, but Vítor Santos then spilt beer over him. The officer then asked him for his identification. Vítor Santos allegedly refused to give it. Consequently, with the help of two other officers from the Anticrime Brigades (*Brigades Anticrime*) of the PSP, he was taken to the station. He was identified and released, following the normal routine, remaining there only about ten minutes. António Ramos, a senior official of the police association, *Associação dos Profissionais de Polícia*, speaking on behalf of the PSP officers, maintains he was well treated at the station and even specifically advised by one officer to go home to rest. Contrary to allegations made by the family of Vitor Santos, he was not beaten. ("*Não houve espancamento nenhum.*"²) The police version adds that after his release he remained in the immediate vicinity of the station, speaking in disjointed phrases for about 30 minutes. He boasted that he was a good shot. He also said he was unemployed and had family problems and lately had done a lot of drinking. At about 5am he was observed by police having a quarrel with another, unidentified man. António Ramos said a group of firemen from the local brigade (*Corpo de Bombeiros*) had also seen Vitor Santos outside the police station, that he showed signs of being drunk but did not appear to be injured. These firemen were also said to have seen him with a gun. But according to the same newspaper report one of the firemen, who confirmed he had heard Vitor Santos shouting for a while by the station, did not see him with a weapon. (A fireman is also said to have seen a police officer pulling his hair). At 6.45am the police officers involved finished their duty and went home.

Neighbours and relatives of Vítor Santos strongly deny that he was in the habit of drinking and insist that he was a quiet, reserved person, close to his father, with whom he worked. He had never had problems with the police and did not possess a pistol. The father, who has lodged a judicial complaint, says his son was beaten severely inside the police station by four police officers.³ Vítor Santos told him the officers began to kick at his feet with the toes of their boots while he was being transported to the police station, where they then beat him "continually." A fifth police officer, who was looking on, eventually suggested they stop. Vítor Santos is reported to have later told his brother: "... they did so much to me I just don't have the courage to describe it all to you."⁴ His father, Vítor Maria Santos, who went in search of him when he did not come home, found him lingering in a dazed state in the main square, the Praça do Município, in the vicinity of the police station, at about 7am. He says that his son was shocked and confused, that he had a black eye and difficulty in moving his arms and legs. When he asked his son what he was doing there, Vítor Santos said he had been afraid to go home because the police had threatened him, asking him if he had any idea what an ambush was.

Father and son went back together to the station and spoke to officers. This is confirmed by the PSP, who told them they could make a complaint, but the two decided to do this later and in the meantime visited the hospital. They were reported entering the hospital at 8.25 am. Amnesty

²Ibid

³"*Sei que na esquadra havia quatro que lhe batiam sem parar e que um outro que estava a ver só lhes pedia para pararem.*" - *Público*, 14 February 1997

⁴"*Fizeram-me tais coisas que nem tenho coragem para te contar ...*" - *Público*, 11 and 14 February 1997

International is not in possession of any medical document, but Vítor Santos' lower left eye is described as being bruised and he was reported to be, above all, in a state of great agitation ("*estado de grande ansiedade*"). It is not known whether doctors examined any other part of his body on that occasion.

After leaving hospital father and son returned to their home in Monte Gordo. The brother is reported as saying: "When he got back he lay down on top of the bed for half an hour. He didn't even have a wash. He went into the kitchen and made a sandwich and then went out." ("*Quando chegou ficou meia hora em cima da cama, deitado. Foi a cozinha, fez uma sanduíche e saiu.*") A woman who lived nearby, and who saw Vítor Santos about half an hour before his death, said he told her he had been beaten by the police.

The vegetable plot where the body of Vítor Santos was found is about 500 metres from the house. Beside the body was a 6.35 mm calibre pistol. An autopsy conducted at the *Instituto de Medicina Legal* in Lisbon concluded that, contrary to earlier rumours that the existence of a hole on both sides of the skull indicated he had been shot, Vítor Santos had shot himself. The hole on the left side had been caused by the bullet penetrating the skull from the right. Powder was also found on his right arm. However, the autopsy report also refers to various marks on the body indicating that Vítor Santos may have been beaten very shortly before dying (*momentos antes da morte*).⁵ The pistol was taken away by the Judicial Police (*Policia Judicial*) for examination.

Reports about the death of Vítor Santos fail to account for his possession of the gun. The family say they have three rifles for hunting, but have never owned a pistol. If Vítor Santos had owned a pistol they would have known of it. A group of young people are alleged to have claimed that, after encountering Vítor Santos in the street, he threatened them with a gun, but reports vary as to whether this alleged incident took place before or after Vítor Santos entered the police station. The family maintain this allegation cannot be true. They say they do not understand why, if Vítor had a gun, the PSP did not detect it when he was escorted to the police station, and while he remained there.

The funeral of Vítor Santos took place on 13 February in Monte Gordo and was attended by almost all 300 or so inhabitants of the small locality of Monte Gordo, which borders on Vila Franca de Xira. After the funeral the mourners marched slowly and silently past the PSP station to register their disquiet. An administrative inquiry into the incident was opened by the General Inspectorate of Internal Administration (*Inspecção-Geral da Administração Interna*).

⁵*Público*, 13 February 1997