

7 1 that, you know, that was it.

455

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?

8 1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A Yes.

456

Q Now, you mentioned that one of the things you would do would be to listen to the radio in your cell.

A Right.

Q At that time did they have a Spanish program on one of the three radio channels?

A No, sir.

Q So that you would listen in English?

A I would listen to the music mostly.

(continued on page 457)

1
RGL
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Q I notice, Mr. Martinez, that, 457
according to your record at the institution, within
a month after you arrived, about a month after your
17th birthday, you were sentenced by the Administra-
tion to 30 days keeplock for refusal to work.

Do you remember that at all?

A Yes, sir. I went to the hospital and
explained to the doctor over there that I was having
difficulty with my leg. I asked for two days' excuse.
He never granted it.

I went back to the officer and told him I
was going to lock in and that was it.

The PK called me down and I explained to
him that I needed some rest because I wasn't used to,
you know, my leg, at the time I wasn't used to stand-
ing up for lengthy periods of time.

Q You had this disability with your leg caused
by your polio disease?

A Yes, sir.

And he told me that when I was ready to go
to work, he would let me out.

Q So what happened?

A Well, I spent 30 days exactly in my cell.

Q Were you let out to eat?

A No. Confined completely.

1 Q People will not understand.

2 How are you fed if you are locked in a cell?

3 A Well, the food is brought around to the guys
4 that are keeplocked in a tray and they just pass
5 through a little hole in the main door. I was fed
6 there three times a day.

7 No recreation period, no nothing.

8 Q What about showering, were you allowed to go
9 out that once a week for a shower?

10 A Yes, one time.

11 Q You stayed in your cell how long?

12 A I stayed for a period of 30 days exactly,
13 since the time I closed my door until the time I came
14 out and the reason because of it was because I wasn't
15 made aware of the fact that all I would have to do
16 was write a note to the PK and he would have let me
17 out as soon as I would inform him that I was ready to
18 go back to work.

19 Q You didn't know that?

20 A No, sir.

21 Q Who finally informed you that you could be
22 let out of your cell by dropping a tab to the PK?

23 A A fellow inmate, a Spanish guy.

24 Q When you came to Attica, were you given any
25 indoctrination in Spanish about the rules of the insti-

1
3 tution?

459

2 A Well, you might call indoctrination.

3 Every time I violated a rule, the keeplock
4 was indoctrination.

5 Q That was your method of education?

6 A A keeplock, next time you know you can't
7 do it.

8 Q I see also that in February of 1968 you
9 were keeplocked for seven days for not being up for
10 the 7:00 a.m. count after being warned several times.
11 I am reading from your record.

12 A The main reason for that was that on the
13 12:00 to 8:00 shift or 7:00 shift, the officer used
14 to come and open the windows in the galleries.

15 Now, that windows, that gallery used to
16 get pretty cold. For you to get up in the morning with
17 all that cold around there, it was something else.

18 Q So you spent another seven days in your
19 cell because you couldn't get up?

20 A Yes, sir.

21 Q Were you the youngest person in your company?

22 A In the whole prison.

23 Q What difficulties did that present for you?

24 A Well, the main one was at that time I had
25 nobody of my age to associate with. I had the Puerto

1 Rican guys, you know. Actually, I could 460
2 call any of them father because they were quite older
3 than myself.

4 I couldn't communicate at all, really,
5 unless it was speaking to--let's put it this way: In
6 the time I did in the population I only associated
7 with one guy, a Spanish guy like myself even though
8 I used to hang around with, you know, keeping in the
9 crowd of the Puerto Rican section I still used to
10 hang around with one guy.

11 Q Were you frightened of homosexual attack?

12 A To a certain extent, yes.

13 Q Did you carry a weapon?

14 A Yes.

15 Q Were you instructed by your friend and other
16 Puerto Ricans that you should do so?

17 A They told me that if I was to stop anybody
18 with it, I wouldn't get no time because of my age.
19 I wasn't supposed to be there in the first place.

20 Q You were brought there for this DVR Program
21 and you had not yet been moved into it?

22 A No, sir.

23 Q Was there anybody in the institution at that
24 time other than your fellow Puerto Ricans to whom you
25 could turn with your problems?

1
5 A No, sir.

461

2 And maybe you might have been able to speak
3 to one of them about a problem but you sure couldn't
4 go to everybody explaining your personal problems.

5 Q In those days, was there anybody in the
6 Administration who spoke Spanish?

7 A Not that I was aware of.

8 Q Nobody came around to you to talk to you
9 in Spanish?

10 A No, sir.

11 Q Did you get a translation of the blue rule
12 book that we have been hearing so much about, in
13 Spanish?

14 A No, sir.

15 Q Were the menus ever translated for you
16 from English to Spanish?

17 A No, sir.

18 Q Now, how did you finally manage to get into
19 keeplock and the DVR Program?

20 A A fellow inmate came up to me and he told
21 me that he was handicapped as myself and he told me
22 that he was going over next week to the DVR project
23 and he told me it had been open for quite a while now,
24 I think it was a period of two months.

25 He told me all I would have to do is drop a

1 tab to Mr. Evan Glover and that he will

462

2 call me down and question me.

3 Q Did you do that?

4 A Yes, I did that immediately.

5 Q How soon after that were you transferred?

6 A About a week later.

7 Q You have told us that you came to Attica
8 for this program.

9 Did you feel like a forgotten man in not
10 being transferred before you asked for it?

11 A I definitely did.

12 Q Were you reluctant to leave B-block at that
13 time?

14 A To a certain extent, yes. I had gotten used
15 to the routine over there.

16 Q And you had a friend in B-block?

17 A Yes, sir.

18 Q I think that it would be helpful if you
19 explained how frequently you can see a friend in
20 Attica if you are moved to a different block.

21 A Well, if you got sick and went to sick call,
22 you might be lucky if he went over there at the same
23 day you did, but other than that, you might have gone
24 to the self-study department in the school. I might
25 be able to see him over that, but other than that, it

1
7 might be months and no contact with him

463

2
3 at all.

4 Q Or the 4th of July?

5 A Of course, I forgot about that. The 4th of
6 July the yards are opened and we are allowed to travel
7 to the rest of the population.

8 Q So the decision for you to leave B-block
9 and go to the DVR Program meant for all practical
10 purposes abandoning the one friend you had in this
11 institution?

12 A Yes, sir.

13 Q And at the time you were transferred to DVR,
14 you were approximately 18 years of age; is that right?

15 A Yes, sir.

16 Q We have had some mention of the DVR Program
17 before and E-block.

18 Can you describe, in your own words, how
19 E-block differed from B-block and the other blocks in
20 the institution?

21 A Well, the main concern in E-block as far as
22 the population was, was that when everybody heard the
23 name of division of rehabilitation and vocational--
24 something like that, everybody thought that this was
25 going to be a major project, where maybe some training
of some sort was going to be given out.

1 A lot of the hopes were diminished 464

2 when they found out this was going to be extended
3 only to handicapped persons.

4 When I got actually to DVR, it wasn't really
5 just a recreation room where you come out yourself
6 after mess, after breakfast, stay there until a period
7 of a quarter after 11:00, locked in your cell, come
8 back up the mess hall and at 3:30 go back to your
9 cell.

10 In other words, DVR consisted only of a lot
11 of recreation, a lot more recreation than you used to
12 get in the population.

13 Q This was at the outset of DVR?

14 A No, sir. They had what they called an
15 evaluation program. It was a shop downstairs in the
16 basement. You would go down there and they would
17 evaluate you as to where you were best.

18 They had like silk screen, typewriting,
19 some pieces of metal where you used to make round
20 things on them to find out if you was good in that.

21 They have alarm machine, you have to mount
22 and dismount them. When you were through with that,
23 that was DVR there.

24 That was no training. That was evaluation
25 to find out where you were best at.

2 when they found out this was going to be extended
3 only to handicapped persons.

4 When I got actually to DVR, it wasn't really
5 just a recreation room where you come out yourself
6 after mess, after breakfast, stay there until a period
7 of a quarter after 11:00, locked in your cell, come
8 back up the mess hall and at 3:30 go back to your
9 cell.

10 In other words, DVR consisted only of a lot
11 of recreation, a lot more recreation than you used to
12 get in the population.

13 Q This was at the outset of DVR?

14 A No, sir. They had what they called an
15 evaluation program. It was a shop downstairs in the
16 basement. You would go down there and they would
17 evaluate you as to where you were best.

18 They had like silk screen, typewriting,
19 some pieces of metal where you used to make round
20 things on them to find out if you was good in that.

21 They have alarm machine, you have to mount
22 and dismount them. When you were through with that,
23 that was DVR there.

24 That was no training. That was evaluation
25 to find out where you were best at.

1
9 Q While you were in the DVR Program,
2 were you given surgery to correct your disability?

3 A Yes, sir, I did. On three different
4 occasions.

5 Q And that surgery was performed in Meyer
6 Memorial Hospital?

7 A Yes, sir.

8 Q And you were taken out to Meyer Memorial
9 both for the operation and then for therapy?

10 A Yes, sir.

11 Q These were operations that were given to
12 you by the DVR Program?

13 A Yes, sir.

14 Q Which was federally funded, as I understand
15 it.

16 A Right. This has nothing to do with the
17 State. The State only provides the officers to take
18 us outside.

19 Q When you first went to the medical facilities
20 at Attica, you told how a result of that was that you
21 ended up being in your cell for a 30-day period.

22 A Yes, sir.

23 Q How did you communicate with the doctor?

24 A I had a hard time. That's about all I
25 could say.

2 lift my pants up and finally show him my swollen leg
3 and still that didn't do nothing.

4 Q You couldn't really describe in English
5 exactly what your problems were and talk to him
6 fluently the way you can talk to me today?

7 A Yes, sir, very much that.

8 Q On that subject, many people are going to
9 be wondering how you learned to speak English so well.

10 A Well, sir, when I was moved to DVR, there
11 was only one other Spanish-speaking member there. He
12 didn't know no English at all whatsoever. Mostly he
13 came into contact with a lot of English-speaking
14 persons. Mostly inmates.

15 And it was a hassel, either you knew it or
16 learned it the hard way or you didn't speak at all.
17 In that period I kept trying to improve my English
18 through the self-study course.

19 You used to send a lesson in and maybe it
20 would be four, five days before you would get it back
21 but they used to send it back eventually.

22 Q How many people were there on the staff
23 of the DVR Program who spoke Spanish?

24 A Just one that I know of.

25 Q Were you able to relate at all to him?

1
11 A Will you explain what you mean 467

2 by relate.

3 Q Was he from Puerto Rico?

4 A No, sir.

5 Q Did you fell that you could take your problems
6 to him?

7 A No, sir.

8 Q To whom did you take your problems? You
9 said before that when you were out in B-block, you
10 would take your problems to this older inmate who
11 befriended you.

12 A Right.

13 Q What did you do in E-block?

14 A Well, sir, if there was anybody--if there
15 wasn't anybody, I guess I would just have to keep to
16 myself.

17 Q You said that there was one other Puerto
18 Rican inmate in DVR?

19 A I did make that statement. However, not
20 all Puerto Ricans get along.

21 Q And so in DVR, essentially you were out on
22 your own?

23 A Yes, sir.

24 Q What job did you have in DVR?

25 A Well, at the beginning I was given a porter's

1
12 job. I mopped the section. This was
2
3 not forced because of your condition. It's just if
4 you wanted to get out of your cell earlier, then you
5 just got a porter job and did a little bit of work
6 and like that you would be out abo-t half an hour
7 earlier because nobody would be allowed out of the
8 cells until the day room was cleaned.

9 Q How long did you remain at the porter's job
10 in DVR?

11 A I remained there for a period of about
12 three weeks and a half until I fell down and I got
13 injured in my back and I was admitted to the hospital.

14 Q Did you ever have another job in the DVR
15 Program?

16 A Yes. About six months before the rebellion,
17 I became token economy system clerk.

18 Q DVR had something which was called the token
19 economy, the E-block residents were in the DVR Program?

20 A This started about a year and a half after
21 the project was opened.

22 Q Would you tell everybody about this token
23 economy system.

24 A Well, sir, the token economy system consisted
25 of you will get up--if you get up in the mornings for
the count, you will get one token. For self-study

1
13 courses you will get so many tokens and so 469

2
forth. It all depended on your conduct mostly.

3 Q What did you use the tokens for?

4 A Well, at the beginning we had a commissary
5 in the block which was open every day, mornings, and
6 afternoons as you needed a pack of cigarettes or some
7 peaches or et cetera, you go up to the commissary, buy
8 it and you were set for the night.

9 Q Did there come a time when you could use
10 the tokens to buy the privilege of staying out late?

11 A Yes, sir.

12 Q Tell us about that.

13 A Well, when that particular project came into
14 effect, it was mostly a rush. Everybody trying to
15 make tokens so they could stay out at night until
16 11:00, 12:00 o'clock at night.

17 Q You could, for a certain number of tokens,
18 you could buy the right to stay up until 12:00 o'clock
19 at night instead of being locked in your cells and
20 what would have been the normal time?

21 A Well, it would have been from 7:30 until
22 11:00 o'clock. However, if you was watching some
23 type of sport and it lasted until 12:00 o'clock, you
24 was allowed to see it.

25 Q Everybody was very eager to earn the tokens

1
14
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

to stay up later, I take it?

470

A It beat the cell.

Q It beat the cell, you say?

A That's right.

Q How many tokens would it cost to stay up late?

A Well, you would have to pay 50 tokens if you wanted to come out from 9:00 to 11:00 and if you want to come out from 7:30 until 11:00, you will have to pay 65 tokens. Just one single night.

Q And you told me that you once set a record for the number of tokens you earned in a single week.

A Yes, sir.

Q How many tokens?

A 379.

Q How did you get those tokens?

A It amounts to hustling.

Q Well, I don't know whether you want to discuss this so let's say that you mentioned that it was possible to take five, six, seven self-study courses and get good grades so that somebody could earn enough tokens if he would share his tokens with the grader?

A That's right. In other words, you earned 375 tokens; we split halfway-halfway. You get half

1
15 and I get half.

471

2 Q And how many self-study courses did you
3 end up taking at any one time in order to be able
4 to stay up and watch television until 11:00 o'clock?

5 A Five.

6 Q Five courses at one time?

7 A Yes, sir.

8 Q What courses were they?

9 A Arithmetic, English, something about spell-
10 ing. I forgot the names. A lot of them, because you
11 were given an initial fee when you enrolled in the--
12 you used to enroll in the course and I used to get
13 the initial fee and just drop the course.

14 Q Did you get very much out of any of these
15 courses?

16 A No, sir. Nothing at all.

17 Q Other than--in fact, it's fair to say that
18 the only thing you got out of this program was really
19 the right to stay up late?

20 A That's what it amounted to.

21 Q And whatever you have done for yourself in
22 learning English, you have done on your own?

23 A After six years of reading at night pocket
24 books, you are forced to learn. You learn the hard
25 way.

1
16 Q This system of the token economy
2 and late night privileges was available only for
3 the DVR inmates in E-block?

4 A Yes, sir. And not everybody on a single
5 night. Just the first ten guys that came up.

6 Q How many people were there in the DVR Program
7 at the maximum, as you best recall it?

8 A Approximately 68 to 70.

9 Q So that approximately 2200 inmates did not
10 have these privileges, the ones who were not in the
11 DVR Program?

12 A Yes, sir.

13 Q When you worked in the metal shop opening
14 and shutting drawers and--what was your pay scale?

15 A Well, sir, on the first month I was paid
16 six cents. On the second month I was paid 12 cents.

17 In other words, you used to get six cents
18 up until you reached the scale of--correction, please.
19 The job, the first assignment I had, I was only allowed
20 ten cents. I got six cents and then the next month I
21 got a raise of four cents.

22 Q You got it to ten cents?

23 A Yes.

24 Q Ultimately during the period you worked in
25 the metal shop, did you tell me that you got raises

1
17 up to 29 cents on your new job, that you were 473
2 making about 29 cents a day?

3 A Yes. You would be increased by six cents
4 per month until you reached the top level of 29 cents.

5 Q You were required to save half of that?

6 A Well--

7 Q During that period.

8 A Yes. Administration took--if, let's say,
9 you get \$3.80, they took half of that and put it in
10 a separate fund. You couldn't touch it.

11 Q So you would presumably have something to
12 help you make it on the outside?

13 A That was the reason for it. That's what I
14 was told.

15 Q You were making--how many days a week did
16 you work?

17 A Five, sir.

18 Q So maybe you put away 75 cents a week
19 toward helping you when you got out of this institution?

20 A Right.

21 Q You didn't work very hard?

22 A No.

23 Q There really wasn't very much to do at
24 Attica?

25 A That's the truth right there.

1
18
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Q When you first came as a young-

474

ster, having idle time probably didn't bother you too much; is that fair?

A That's true, yes.

Q But you have now matured, you are now an elected representative on the Inmate Grievance Council and the time is beginning to get heavy, isn't it? Boredom and lack of training?

A Quite a bit. Especially when you got anywhere from 400 to 500 guys coming up to you and telling you, this is wrong, this is wrong, this is wrong and you don't have no answers.

Q When will you first be able to meet the Parole Board?

A October 1973.

Q So that society may expect your return in about a year and a half?

A Something like that.

Q And it's--you would consider it a fair question to ask of Attica what they have done to prepare you for return to society, wouldn't you?

A Yes, I would.

Q Now, first, have you been told anything about what the Parole Board expects of you?

A No, I haven't.

1
19
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Q Have you been told anything about 475

what the effect will be of these keeplocks you got beginning when you were just 17?

A No, I haven't.

Q Is there anybody who gives you instructions on what is the criteria for really making parole?

A The inmates, they just tell you, try to do the best you can.

Q And what does that mean?

A Well, it means try to keep out of trouble, if you can, anyway. And you can't always--can't always avoid it.

Q Tell me why you can't always avoid trouble.

A Well, you have two segments within the prison. You have the prison guards. You have the inmates. We live here. They don't. Some of these guys, they just come to the prison to do their eight hours as soon as they can and get out of there. And it's not common--it's very--it is a very common sight to see some of these officers just pass the time around with the inmates. Picking on him and what not.

I wouldn't say all of them but I say the majority of them.

Q And you have had your confrontations?

A Definitely.

1
20
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Q How many times have you been 476

visited by your family since you have been here?

A Once every year.

Q And when you came here, your file indicates that you expressed the opinion that you thought that your people would be able to visit you more frequently?

A If I would have been transferred some place nearer the City, yes. It was too expensive to come up here.

Q And so the only time you are able to actually speak to your mother, sister, is when they visit once a year?

A That's right. On some occasions, because of the shortage of money, only my sister is able to come up and then on some other occasions my mother comes up. Sometimes they come both.

Q Does your family send you any money?

A Yes, a little bit.

Q Do you need the money?

A Of course.

Q For what?

A Well, the food at Attica is not too good. I mean, not too good, actually it's not good. If you want to eat, you are going to have to get some money or earn some money some way in order for you to be able