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to buy some food out of the commissary.

When you just have this much, you are going to have to stretch it to last you 14 days until you go to commissary next time. If you have the money the next time.

Q What else do you buy besides food at the commissary?

A Well, legal papers, tooth paste, tooth-brush, soaps, toilet paper.

Q Some of these things are being provided now, since the uprising; am I correct?

A Yes, they have.

Q But what you just listed was not provided before?

A Only the toilet paper and it used to come once a month and if you just ran short, you have to borrow from somebody else.

Q Since the uprising, you have been given your toilet paper?

A Yes, sir.

Q Have you been given toilet articles of another type, have you been given razor blades or do you have to buy those?

A We had to buy them before. Now you turn in one razor blade to the officer and he gives you another

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22 2 Tooth paste, if you run short, you might
3 go to the officer and he might have an extra one
4 there. Sometimes he doesn't and you just run out of
5 it because they don't have none in the commissary now.

6 The same thing with toilet paper. Sometimes
7 they are lucky enough to give you one. Otherwise you
8 have to borrow one if you can find one.

9 Q You talked about the food.

10 When you came here, what kind of food were
11 you used to eating?

12 A Rice and beans, potatoes, meat, chicken,
13 stuff like that. I was very optimistic about my food.

14 Q The diet here presented a problem for you?

15 A Yes.

16 Q You also like pork products; is that correct?

17 A I do.

18 Q And being on this Inmate Grievance Council,
19 have you had discussions with any of the Muslims as
20 to how you might resolve these differences between the
21 Puerto Rican inmates' tastes and the dietary restric-
22 tions of the Muslims?

23 A Well, since I have become a committee man,
24 this has been one of the worse problems I have come
25 against because all the Puerto Rican population, pig

1
23 is our main dish, pork chops, bacon. We 479
2
3 even eat the blood.

4 So we have come to agreement, if we can get
5 it--right now the pig has been abolished in Attica,
6 you know. We have come to agreement that they should,
7 when they give Muslim meal, they should put something
8 on the side for the rest of the population because a
9 lot of us don't eat what they eat.

10 By the same token, all of them don't eat
11 what we eat. If they give them some Muslim meal,
12 give us something on the side because a lot of us
13 don't eat a lot of the food.

14 I think I seen some of you members sitting
15 in the mess hall. If you were aware of it, when the
16 Muslim came through the line none of them pick up
17 anything because mostly what is there, they don't
18 eat it.

19 Q You mentioned that the pig herd has been
20 abolished at Attica, is being phased out; is that
21 what you understand?

22 A Even the frankfurters, they are beef frank-
23 furters now.

24 Q But you know that some of your fellow inmates
25 do not accept the statement that they are beef frank-
furters? _____

1 A Yes, sir, that's true.

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2 Q I take it that you feel, being on this
3 inmate council, that if given the opportunity, you
4 may have a chance of working out some of these problems
5 between people with diverse attitudes and needs?

6 A Let me--right now we have a lot of different
7 ideas to improve the correction system or maybe not
8 improve, but suggest for improvement.

9 One of the dead blocks we run against is
10 that, for example, Mr. Montanye, the superintendent
11 of the prison, has assigned two persons, Mr. Dickenson
12 and Mr. Baker as his designee. If he is not available,
13 one of his designees will meet with us. Mostly it's
14 Mr. Dickenson.

15 This man has been in Attica since I came to
16 Attica. He was in charge of the school, the super-
17 visor.

18 Since I have been in Attica I have never
19 seen this man try to fix some of the things within
20 the prison or try to make some improvements within
21 the prison.

22 Where we don't have any trust--all of the
23 suggestions we have made so far, even among ourselves,
24 they haven't even been suggested to him as suggestions.
25 He gets up and tries to block them right away.

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25 Q Would you say that the atmosphere
2
3 in Attica today is still essentially one of mis-
4 trust by the inmates of the Administration?

5 A I wouldn't say essentially. It is mis-
6 trust. They haven't done nothing to improve the
7 present conditions at Attica.

8 As a matter of fact, the Commission has
9 made various statements to the effect that certain
10 implements have been made within the Department of
11 Correction, within Attica itself, and we read about
12 it, but we don't see it.

13 Q When you say "the Commission," you mean the
14 Commissioner of Corrections?

15 A Commissioner Oswald, yes, sir.

16 Q What are the things that you are talking
17 about?

18 A For example, the Commissioner made a state-
19 ment that inmates were allowed to phone once a month
20 to their families. I never seen this at Attica.

21 Q You haven't been able to use the phone at
22 all since you have been at Attica?

23 A No, sir. I don't even see one.

24 Another second thing is that on February 9th,
25 a statement was made by Commissioner Oswald to the
effect that within a month all prisoners would get

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clothing amounting to \$1.5 million worth
of clothing, or something like this sort.

Two days before I came here I was given one shirt and one pants. That was within a month of that date. And this was almost two months before we got one pants and one shirt.

Q Have you ever taken formal schooling at Attica? Sat in classes for an extended period of time?

A I took--while I was in the DVR project, I took a course on health, physical and psychological --something like that. I even forgot the high-toned names anyway. And I passed this course. That's about the only thing.

Q Do you have a high school equivalency diploma?

A No, sir.

Q What is your job today? You are not in DVR. In fact, the federal funding has ended for DVR; is that correct?

A It hasn't ended, as I understand. It was just that they ran into difficulties. I think the guys with a lot of time wouldn't go with what was going on, the hoodwinking that was going on.

Let me clarify this. There were meetings held within the DVR project, inside the block, group

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27 therapy meetings with psychologists from 483
2
3 the University of Buffalo and in a lot of these meet-
4 ings, beautiful suggestions would come up with some
5 of the problems existing with the blacks and when
6 the civilians used to confront the superintendent
7 with these solutions, the superintendent never did
8 anything about it so actually what came out of the
9 meetings was more frustration than any solutions.

10 Q To clarify this: What you are talking about
11 is that while you were in the DVR Program, there were
12 meetings, rap sessions?

13 A Yes, sir.

14 Q For a period of time between the inmates
15 and the correction officers, the supervisors?

16 A Well, the meetings with the correction
17 officers lasted about, I think they attended two
18 meetings only.

19 Q But you had these other meetings and you
20 took interest in prison conditions and you made
21 various suggestions?

22 A Of course. We came out with beautiful
23 solutions.

24 Q When those weren't put into effect, you
25 felt even more frustrated?

A I felt it was all a hoodwink, really. After

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we spent a lot of hours discussing some-
thing and then it's put up to the warden for the
improvement of the prison and they just shoot you
down, no, security reasons, which is always the
reason they give for any kind of improvement.

Q What were the types of things that you asked
for that were shot down for security reasons?

A Well, we requested that, in one of our meet-
ings, we requested--we came to the solution that for--
having vocational evaluation shops, more time out of
our cells.

I mean, not for ten guys a night, but the
whole population. We have proven by coming ten
guys at a time with sometimes as many as one officer
in that day room, that nothing was going to happen.

I mean, if you give us recreation, I don't
think that anybody would be fool enough to try to
break away, where everybody would lose it.

In other words, we would police our own
recreation: "Man, you got to keep it cool."

Even though this was pointed out it was
never taken into consideration because it never became
a reality.

Q And these frustrations continued to build
within you and other inmates?

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A Well, sir, the frustrations are 485

not building. The frustrations are up there already.
Somebody will just blow it up, that's all.

Q Tell me, when did you first start taking
an interest, not just in yourself, but in the problems
of your fellow inmates?

A Well, actually when the election--not the
election, but when they were announced that they were
going to run for the Liaison Committee where this
Liaison Committee would represent the inmates in
the institution in trying to approach or communicate
with the prison administrators, I kind of reflected
and thinking about mostly and essentially myself.

I felt that I don't know how many guys
were going to submit their names, but I felt it was
my duty to at least try to solve some of these problems
and to try to keep with it as best I could with my
limited knowledge, which isn't much.

Q And there was an election in each block?

A Yes, there was an election held in C-block,
E-block and A-block.

Q How many members were elected from each
block?

A There was 12 from C-block; 12 from A-block;
two from the second floor of E-block and one from the

1 bottom floor and one from the hospital.

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2 Q When was this election held?

3 A On March 17th.

4 Q How many meetings have you held?

5 A Approximately seven or eight.

6 Q I gather from your statements about your
7 experiences with making suggestions in E-block, that
8 you sense that if this project does not work in
9 bringing about some change, that it may lead to even
10 more frustration than existed before it was created?

11 A Well, sir, right now--I know I feel and I
12 know that during discussions with the rest of the
13 committee members we feel that right now we are being
14 used merely as something to dangle to society: "Here
15 is something we are doing for them," and nothing is
16 being done, really.

17 They are just pointing out that after the
18 insurrection, they are pointing to the Liaison
19 Committee for grievances, but what is the Liaison
20 Committee but if they can't achieve anything or any-
21 thing they are trying to do is no good.

22 Q Let me speak about that a moment.

23 One of the officer witnesses who was on
24 the stand today said that he wasn't sure how this
25 would work out. It needed time.

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2 of the institution, have you been given and all of
3 the other elected members been given to serve on this
4 committee?

5 A Six months.

6 Q You have a six-month term and you are not
7 eligible for re-election?

8 A That is true.

9 Q And it's a fact that you have been urging
10 that since you are just forming this committee today,
11 that you need more time than that in order to get
12 yourselves together?

13 A That is true. We are not politicians. We
14 have to set up machinery where we can form some types
15 of subcommittees to handle different problems and
16 even though there is some guys that have been in
17 unions within the committee.

18 Two guys, it's given us a lot of problems,
19 you know. And six months is too short.

20 Q Where do you work now?

21 A I work at the laundry.

22 Q Did you ask for the laundry?

23 A Yes, I did.

24 Q And why did you ask for that work?

25 A Well, for one thing, you keep yourself clean

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anyway. Have your laundry done whenever
you wanted, not once a week. You could.

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Q Hustle?

A Hustle around, yes.

Q And if you are poor and can't get money
from home, you have to hustle in order to make ends
meet?

A Yes.

(Continued on page 489.)

1 Q I understand that you want to
2 talk about your keep lock just before the uprising on
3 9/6/71. On September 6, 1971.

4 A Well, on September 6th, about one o'clock,
5 I went to the hospital and complained that I had diffi-
6 culty breathing. I was given an injection. I don't
7 know what it was. I returned back to my cell. It didn't
8 help me. I laid down.

9 About five o'clock I started having very bad
10 trouble breathing. The inmates tell me, the few I seen,
11 that I went in a coma to the hospital. They said that
12 nobdoy could get to me or nothing.

13 White I was up there, during the blood pres-
14 sure taking, an inmate--a nurse inmate said that I had
15 some marks on my arm. Then the inmate himself said that
16 it was needle marks. The doctor was called. He said
17 that--by the way, I am speaking because when I came to,
18 it was explained to me what happened, what transpired.
19 And he said that to wait for a while to see if I got
20 worse or came out of it.

21 I don't know how much time it took but I did
22 come out of it. I was asked by the officer what was the
23 marks on my arms and I told him that it was just a small
24 cut I had received by doing glass work.

25 Well, they din't believe me. Naturally, the

1 statement which they keeplocked me was made-- 490
2 it was based--the keeplock was based on the statement
3 by the inmate at the hospital.

4 Q They thought you were still shooting dope in
5 the institution?

6 A I think so, yes.

7 Q So that that must mean that the institution
8 believes that there is dope available in the--within
9 the walls?

10 A They presumed I was shooting dope, they must
11 believe there is dope within the walls.

12 Q You were not shooting dope?

13 A No, sir.

14 Q Is there dope available within the walls of
15 Attica?

16 A Not to my knowledge.

17 Q Now, you said you took this laundry job be-
18 cause the one thing, it helped you keep clean?

19 A Right.

20 Q Secondly, it gave you an opportunity to make
21 some extra money, or would give an inmate an opportu-
22 nity to make some extra money.

23 A That's correct.

24 Q Do you think that this training in the laundry
25 would help you find a job on the outside?

1 A How could it? This job is done 491

2 by a woman in the street. I don't see how, really.

3 As a matter of fact, I was once inside a laundry and all

4 I seen was women operating inside the laundry.

5 Q Is there anything that you feel that Attica

6 has done for you to help you make it on the outside?

7 A I think I have wasted six years of my life

8 behind bars.

9 Q You understood that you plead guilty to a man-

10 slaughter offense and that you were going to be punished

11 for it?

12 A Yes, sir.

13 Q What is it that you would want the state to

14 give you to help you when you get outside so you will

15 not continue to return to the Atticas?

16 A Well, sir, since I was 15--since I was born,

17 my family has been supporting me. Even while I am in

18 prison now they still have to send me some money. Right

19 now I don't have no training at all whatsoever to go

20 outside in society and try to find me a job where even

21 if it's a small little side room, at least I can say,

22 I am fixing TVs or radios, trying to make a living, you

23 know.

24 I think that is one of the main points that

25 should be considered about the reforming of prisoners.

2 Q Why aren't you trying to get your high
3 school equivalency diploma?

4 A Well, sir, if you go to school--I am going
5 to speak prior to the riot.

6 Q Speak prior to and then tell us what the change
7 is, if any.

8 A Well, prior to the riot, you went to school,
9 there was a mandatory rule there that you have to go to
10 school if you was under a certain level of grade. There
11 isn't any such thing as a 6th grade, 7th grade, 8th
12 grade, nothing like that. Just intermediate and ad-
13 vanced class. That means the guys from 4th, 5th, 6th
14 grade and so forth was in one complete room. A lot of
15 these guys, they didn't want to be in school. They are
16 old men, 50, 45 years old. They feel that school is not
17 going to help them now.

18 But yet we were forced to go, to attend a class
19 where these people were disinterested. They had no in-
20 terest in schooling. They lived mostly all their lives
21 without schooling. They gotten along without it. That
22 was one of the main reasons. The second and most, I say
23 is the main reason too, was that in school you only earn
24 25 cents a day. I give you a better example. A pack of
25 cigaretts cost 38 cents in commissary. You earn 25 cents

1 a day for going to school, you can't hardly even 493
2 smoke a pack of cigarettes, let alone buy food.

3 That means if you want to eat, you have to
4 go some place else and find a good job and try to hustle
5 some money on the side so you can eat something.

6 Q Just a few additional questions.

7 Are there any Puerto Rican correction offi-
8 cers at Attica?

9 A Just one. Mr. Aguilar.

10 Q Are you able to talk to him in Spanish?

11 A Well, I have spoken to him on a few occasions
12 when I was able to, when I see him in the yard or if I
13 go by the gallery I see him, and say hello, and so forth.
14 But on several occasions, I don't know if this was done
15 joking or not, but I think he was serious because he
16 seems to be withdrawing. I have spoken to him in
17 Spanish and the remark has been made by the other offi-
18 cers, "Speak English." So that kills that. He seems
19 to resent this because he seems to be withdrawing from
20 us little by little, you know.

21 Q Mr. Martinez, why were you willing to come here
22 today and testify?

23 A Well, sir, is this a final statement?

24 Q No, I think the Commission will have ques-
25 tions. Would you like to save your answer for your

1 final statement?

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2 A Yes, sir, I would.

3 MR. LIMAN: I have no further ques-
4 tions.

5 MR. MCKAY: Mr. Martinez, you are a
6 member of the inmate liaison committee but I gather
7 from what you have said already that you are pessi-
8 mistic, you are not very hopeful that it will be
9 useful?

10 THE WITNESS: No, sir.

11 EXAMINATION BY MR. MCKAY:

12 Q Have you actually asked the superintendent
13 for some things through the committee but have been
14 turned down yet?

15 A Well, we put three requests forth. One of
16 them was, leave the lights on all night long. I mean,
17 let us turn it off when we go home, my mother is not
18 going to come in the room and turn my lights off.

19 The second was that we have to stand on the
20 doors for the count. This--I never, we never received
21 an answer. I think it was--they answered that--I think
22 we heard was that they were waiting for the new PK to
23 come in. They wanted him to make that decision.

24 The third was that black stations are on the
25 radio all night long so that we would like a variety.

1 I would like to mention that, and
2 this is only for one day. That the radio is monitored
3 so that yesterday we couldn't even listen to what hap-
4 pened here yesterday.

5 Q All those requests have been finally turned
6 down, or are they still pending in some way?

7 A This is the way they pass the buck.

8 "We will look into it. We will let you know."

9 Q Will you have other meetings at which you will
10 make other requests if these are turned down?

11 A Well, one solution we came down to and that
12 is if we feel that we are being used rather than used
13 for the purpose of showing society that these people are
14 trying to do something for us and actually are not giv-
15 ing nothing to us, we have decided that if it would
16 take court action, we will go that far, regardless of
17 what action is taken by the administration.

18 By that, let me specify this. There have
19 been examples made by other committees. This riot in
20 New Jersey, half the committee wound up in the box.

21 In another prison we heard, we have been reading
22 this through the Fortune Letters, the newspaper, the
23 whole committee wound up in the box. In other words, if
24 something should happen at Attica, it's our belief that
25 the people that they will come to is the inmates

1 liaison committee and you are the leaders. 496

2 This is our belief. However, we have reso-
3 lutions that--we have agreed that something has got
4 to be done. If we go to the box we go to the box, but
5 we got to get something done in this prison system.

6 This just can't keep on going like it is, you
7 know. Some changes have to be made.

8 MR. McKAY: Thank you.

9 Mrs. Guerrero?

10 EXAMINATION BY MR. GUERRERO:

11 Q Where were you born?

12 A In Puerto Rico.

13 Q Where in Puerto Rico?

14 A Aguadilla.

15 Q You came the first time to New York City when
16 you were 12 years old, right?

17 A Yes, ma'am.

18 Q And that means that at that time you should have
19 been in the 6th grade, right?

20 A Yes.

21 Q In Puerto Rico you were in sixth grade?

22 A Yes.

23 Q You were here only one year?

24 A Right.

25 Q You didn't go to school here?

1 A Well, I was put to school for a 497

2 short period of time and then--as soon as I came, they
3 wouldn't accept me because the term was almost over and
4 vacations were coming.

5 Q The term was almost over but then it started
6 again in September.

7 You are here a year. You could have started
8 again in September.

9 A I did. Half the holidays were over. I went
10 to school for a very short period of time. I was put
11 in Spanish class where you start speaking whole Spanish
12 and eventually the Spanish is eliminated and you go
13 to English.

14 Q I know it is difficult. It means from the
15 12 years that you were in 6th grade, you haven't been
16 to school any more.

17 A Just for a few months, no.

18 Q Then you went back home?

19 A Yes.

20 Q To Puerto Rico?

21 A Yes.

22 Q For two years?

23 A Right.

24 Q You didn't go back to school there?

25 A No.

1 Q What happened? You seem to be very
2 intelligent. What happened?

3 A I seem to be what?

4 Q You seem to be very intelligent. What
5 happened? Why didn't your mother or father or both,
6 insist that you go to school and why didn't you go to
7 school?

8 A They did insist that I go to school. They went
9 as far as to put me in sort of some type of private in-
10 stitution, you know. Private school. Something like
11 that. But having trouble with other of the fellows, there,
12 I just used to walk away and finally my mother decided
13 rather to keep me home than have me wandering in the
14 streets.

15 Q All this happened because of your leg, is that
16 it? You were conscious of that and the kids say things
17 to you and that is why you didn't go to school?

18 A Mostly I was having difficulty getting along
19 with the rest of the--

20 Q Have you ever had, either in prison or before
21 that, did anybody ever take you to a psychologist or
22 psychiatrist to get you away from these feelings so you
23 could go to school?

24 A Well, I have gone to see the psychiatrist in
25 the prison now. He explained to me this is a problem

1 that I will eventually have to overcome

499

2 by myself.

3 Q So you committed a crime and you were sent to
4 Oneida Reformatory?

5 A Right.

6 Q Where you should have been--

7 A Reception Center.

8 Q Oh, Reception Center?

9 A Right.

10 Q There you should have been because you were
11 very young. You should have stayed there because you
12 were very young.

13 A Right.

14 Q You have no right to be in Attica at that
15 stage.

16 A I was only 17 years old.

17 Q And yet you came to Attica and the authorities
18 there did not try to find out, did not try to send you
19 back to another place where you should be because of
20 your age?

21 A No, they never made attempt.

22 Q And you didn't ask to be sent back?

23 A Yes, I did.

24 Q Oh, you did?

25 A Yes.

1 Q And they didn't do anything about it? 500

2 A They said I was there for the DVR Project.
3 They never put me there until I requested though.

4 Q We find out that that project wasn't very
5 much in any case. But you have not gone to school
6 here either. So that you are still not prepared to go
7 out, you know, to go out in the world to earn your own
8 living.

9 A Well, ma'am, I am prepared to go out there any
10 time.

11 Q That is something else, yes. But you are not
12 prepared intellectually to earn your living and you are
13 not prepared psychologically because they haven't helped
14 you at all.

15 A I could go out there and swing a mop as a
16 porter. However, I would like to hold a better paying job
17 and I don't have the education for it and the training.

18 Q I understand that perfectly well, but it's
19 natural, it's not nice to be in prison but of course, you
20 have so many years to go. You have to make the very
21 best that you can. You have almost everything in your
22 favor when you get out to make a good start to be like
23 everybody else, you know, not to do the things that you
24 did before.

25 We are trying to find out, of course, why you