

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

1 are not trying here because you are not helped. 501

2 You have been telling us, of course, you are
3 not helped. You didn't know English and nobody was
4 allowed to talk Spanish with you, rather nobody came to
5 help you in your language.

6 A That's correct.

7 Q In the language that you know, the language
8 of your parents and the language of your country.

9 A Right.

10 Q Nobody--the books were all in English, nobody
11 will give you a book in Spanish?

12 A Right.

13 Q You couldn't get a book in Spanish either.

14 A Right.

15 Q You figure that has helped in a way because you
16 are able to talk English fairly well now?

17 A I was forced into it.

18 Q Well, that is good. It isn't bad.

19 How is your Spanish, by the way?

20 A Perfect. As perfect as can be six years from
21 school.

22 Q And also only 6th grade of schooling.

23 A Right.

24 Q Well, I would ask you the same thing that you
25 were asked before, why aren't you going to school to

1 finish your elementary schooling and get your
2 high school education. You said because these older
3 people are there and you feel it's a waste of time.

4 A Another factor--

5 Q Is that what you said before? You feel it's a
6 waste of time?

7 A What I am saying is, they don't pay you
8 enough.

9 Q All right, but I want--this is only like as
10 if I were your mother, I would be telling you that. You
11 might get more money now by not going to school, but
12 you are never going to get any money ever in your life
13 unless you go to school.

14 You will always be getting the least possible
15 amount of money and that, naturally, might get you
16 again into trouble. But this is, of course, this is--

17 A I think after spending the best years of my
18 life in prison, I think that should be lesson enough.
19 If I have to just sweep streets, I will stay out there.

20 Q I know that. I know. I am with you but the
21 point is that you should have the greater ambition be-
22 cause you have so much for you, going for you.

23 A Let me answer that question you just said.
24 What is it to have ambition and if you go to school
25 you find that the school system is too decayed, decayed

1 where you actually are learning nothing. I 503

2 mean nothing. So you might as well go do some work and
3 earn some money because you go to school right now--
4 before, and right now it's still the same way because the
5 school is situated in a gallery. You have 42 men on
6 this side and 42 men on the other side. This man is
7 coming back and forth. These cells are banging open.
8 You can't pay attention to what you're doing in the
9 first place. You understand what I am saying?

10 Q Yes, I do.

11 A In other words, they never have made a real
12 thought since I have been in Attica to put the education
13 level as to what it should be. This is my point I am
14 trying to get across. If I am going to school and I
15 can learn anything and at the same time I am starving
16 because I can't get enough money to buy my needs I might
17 as well go and work.

18 Q Well, I know that there is a great deal of
19 discrimination, obviously, in the United States against
20 anybody who comes from another country. It's always
21 been like that and we hope that eventually it will not
22 be like that, but meanwhile, this is what happens. This
23 is what is going on. Especially when you don't have
24 sufficient training. So that you are always in the
25 lower ladder, you know, steps of life. In economic

1 position. So we got to be prepared and to 504
2 study a great deal in order to be able, you as a young
3 man, in order to be able to completely change this atti-
4 tude of the people of the United States, you see, but
5 if you don't study, even if you have to go hungry now,
6 if you don't study, you are not going to be able to do
7 much and you have so much going for you.

8 Of course, this doesn't do you much good for
9 another four years in prison, but I am telling it to you
10 from the bottom of my heart.

11 A I believe you very much.

12 It is a thing too, for you to speak to me from
13 up there and tell me of this. But when you are in a
14 prison where you see so much discrimination given to your
15 people, it's a shame.

16 What can I say?

17 MR. McKAY: Mr. Martinez, our time has very
18 nearly run. If you want to make your statement, we
19 will be glad to have you do it now.

20 MR. HENIX: Before he speaks, I have a
21 question.

22 MR. McKAY: I think we're going off the
23 air in a very short time. We would like at least
24 for the public to have your statement and then we
25 will continue in the studio with other questions.

1
2 because--

3 MR. MCKAY: Please use whatever you wish.

4 THE WITNESS: To the McKay Commission
5 and society in general:

6 The conditions which now exist in Attica
7 remain deplorable, especially in the following areas:

8 Officer-inmate relations. Medical atten-
9 tion. Recreation. Food. Spanish-black personnel.
10 Consequently, there's only one Puerto Rican officer
11 and one black officer.

12 The public has been led to believe through
13 the issuance of half truths, no truths and outright
14 lies, that the conditions are improving here at
15 Attica.

16 The public is told that inmates are allowed
17 phone calls, but they are not told that this privi-
18 lege is limited to Wallkill Prison.

19 The public is told that the inmates' diet
20 has improved in nutrition, but they are not told
21 that the diet remains to be planned, monotonous
22 mess which does not change month after month.

23 Variety, taste and preparation must also
24 be considered along with nutrition. The public is
25 told that the present tension at Attica is caused

1 by the State's failure to issue new
2 clothes, blankets and toilet articles. This is an
3 outright lie, which has been put forth by the local
4 union which represents the correctional officers.

5 This was done for apparently selfish
6 reasons.

7 The inmates want an expanded work re-
8 lease program, educational and vocational programs,
9 better medical treatment, less cell time.

10 Inmates are still being treated with cal-
11 lous indifference and outrageous disrespect.

12 This is my statement.

13 I would like to, if it's possible at this
14 time, to address myself to everybody out there,
15 especially the young, the ki-s that are coming up
16 now in this ghettos. It's not worth it. It's as
17 simple as that. I would like society to also rea-
18 lise that, like myself, there are hundreds of Luis
19 Martinezes out in the street who eventually wind up
20 like myself unless something is done about them in
21 time. And I know, I seen them coming year and
22 year, younger and younger and younger and it's a
23 shame. That is all.

24 MR. McKAY: Thank you, Mr. Martinez. That
25 is a fine statement. Are you willing to stay for a

1 moment longer to answer further questions 507

2 the Commission may have?

3 EXAMINATION BY MR. HENIX:

4 Q I would like to share with you the fact I
5 think you know that--I would like to share with you the
6 reality of part of my life. I was just like you, one
7 of those kinds that made a lot of mistakes, you know. I
8 went down the drain. But there is things I want to
9 ask you, you know, in reference to prison.

10 You have talked about your experience in
11 prison and in my mind to some extent a very limited
12 way. I don't recall you saying anything about ever
13 having been in HBZ. Have you ever been in HBZ?

14 A Yes, sir.

15 Q Could you tell us something about that?

16 A Well, HBZ, the first time I went was--I went
17 to the observation section. I was sent there by the
18 prison doctor because I repeatedly came back requesting
19 medical attention and this was a way to get rid of me
20 actually without giving me detention. What it amounted
21 to was a mattress on the floor at that time.

22 Your food was brought in a bowl where all was
23 piled on top of each other and it was actually, you only
24 got to see a psychiatrist about once a week on Monday.
25 If you came on Tuesday, that meant you had to wait until

1 next week. And that was it. That was 508

2 the amount of observation within the prison.

3 Q In addition to that, we have had several wit-
4 nesses here today who has denied any knowledge or any
5 physical evidence of brutality within the prison. Do
6 you share their view?

7 A No, I don't.

8 Q Have you any personal experience?

9 A Yes, I have. On one occasion I have taken what
10 is called the joy ride.

11 Q Would you explain it?

12 A Well, in one occasion I was taken up to HBZ
13 and the normal procedure is that the elevator is stopped
14 between two floors so there is no witnesses , but the
15 correction guards themselves who take you up there and
16 a workout is proceeding there.

17 Q What is a workout?

18 A You get beaten.

19 Q Do they try to black your eyes or crack your
20 skull or hit you in places where it can't be easily
21 detected?

22 A It doesn't make any difference. You ain't
23 going to see nobody anyway.

24 Q And the guard that would be on this HBZ
25 where this took place, it would be almost impossible for

1 him to not know that you have been ripped

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2 on that elevator?

3 A Of course. A lot of times after you get out
4 of there, there is Blood all over the place.

5 Q I would like to ask you some questions about
6 job discrimination.

7 A That exists in Attica one hundred per cent.

8 Q You see, I asked these questions because this
9 has been my experience years ago and everybody is talking
10 about change. Yet Attica took place and as if magically
11 we had Attica. It's very difficult for me to accept
12 this in view of my own past experience and I really wanted
13 to ask you these questions in reference to personal ex-
14 periences that you had and I know you are aware of the
15 fact that you are under oath.

16 A Yes, sir.

17 Q I have no reason to question your integrity.
18 I think you are a very courageous, in fact, to be as
19 forthright as you have been and still have to go back to
20 Attica. And still have to look forward to other powers
21 for considerations at a later date in your life.

22 Those are considerations. And I don't have
23 any browbeating for you, man. All I can say is I admire
24 the fact that you are trying to do something if the con-
25 ditions are like you say they are and also under the

1 conditions to be able to have gotten to the 510
2 point where you are at where you can speak to a group
3 of people as sophisticated as this group and be per-
4 fectly understood, whether you got it in one of the
5 conventional schools or you got it like you said, the
6 hard way, you got it.

7 A Thank you, sir.

8 MR. McKAY: Mr. Rothschild?

9 MR. ROTHSCHILD: No questions.

10 MR. McKAY: Bishop Broderick?

11 BY MR. BRODERICK:

12 Q I have one question. Were you on heroin at the
13 time you committed this felony?

14 A Yes, sir, I was.

15 Q Did the Judge know that and the jury, I assume
16 you had a jury of some kind?

17 A Well, sir, I really couldn't tell you. I don't
18 know whether my lawyer made that fact aware. I know I
19 was given treatment.

20 Q It would seem to be very important for the
21 lawyer to say.

22 A Well, I have--

23 Q My point I think is, I wonder why you were sent
24 to a place like Attica rather than to a hospital.

25 Are you off the kick, are you off heroin now?

1 A Well, I have been in here in jail six 511
2 years.

3 Q Did you cure yourself, is that it?

4 A I couldn't answer that. I don't know. If
5 you mean if there is any side effects, psychological
6 effects, I'm not in a position to know. I don't know. I
7 might go out there and use it again for all I know.

8 Q But you feel cured?

9 A Cured, rehabilitated, you feel you are off
10 heroin? You have no attraction to it or inclination for
11 it?

12 A Not attraction but let's put it this way.
13 There is none to be had.

14 Q And this is the only reason?

15 A I wouldn't say it's the only reason. I don't
16 know if you put some here, I don't know if I will be
17 tempted to use it or not, so I couldn't really--

18 Q Is there any help you get up there, do they
19 say that you were once a drug user and now you come to
20 class or do you see a psychiatrist or a psychologist or
21 a counselor? No one even bothers about helping you?

22 A Unless you request some type of help, and some-
23 times you might get it. That is about it.

24 MR. BRODERICK: Thank you.

25 BY MR. WILBANKS:

1 Q I had a wrong impression, I think, at 512
2 the beginning and perhaps the public did too. Maybe I
3 am wrong. I want to clarify it again. You mentioned
4 that when you came to Attica, you came for the purpose
5 of the DVR Project.

6 A That was the reason that they gave me.

7 Q I got the impression when you said that that
8 when you got there, when you arrived, the DVR Project
9 was in existence but you simply weren't assigned but
10 later on you said you had been there nine months and
11 then you found out that it had been open two months and
12 then you requested to be transferred, in other words,
13 when you first arrived at Attica was DVR actively in
14 operation?

15 A No.

16 Q That was what I wasn't quite clear about. I
17 wanted to make sure.

18 A That's right.

19 BY MR. LIMAN:

20 Q When did you have this experience in the ele-
21 vator going up to the box?

22 A I had just come from the hospital. Rather the
23 day before I come from the hospital. As a matter of fact
24 I got a lawsuit filed against the prison administrator,
25 Martinez against Mancusi, for the--

1 Q What year was it in is what I was 513
2 asking?

3 A I got the date here.

4 It was on 10/8/70.

5 Q Did you report the experience to anybody in
6 the administration that you had been beaten? Did you drop
7 a tab?

8 A I didn't have to. The PK came up to see me
9 and when I explained the problems, he said I just hope
10 that blank leg would fall off.

11 Q I don't understand that. You told him that you
12 had been beaten?

13 A Yes. And he said that he hoped that my leg,
14 he cursed and mentioned my leg, and he hoped that it
15 would fall off.

16 Q That your blank leg would fall off?

17 A Yes.

18 Q Do you fear any reprisals in going back to
19 Attica?

20 A Yes, sir, I do. There might be minor reprisals
21 which eventually after a while, I say after all this
22 thing is blown up will result into worse reprisals. Any-
23 thing could happen. And I know for a fact it have
24 happened.

25 Q When you say have happened, you are not talking

1 about after somebody has testified publicly

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2 before this Commission, are you?

3 A No. I am talking to inmates who have made
4 statements to the press after the riot and I think you
5 get my point.

6 Q Knowing that people talk about these experiences
7 of reprisals, have you been willing to come forward
8 again?

9 A Like I said before, when I came through that
10 gate, I sure didn't want nobody, I don't care whether
11 it's Puerto Rican, black or American to go through the
12 same thing, nobody.

13 Q I think I would really like to end with a read-
14 ing from your record because I find that it is very tell-
15 ing. It lists your name as Louis Martinez and your
16 alias as Luis Angel Martinez. That is your true name,
17 isn't it, that was listed as the alias?

18 A My true name is Luis Angel Rose Martinez.

19 Q And your true name is not Louis, L-o-u-i-s,
20 but L-u-i-s?

21 A Right.

22 MR. MCKAY: Mr. Martinez, thank you very
23 much for being with us today. We appreciate your
24 cooperation. Thank you, sir.

25 (Whereupon, the witness was excused and
the hearing recessed at 6:15 p.m.)

