

BRAZIL

ARMY SUPPLY OFFICERS SENTENCED FOR EMBEZZLEMENT

Rio de Janeiro OPINIAO in Portuguese 20 Dec 74 p 6

[Unattributed article: "The Sentencing Of The Officers"]

[Text] It was the longest of the trials now being conducted in the military courts of the country. Last Thursday, after 8 days of proceedings, the special council of justice of the 3d Court of the Army, in Rio, condemned to 2 years of imprisonment, 5 colonels, 4 lieutenant colonels and a major, accused of active and passive corruption when they served in the DGI [Directorate General of the Quartermaster] and in the DMI [Division of Industrial Methods].

From the beginning, on the morning of 4 December, 11 of the most experienced Rio lawyers endeavored desperately to get an acquittal for all those implicated in the proceedings that had ascertained embezzlement and graft in the purchasing of supplies for the Brazilian army. Those implicated included 16 army officers and 12 industrialists, businessmen and suppliers of materials for the DGI and the DMI. Meanwhile the young prosecutor, Jorge Luiz Dodaro, demanded during the prosecution, principally in rebuttal, the condemnation of all for crimes of active corruption, passive corruption and embezzlement, a crime characterized as a form of extorting graft.

The indictment by the prosecutor's office was all based on the IPM [Military Police Inquiry] instituted in the matter in the zone of the 1st Army, and under the direction of Gen Jayme Portella [de Mello]. During the summation, the prosecutor charged that the prisoners were guilty, affirming at the end that there was "unequivocal evidence of the participation of the military men and the civilians in the criminal acts in the preliminary investigation documents." He said that "the acts being judged are not merely censurable. They go beyond the limits of the code of ethics and rest in the

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to the council room to announce the sentence. Condemned to 2 years of imprisonment were colonels Aldo da Costa Dantas, who enjoyed relative prestige under the previous government, Jose Magalhaes Tamborini Porto, Alfredo Rodrigues da Motta, Armando Coelho da Rocha, Filho and Plinio Brilhante de Albuquerque, the latter in the reserve on active duty, aged 69. Sentenced to the same imprisonment were lieutenant colonels Antonio Pereira Bastos, Helio Faria de Madeiros, Luis Macieira Guimaraes, and Newton de Franca Ribeiro, (R/I), as well as the major, Jose Airton de Oliveira. (1)

The special council of justice will meet again this week for the reading of the sentence in the presence of the condemned, who are going to appeal to the military supreme court, asking for acquittal. Col Jesse Torres Pereira, one of those acquitted, is in prison fulfilling a sentence imposed in the 1st Court of the Army, where he was charged in another proceeding, accused of corruption. Other officers are still to respond to proceedings based on the same facts, which came from the broad investigation carried out in 1972 by the then chief of the general services department, Gen Rodrigo Otavio Jordao Ramos, now minister of STM (see OPINIAO Nos. 17 and 21)

1. For lack of proof, the special council of justice acquitted colonels Jesse Torres Pereira, Jose Morais de Oliveira and Joaquim Lopes Coelho, and lieutenant colonels Guilhermino Meirelles Filho, Mario Morais de Castro and Frederico Carlos da Cunha. Also acquitted were the industrialists and suppliers of materials to the army, Derilson de Lisboa Mello, Pedro Jose Lofredo Milton Fernando de Araujo Rego, Manoel Modesto Ferraz, Celio Alves de Araujo, Arnaldo Lombardi, Victorino Ribeiro de Moura, Cesar Giorgi, Carlos Eduardo Pereira Carneiro (the only one tried by default), Alberto Lopes da Silva, Joao Martins Freire and Elio Aldo Manfredini.

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