

SPAIN: THE ALLEGED ILL-TREATMENT OF TRINIDAD ARTEAGA OREJON BY POLICE OFFICERS IN VALLADOLID

Amnesty International is concerned about the reported ill-treatment of Trinidad Arteaga Orejón by police officers during and following her arrest in Valladolid on 22 January 2000. Trinidad Arteaga suffered from an eating disorder and was receiving psychiatric treatment. She recognized that she was drunk at the time of her arrest, owing to an injudicious mixture of medication and alcohol, and that she had created a public disturbance at a bar and behaved badly with other customers and bar staff and insulted police officers. However, she claims that, after being detained and held in manacles at a police station she was repeatedly punched and kicked by a police officer in the presence of four others, and was mocked and verbally abused by them. She also alleged that she was placed under duress to sign a statement with which she did not agree. Amnesty International opposes torture and ill-treatment and seeks clear policies from governments that torture and ill-treatment will not be tolerated. It calls for the initiation of impartial, prompt and effective investigations into all such allegations, including those made by Trinidad Arteaga.

The following account is based on statements made by Trinidad Arteaga and on medical, police and newspaper reports.

Trinidad Arteaga, who is 20, is from Valdestillas near Valladolid. She is a student and lives with her parents. For some time she had been suffering from anorexia and had been receiving psychiatric treatment for this and for depression. At the time of the incident she was taking medication in connection with this treatment.

Trinidad Arteaga stated that on 21 January she drove with her father to Valladolid, where she had arranged to spend the rest of the day with a friend. She had a coffee and some beers and did not realize that the mixture of alcohol and medication was affecting her behaviour more rapidly than normal. At around midnight she went with her friend to the Café Teatro in the Calle Canovas del Castillo. She remembered laughing and speaking loudly and was at some point expelled from the bar. Her friend left, but Trinidad Arteaga returned to the bar to "demand explanations". The bar owner pushed her out of the bar and called the national police (*Cuerpo Nacional de Policía*). The police arrived shortly after midnight. Trinidad Arteaga said that she was grabbed from behind and handcuffed behind her back. She did not resist arrest. She was driven to the police station in the Calle 4 Marzo. The handcuffs were hurting a lot and, because of the pain and the mockery and insults being directed at her, she began to shout insults back. After a few minutes a plainclothes police officer in a green leather jacket, jeans and black moccasins and wearing gold-rimmed glasses took her to a room where statements were taken and in the presence of four uniformed officers, "put a hand in my face," and shouted: "Who do you think you are, bitch?" ("*Tu que tu crees, zorra*"). He then pushed her hard and, as she was still handcuffed, and unable to defend herself, she hit

her head against the wall. She alleged that she was then repeatedly and heavily punched ("with closed fists") on both arms and on the head until she fell to the floor and almost lost consciousness. She was then kicked, grabbed by the hair, pulled to her feet, seized by the left hand and pushed towards the room where she had been earlier. She lost her balance and fell face down on the floor. She scrambled up again and began to cry. The plainclothes officer said, "Take the drunk to sleep it off¹". She continued to shout and weep and ask for her parents.

Trinidad Arteaga further alleged that after about three quarters of an hour she was taken in a police van, still manacled, to the police station of Calle de las Eras, where there were cells, and was locked into one of these for several hours. She was in considerable pain and greatly distressed. On 22 January, between 10.30-11am, her father came to the police station and requested her transfer to hospital, owing to the fact that the eating disorder from which she was suffering had made her very weak. At about midday she was taken to the Hospital Clínico and was treated by an emergency doctor, who wrote a medical certificate, a copy of which is in Amnesty International's possession. Dated 22 January, the certificate notes that Trinidad Arteaga had received blows to the head and "multiple contusions: craneal and coccyx". She also had a sprained left wrist. While at the hospital she was able to see her father briefly and tell him what had happened and he immediately lodged a judicial complaint claiming police ill-treatment.

At about 6.30pm Trinidad Arteaga was taken back to the police station at Calle de las Eras, and was questioned there for between three and a half and four hours. Her statement was modified three times. At first she refused to sign the statement on the grounds that it was "totally different from what I had said in my own declaration". However, she eventually signed the statement because she was exhausted and "could not stand any more". On 23 January she was taken before the court, examined by a doctor and placed under provisional liberty. She was told that she was being charged with assault on a police officer. The following day she woke up feeling dizzy and unwell. She had spasms of vomiting and fainting fits and felt pains all over her body. She was admitted to the Hospital Clínico, where she remained for nine days.

¹ *"Llevarle a dormir la moña."*

A complaint against Trinidad Arteaga was filed by the police on 22 January. The report confirms that Trinidad Arteaga was arrested at the Café Teatro in Valladolid after police had been alerted to a disturbance there. Trinidad Arteaga had been annoying customers and staff at the bar and had used highly offensive language when attempts were made to calm her, threatening for instance to "burn the bar down" and uttering phrases such as "Perhaps ETA will come and kill you²". The police report adds that she continued to be verbally abusive after the arrival of the police and also grabbed one officer by the lapel of his uniform and shook him. The report states that efforts to calm her were fruitless and that she was "incomprehensibly outside herself" (*"incomprensiblemente fuera de sí"*). She was therefore arrested and detained. The police report appears to ignore the fact that she was taking medication for a serious medical condition and had also been drinking - a combination which could explain her behaviour. Nor does it refer to acts of ill-treatment against Trinidad Arteaga at the police station and while she was under restraint. She was later charged with resisting arrest with "threats and insults".

Amnesty International is seeking information about the steps being taken to initiate an impartial, prompt and effective investigation into the allegations of police ill-treatment filed by Trinidad Arteaga Orejón and any further judicial or administrative proceedings arising from it.

²"*Hijos de puta, os tenía que matar la ETA, igual que al teniente coronel de hoy...*"