

# Haitian describes torture by police to jurors

**The horrors of torture in Haiti under a former military regime were outlined in a civil trial against a former Haitian army colonel that began Tuesday in Miami.**

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Lexiuste Cajuste, once a top labor union leader in Haiti, described in detail to a Miami jury Tuesday how military-overseen police officers in Port-au-Prince tortured him in 1993.

Officers, he said, forced him under the open frame of an iron bed, his back and buttocks exposed. Then, he added, officers took turns stomping on his back with their boots and beating his buttocks with wooden clubs -- until he lost consciousness.

"I felt a lot of pain, and I felt I was going to die," Cajuste said in Creole, as an interpreter translated his words into English for the jury of four women and two men.

Cajuste's testimony came on the first day of a civil trial for unspecified compensatory and punitive damages against former Haitian army Col. Carl Dorelien, a former high-ranking officer who won \$3.2 million in the Florida Lottery in 1997 after he settled in Florida.

Attorneys for Cajuste, one of two plaintiffs in the case, claim Dorelien is responsible for the torture suffered at the hands of police and military officers -- not because Dorelien was personally involved, but because he was a member of the high command and his assignment was to ensure military discipline.

## LINE OF SUITS

The case, filed in Miami federal court by the San Francisco-based human rights organization Center for Justice & Accountability, is the latest in a string of similar civil actions against foreign-born torture suspects who later moved to the United States.

Under the 218-year-old Alien Tort Statute, foreign nationals who suffer serious abuse anywhere in the world can sue in U.S. courts if suspected perpetrators are in the United States. The center sued Dorelien on Jan. 24, 2003 -- three days before he was deported to Haiti.

Matt Eisenbrandt, a Center for Justice & Accountability attorney, acknowledged in his opening statement that Dorelien was not personally involved in torturing Cajuste or in the other alleged abuses.

But Dorelien bore responsibility because he had been a member of the Haitian military high command and his specific assignment as chief of personnel was to ensure discipline of officers and to investigate human rights violations committed by men under his command, Eisenbrandt said.

"He was a member of the high command, and the high command ran Haiti," Eisenbrandt told the jurors.

Dorelien was not in the courtroom. Immigration authorities deported him because of his record as a human rights violator. He remains in Haiti.

Dorelien's Miami attorney, Kurt Klaus, did not make an opening statement. He told The Miami Herald later that he will make his comments to the jurors at the end of the trial, which is expected to continue through Friday and perhaps into next week.

## **CLAIMS INNOCENCE**

Klaus has said Dorelien is not responsible for the abuses alleged in the lawsuit. He has accused attorneys for the Center for Justice & Accountability of going after his client because of his Lotto win.

There's only about \$808,000 left from the original jackpot, but the money is frozen pending a separate legal dispute over whether it should go to victims of human rights abuses in Haiti.

The second plaintiff in the case is Marie Jeanne Jean, widow of Michel Pierre -- one of 26 men, women and children killed in 1994 by soldiers and paramilitary supporters in Raboteau, a poor neighborhood in Gonaives, Haiti. She is expected to testify this week.