

1 opinions are shared with the majority of us.

2 Q You have been under these hot lights for a long  
3 time and I don't know if there is anything that you have  
4 left unsaid, but as the Chairman indicated, you do have a  
5 right to make a statement.

6 A I think that everything -- all my feelings have  
7 been pretty well covered and that I don't think any further  
8 statement will be necessary.

9 MR. MC KAY: We thank you very much, Mr.  
10 Goewey, for being with us.

11 THE WITNESS: Thank you.

12 (Witness excused.)

13 MR. MC KAY: Mr. Martinez, will you stand to  
14 be sworn.

15 L U I S A N G E L R O S E M A R T I N E Z,  
16 called as a witness to testify and having been  
17 first duly sworn by Mr. McKay, was examined and  
18 testified as follows:

19 EXAMINATION BY MR. LIMAN:

20 Q Mr. Martinez, would you try to keep your voice up  
21 so that everybody can hear what you have to say.

22 A Yes, sir.

23 Q Would you state your full name for the record.

24 A Luis Angel Rose Martinez.

25 Q And you are an inmate at Attica?

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A Yes, sir.

Q How old are you?

A 21.

Q Where were you born?

A I was born in Puerto Rico.

Q And when did you come to this country?

A I came first at the age of 12, and returned, and came back at the age of 15 -- 14.

Q How many years did you spend in New York City before you were convicted of your offense?

A Since the last time I came, about nine, ten months.

Q The first time you came, you spent how long here?

A About a year.

Q And what is the level of your education?

A Sixth grade.

Q And your education was in Puerto Rico?

A Yes, sir.

Q Do you have a mother who is living?

A Yes, sir.

Q And where does she live?

A She is presently in Puerto Rico.

Q Do you have any other immediate members of your family?

A I have my sister, my brother, right here now in

1 New York.

2 Q You were arrested on a homicide charge at the age  
3 of 15; am I correct?

4 A Yes, sir.

5 Q Were you a drug addict?

6 A Yes, sir.

7 Q Heroin?

8 A Yes, sir.

9 Q And how long had you been taking drugs before  
10 the homicide charge?

11 A For a period of five to six months.

12 Q Where did you start taking heroin, in New York  
13 City or in Puerto Rico?

14 A New York.

15 Q And how much did your habit cost you per day?

16 A Anywheres from fifteen to twenty dollars.

17 Q You were convicted of murder or homicide at the  
18 age of 16; am I right?

19 A No, of manslaughter.

20 Q Manslaughter?

21 A Yes, sir.

22 Q You had assigned counsel?

23 A No, I had a lawyer obtained by my family.

24 Q How old were you when you entered your plea?

25 A I was 16 years of age.

1 Q And what were you sentenced to?

2 A A period of ten -- of not less than ten years  
3 and no more than twenty.

4 Q Where were you confined?

5 A I was confined in Brooklyn House of Detention  
6 undig my court period; and my sentence, I was sent to  
7 Elmira Reformatory.

8 Q For how long did you remain in Elmira before you  
9 came to Attica?

10 A I remained for a period of three months.

11 Q And do you remember when you were admitted to  
12 Attica?

13 A I think it was in January 5, 1968.

14 Q Well, according to the institution's records,  
15 you were admitted to Attica in December of 1967, I believe.  
16 Were you just 17 or -- January 5, 1967; is that correct?

17 A I had just turned 17 years of age. That was  
18 in December 17th. So it was about a week or two after that,  
19 something like that.

20 Q That you came to Attica?

21 A Right.

22 Q Why were you transferred from a reformatory to  
23 Attica?

24 A Well, one of the reasons given by -- given to me  
25 by the counsel at Elmira was that they were going to open

1 a DVR project in Attica which will -- was specifically for  
2 handicapped people, and since I have polio, they felt this  
3 would be the best program for myself.

4 Q DVR stands for what?

5 A Division of Vocational Rehabilitation.

6 Q You had contracted polio as an infant?

7 A Right. I was six months old when I contracted it.

8 Q You had, as a result of that, a limp?

9 A Well --

10 Q A disability that impaired your ability to walk  
11 and run?

12 A I was confined for -- to a hospital for a lengthy  
13 period of time. I know I was allowed to go home on the  
14 weekend and then on Monday, I had to go back to the hospital.  
15 It was a period of two, three years. I came out of the  
16 hospital and took the braces completely off.

17 They did a wonderful job on my leg. I didn't  
18 need the braces. Prior to that I had to use crutches and  
19 a big brace on my leg.

20 Q When you came to Attica, were you told that one  
21 of the things that would happen to you is that you would get  
22 surgery on your leg to help you further?

23 A I was not told that. I was put in the prison  
24 population for a period of nine to ten months before I  
25 dropped a tab to see thd DVR personnel, explaining I had

1 been sent to Attica for the express reason of the project,  
2 which the project had been opened for a period of about three  
3 months and they have never called me.

4 Q When you came to Attica as a boy of 17, what  
5 did they do with you?

6 A Beg your pardon?

7 Q What happened to you when they brought you to  
8 Attica? Where were you put?

9 A When I came to Attica, I was taken -- the rest  
10 of the guys was taken to the front. I was taken to the  
11 back. I was put in the reception gallery and everybody  
12 was living in the gallery and I was staying there.

13 I think they didn't know where to put me. That  
14 was the major reason. I went and see the PK. He asked  
15 me what I wanted to work. I didn't know nothing about the  
16 prison.

17 Q How fluent were you in English?

18 A It was just enough to understand a little bit of  
19 what was saying.

20 Q Did you know anything about what the programs  
21 were that were available at Attica?

22 A No, I didn't.

23 Q How long were you at Attica before you saw the  
24 PK?

25 A For a period of about three days.

1  
2 Q During those three days, you were confined to  
3 a cell in a reception company?

4 A Yes, but I was not moved out of there.

5 Q Well, during those three days before you saw the  
6 PK, were you able to talk to any other Puerto Rican in-  
7 mates?

8 A No. We were just -- we went to the yard at a  
9 specific time where the population was in there and we  
10 locked in at a specific time before the population got -- in  
11 in other words, we were isolated until the reception period  
12 was over.

13 Q What you are telling me is that you had relatively  
14 no contact with your fellow Puerto Ricans during this period  
15 before you saw the PK, and that you did not really have any  
16 instructions on what the programming was that was avail-  
17 able at Attica?

18 A That is true.

19 Q When you saw the PK and he asked you where you  
20 wanted to work, what did you say to him?

21 A Well, one of the main things I said, I don't know.  
22 I don't know what places I could go to work to, because I  
23 don't know nothing about the prison itself.

24 Q What did he say to you?

25 A He said that there were jobs open at the laundry  
and the metal shop. That is the only two suggestions he made.

1 I told him I didn't care where he put me.

2 Q And where were you assigned?

3 A I was assigned to the metal shop.

4 Q Now, were you moved from the cell that you were  
5 in when you were assigned to the metal shop?

6 A Yes. I was moved to B-block.

7 Q How long was it between the time that you  
8 entered Attica and the time that you were assigned to  
9 the metal shop?

10 A It was a period of approximately three months.

11 Q I know that you do not have records available  
12 to you and that your testimony necessarily will be  
13 based on your recollections and that's what we're  
14 interested in. Your impressions and recollections and  
15 feelings.

16 During that three-month period while you were  
17 waiting for a job, what did you do?

18 A Well, we were like I explained before, the only  
19 activity we had was to go out in the yard for this amount  
20 of period, which amounted to actually about an hour in  
21 the morning and an hour in the afternoon and that was it.  
22 The rest of the time was in the cells.

23 Q What did you do during those hours that you were  
24 in the yard?

25 A I used to go and watch TV or walk around.

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2 1 Q The TV was in English?

2 A Yes.

3 Q Did you have difficulty understanding the TV  
4 program?

5 A Yes, I did have. They spoke kind of loud, I  
6 mean fast for me to understand it.

7 Q Did you have anything to do in your cell during  
8 the hours which you were confined there during the three-  
9 month period?

10 A No. I just read--look at magazines and tried to  
11 read English pocketbooks.

12 Q That must have been difficult for you, to try  
13 to read the English pocketbooks, that was difficult?

14 A Yes.

15 Q Where did you get the English pocketbooks  
16 from?

17 A I usually got them from the guy that had been  
18 there, you know, before I got there, or if the gallery,  
19 the man that works on the gallery used to bring us  
20 something from the rest of the population so you know,  
21 we had something to do while we were in the cells.

22 Q What kind of books were these that you were  
23 reading?

24 A Pocketbooks. Just westerns. Cowboys.

25 Q Were there other Puerto Rican inmates in the

1  
3 reception area at that time whom you could

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2 talk to?

3 A Yes, there was two others. One of them was  
4 about five cells away and the other one was about 10, 15  
5 cells away.

6 Q Did you, at any time, request to be assigned to  
7 a cell adjacent to them?

8 A No, I never did.

9 Q How did you communicate with them during these  
10 long hours that you were locked in your cell?

11 A Well, you got an average of 43 men in the  
12 gallery and when they all talk at the same time, the only  
13 way you could communicate is hollering at each other.

14 Q So you would be hollering in Spanish and other  
15 people would be hollering in English?

16 A Yes.

17 Q It was difficult for somebody who wanted to  
18 read during that period to concentrate?

19 A That's right.

20 Q When you moved to B-block, you were assigned  
21 to the metal shop, am I correct?

22 A Yes.

23 Q Which part of the metal shop at Attica were  
24 you assigned to?

25 A Well, during the period I was there I had two

1  
4 assignments. The first one I was put in 452  
2 a little, like a side room just with metal boxes. All  
3 I used to do was take screws, put them in sort of  
4 a wood rack to be painted.

5  
6 And when they used to come back I used to pack  
7 them up, put the stamp on, the address and that's it,  
8 which used to be on a big piece of paper.

9 Q How many hours a day did you do that?

10 A The work used to consist of about, sometimes  
11 an order or two. That's it. The rest of the time they  
12 used to use me somewhere else.

13 Q There would be a lot of time just hanging around?

14 A Yes.

15 Q Were you put in a part of the metal shop where  
16 there were many other Puerto Ricans?

17 A No, at the beginning I was assigned to an area  
18 where I didn't have no contact with them.

19 Q You then said you were given another job in the  
20 metal shop?

21 A Yes.

22 This mainly was accomplished by the head man  
23 on the finishing department who was a Puerto Rican. He  
24 went and approached the officers and he spoke in my  
25 behalf and he told him that he was willing to explain to  
me the routine over here and that's how I dot the transfer.

51 Q And was this a kind of job that

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2 you had?

3 A Well, I was just making sure that the sample  
4 desk or locker, the locking system used to function good  
5 before it was shipped out.

6 Q How many hours a day would that occupy you?

7 A Well, you all used to depend on the orders.  
8 If they used to order 50 desks, as soon as we finished  
9 with that, that was it. There wasn't anything else.

10 Q So you wouldn't specify hours, just opening  
11 desk draws and closing them and seeing if they fit  
12 correctly?

13 A That's what it amounts to.

14 Q You had many people whom you could talk to  
15 there in Spanish in that particular area?

16 A In that particular area, yes. I was kind of  
17 glad there because there was three other ones and which  
18 they all speak Spanish.

19 Q What about your cell in B-block. Were you put  
20 in a cell that was next to somebody who spoke Spanish?

21 A No. I was put at the end of the gallery which  
22 is 42 cells and there was nobody else there. The next--the  
23 nearest guy was about 15 cells away.

24 Q How long did you continue working in the metal  
25 shop and living in that cell?

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1 A Well, I requested a lot of times  
2 transfer out of that cell for the simple reason that the  
3 guards make rounds every hour and every time they used  
4 to open the gate, they used to wake me up. The cell  
5 was--this is the cell and here is the gate here. The  
6 transfer was never granted and I had to live there until  
7 I was transferred to DVR project.

8 Q When were you finally transferred to the DVR  
9 project?

10 A I cannot recollect. Approximately nine to ten  
11 months after I was released from the reception house.

12 Q So that all told, including the period that  
13 you were in the reception gallery and before you moved  
14 to E-block and DVR, you were in the general maximum  
15 security area of Attica for about a year?

16 A Yes.

17 Q You told us what you did with your time during  
18 those first months in reception company before you were  
19 transferred to B-block. What did you do with your time  
20 in, other than when you were working, during the period  
21 that you were in B-block?

22 A Well, I had spoken to a Spanish guy that worked  
23 in school and he enrolled me in Spanish-English school  
24 basics. Not the big course. Just the basic one. And this  
25 was just an inmate, Puerto Rican inmate, and once I finished

7 1 that, you know, that was it.

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2 But most of this used to take me about, anywhere  
3 from 15 to half an hour to do the lesson because we were  
4 only allowed one lesson at a time. The rest of the time  
5 I just lay around or listen to the radio, what I could  
6 understand or try to read some pocketbooks.

7 Q Tell me, during this period were you able to  
8 communicate with your mother and other members of the  
9 family?

10 A Yes. I was able to write them.

11 Q Were you allowed to write to them in Spanish?

12 A No, I wasn't.

13 Q So how would you write to them in English, did  
14 you get somebody to help you?

15 A In the first few letters I did. However,  
16 after a while I tried to--I did it myself even though  
17 my mother used to write me back and tell me it looked  
18 like a scramble but I managed.

19 Q What did your--what language did your mother  
20 write you in?

21 A She used to write me in Spanish.

22 Q They let her letters in?

23 A After a lengthy period of time until they go  
24 somebody to censure it.

25 Q Somebody who could read Spanish?

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