

Santiago Appeals Court Denies Habeas Corpus for Former Punta Peuco Inmates Amid Prison Changes

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The Santiago Appeals Court denied the habeas corpus petition of 141 inmates from the former Punta Peuco prison, while also upholding Gendarmerie's decisions regarding the use of spaces and equipment within the Til Til prison.



Original article: [Nueva derrota para reos de ex Punta Peuco: Corte rechaza amparo por cambios en el penal Til Til](#)

The Appeals Court of Santiago handed down another legal defeat to inmates of the former Punta Peuco prison —now known as the Til Til Compliance Center (CCP)— by rejecting a habeas corpus petition filed on behalf of 141 detainees who challenged construction works within the facility and reported the loss of recreational areas and the prison garden.

The action was brought by attorney Carla Fernández Montero against the Metropolitan Regional Directorate of Gendarmerie. In her brief, according to [Radio U. de Chile](#), she claimed that the prison garden had been eliminated and particularly that the only flat, sunlit concrete court where inmates could walk, exercise, and receive vitamin D was no longer accessible, which she argued violated the fundamental rights of those incarcerated.

However, the Seventh Chamber of the appellate court dismissed any claims of illegal or arbitrary actions by Gendarmerie and unanimously concluded that the modifications in the prison infrastructure fell within the institution's authority and did not constitute cruel, inhuman, or degrading treatment towards the inmates.



The court ruled out illegality in the works modifying the ex Punta Peuco infrastructure to convert it into a common prison and supported Gendarmerie's authority to reorganize spaces and conditions of incarceration in Til Til.

From “Special” Facility to Common Prison

In its ruling, the court noted that on November 4, 2025, Decree No. 80 from the Ministry of Justice and Human Rights was published in the Official Journal, modifying Decree No. 580 from 1995 and

transforming the Punta Peuco CCP—previously considered a “special” facility—into a common facility, now referred to as the Til Til Compliance Center.

In this context, the ruling emphasized that Gendarmerie indicated the new constructions aim to improve visiting arrangements for family members, thus “no illegality is discerned in this action, as the pursued objective aligns with the authorities’ permissions to introduce necessary modifications to the infrastructure of these prison facilities.”

Garden, Court, and Recreational Spaces

Regarding the allegations about the supposed elimination of the garden and the loss of the only flat court with natural light, the court stated that these claims are not substantiated in the case.

The court noted that the recounted account by the appellant “is contradicted by Gendarmerie’s report, particularly the photographs submitted during this precautionary action’s process,” thus making it impossible to conclude that inmates were deprived of recreational spaces or that their right to recreation was affected in the manner alleged.

Furthermore, the ruling dismissed claims that the works constitute cruel or degrading treatment or a violation of international norms regarding incarcerated individuals: “The act of constructing to better cater to the visits of inmates is far from having that intention,” the court clarified.

No Violation of Fundamental Rights

In its final considerations, the Santiago court stressed that Gendarmerie has adhered to the powers conferred by law and regulatory guidelines, and it found no violations of personal liberty or the integrity of the inmates, nor any impact on their dignity or health conditions.

“From the above, one can conclude that the responding entity has operated within the limits of the powers granted by law and regulations, and it is not evident that the freedom of the inmates is being compromised, nor that their dignity or health status is being affected, or that these constructions imply cruel or degrading treatment towards these individuals,” the court concluded.

Another Defeat: The Battle for Personal Refrigerators

This latest denied habeas corpus is added to another recent legal setback for the ex Punta Peuco inmates. In a unanimous decision, the Third Chamber of the Santiago Appeals Court [previously rejected a protection request](#) filed by 134 inmates from the Til-Til Compliance Center, who sought to overturn Gendarmerie’s decision to limit the use of personal refrigerators within the prison.

In that ruling, the court upheld the measure that reduced the number of these appliances to one refrigerator for every four inmates, considering it lawful based on safety concerns for the electrical infrastructure and relating to the transformation process of the facility—where individuals responsible for crimes against humanity are serving their sentences—into a common prison.

The refrigerator conflict began on June 19, 2025, when the prison warden, Major Cristóbal Vargas, informed inmates that, following instructions from the National Gendarmerie Headquarters, the majority of these appliances would be removed, allowing seven days for their families to retrieve them. However, the court determined that this decision remained within the framework of the penitentiary institution's authority and did not violate fundamental rights, solidifying a string of setbacks for judicial actions presented from the ex Punta Peuco.

Fuente: [El Ciudadano](#)