

CONCEPCION VILLEGAS

I, Concepcion Villegas, declare as follows:

1. I am the mother of Sammy Lopez. I am the sixth of the 16 children of Jose Villegas and Concepcion Gonzales. I was named Concepcion after my mother. Since my mother is also called Concepcion or the shorter nickname Concha, I was called Corrina when I was a girl in my parents' home. As an adult, everyone calls me Concha. I am originally from Fabens, a small town on the Rio Grande River about 30 miles from El Paso, Texas. I have lived in Phoenix, Arizona for more than 48 years.

2. My parents were born, raised and married in Mexico. My father married my mother when she was 15 and he was 21, and they came to Fabens for work. Daddy got a job with the railroad after working in the fields for years. He worked for the railroad until he retired. His sister Marie Villegas Rascon lives in Mexico; she once came to visit us in Fabens. Daddy died about two years ago. My mother is 90 years old and lives in Fort Worth with my sister Venancia, who is her legal guardian.

3. Before I was born, my father built the house where he and my mother raised me and all my brothers and sisters. It started as a three-room, but Daddy added two more rooms on to the back as our family grew. The house had a big yard with lots of dogs running around. Daddy grew chilies, melons, pickles, grapes and corn in the yard for the family to eat.

4. Our father was a good man and liked to laugh, but our mother was the opposite. She whipped me and my brothers and sisters with a belt almost every day for some thing or another. If we tried to run away from her, she hit us more, but I still tried to run away from her

when she tried to whip me. My sisters told me I should just let her hit me and be done with it. But I knew if I could keep away from my mother until Daddy got home, I'd get a whipping from him instead of from her. Daddy never hit us as hard as our mother did.

5. I was a twin, but my sister Julia died at birth. I was born with something wrong with my legs and I was not able to walk until I was four years old. When I was old enough to want to walk, I sat up and pulled my body with my hands and arms across the floor. My father rubbed my legs with the inside lining of egg shells and buried my legs in the hot Texas sand to help sooth my legs and give them strength to carry me. When I could not walk I was helpless. Once a neighborhood dog attacked me and I could not run away. To this day I have a large scar on my left leg from where the dog bit me. My father took his gun and shot the dog dead. It was good that I was later able to walk. My sisters and brothers and I walked to school and then home and to the cotton fields each day. We walked whether it was sunny, raining or snowing.

6. The school my sisters and brothers and I went to was for Hispanic children who lived in the Fabens area. The white children went to another school and the black children went to yet another school, even though there were only a few black people in Fabens when I was growing up. Some of the teachers for the Hispanic students were white and some were Hispanic, but all of them taught in English only. My family spoke Spanish only at home, so I did not understand what the teachers said for a long time. I eventually learned English from the other students and teachers, but my family always spoke Spanish at home.

7. Mother never learned to speak English and my father only learn a little English. Whenever my brothers and sisters and I spoke in English, Mother yelled at us and wanted to know what we were talking about. We always said schoolwork regardless of what we were talking about because she got angry when we talked about boys or other things she thought were

silly.

8. After school in the fall and during the day in the summer time, my brothers and sisters and I picked cotton in the fields around Fabens. We picked cotton until the sun went down, so Mother made dinner during the day for us to eat when we got home. During the fall my brothers and sisters and I went home right after school to change into our work clothes. We each had gloves and scarves and hats to protect us from the prickly cotton and hot sun. If we forgot our gloves or something to cover our head, Mother pulled our ears and yelled at us for not listening to her. My oldest sister Angela especially did not like to pick cotton because of the scratches and little scars it left on her arms. She thought the nicks and cuts made her ugly.

9. When I left Texas and moved to Phoenix, I had to leave my first baby behind with my parents in Fabens. I met Arcadio Verdugo Lopez after I moved to Phoenix, and we lived together in the Phoenix area for the next 20 years. Sammy Lopez is one of my nine children by Arcadio Lopez. We had eight sons and one daughter, but our daughter died. People usually called me Mrs. Lopez while we were together, but Arcadio and I were never married. He was an alcoholic and left the family for good when Sammy was about nine. Arcadio became a drifter, and I have no idea where he is now or even if he is still alive. For about the last 25 years, I have lived with Pedro Santibenez.

10. My first child, Roberto Villegas, was born after I was raped at age 17 by Jesus Vasquez. Jesus Vasquez and his family had always been close to my family. Jesus' mother was my mother's godmother, and Jesus' father performed the ceremony when my parents were married. I felt shocked, terrified, and betrayed when Jesus raped me. Jesus was about twice my age. When I was in high school, Jesus Vasquez was about 35. He used to hang around the drugstore where my sisters and brothers and I went after school for sodas. Back then, Jesus

owned a bar in Fabens where people danced, and he asked me and my sister Marie to come to his bar. We told him we didn't drink, but he finally convinced us to come down a few times just to watch people dance and to listen to the music.

11. Shortly after that, Jesus came to my high school one day. He told the school people that I was needed at home right away because my mother had been hurt. Fabens was a very small town, so everyone knew everyone. Everyone knew how close the Vasquez family was to mine, so of course they trusted this man to take me out of school. I went with Jesus in his car because I believed my mother needed me. Before long, though, I realized he was not heading toward my house. When I asked Jesus where he was taking me, he told me to shut up. He took me all the way out to the cemetery. Then he tied me up like an animal and raped me. I was a virgin until Jesus Vasquez did this awful thing to me.

12. I did not tell anyone what had happened. I was ashamed and confused, because we were never taught about the facts of life in our house. I was so stupid, I did not even realize I was pregnant until my mother told me. My mother saw me throwing up in the mornings and figured it out. Mother hit me over and over with the belt when she realized I was pregnant. I asked her why she was hitting me, and she said because I was pregnant.

13. Once I learned I was pregnant, I wanted to marry Jesus Vasquez because he was the father of the baby inside me. My mother told me I could not marry him, though, because he was too close to our family. She said it would be wrong in the eyes of God and the Catholic Church. Still, I went to talk to Jesus and asked him if he would help take care of our baby. He said he would, but he never did. My mother hated Jesus Vasquez for what he did to me.

14. Once I began to show, I had to quit school. My mother began making me stay in the back room all day until my father returned home, only letting me out when I had to use the

bathroom. After a week or so, I told my father, and he asked my mother why she was keeping me shut away in the bedroom. She told him I had brought shame on our family. She said she didn't want the neighbors to see I was pregnant, and she wanted to make sure I learned not to get pregnant again in the future. My father told her the pregnancy was not my fault since I had been raped, and he told my mother not to shut me in the back room anymore.

15. They put me under when I gave birth to the baby. I named him Roberto, just because I liked the name. After Roberto was born, my mother told me I had to find work to support my child. I did not want to stay in Fabens where I would see over and over the man who raped me, so I moved to Phoenix, where my mother's sister Cruz Madrid lived. I told my mother I wanted to take my baby and raise him myself, but she said I was too young and irresponsible to care for a child. She still blamed me for having been raped. She made me leave my baby behind with her when I moved to Arizona. I was supposed to send money back to help my parents raise Roberto, but I was always so poor I could never afford to. After a while, I pretty much stopped ever thinking about Roberto or the rest of my family back in Texas. It just hurt me too much. I did not see Roberto again until I visited Fabens about 10 years later.

16. When I got to Phoenix, I found work in the fields cutting broccoli, cabbage and lettuce and pulling carrots and onions. I spent all day every day bent over the rows of vegetables, pulling or cutting and then throwing the vegetables into the trailers of trucks as they moved through the fields. Cabbage was the hardest because it was the heaviest. There were no bathrooms near the fields, so it was not easy to find a private place to go when we needed to — usually a bush was about the best we could do. The farm owners placed barrels of water and sometimes ice next to the fields, but we had to bring or find our own drinking scoops to dip it out with. I was paid once a week for most vegetables and at the end of each day for carrots and

onions. I earned four to five dollars a week. Eventually, I was able to rent a room of my own and move out from Aunt Cruz' home.

17. While working in the fields there, I met Arcadio Lopez. Arcadio was born in Tombstone, Arizona, but he never talked about his family. He was a driver for the farming company I worked for. He picked workers up from a few different spots and drove us out to the fields at 4 or 5 in the morning and drove us back to town about 3 or 4 in the afternoon. One day, Arcadio offered to drop me off right at my front door so I wouldn't have to walk all the way from my usual stop. He started dropping me off in front of my building almost every day.

18. One day, Arcadio showed up at my door with his belongings and told me he wanted to stay with me for a while. I was angry at first that he just moved in like that, and I did not want him there at all. But he started paying my rent every month which was expensive for me alone, so I let him stay. I was not happy with Arcadio living with me, though, even in the beginning. He made me have sex with him. He never asked me, he just did it to me. I never wanted to do it; I hated it. When I tried to tell him no, he hit me and made me do it anyway. Arcadio saw another woman, Bernice, after he moved in with me, but he still made me have sex.

19. I got pregnant within a few months and began to realize my dreams would never come true. I was angry when I realized I was pregnant again. I did not want to start a family then. I wanted to finish school and do something with my life other than work in the fields and factories. But, Arcadio and I had eight sons together, one after the other, between 1954 and 1966. In all that time, Arcadio never once said that he loved me. So I never told Arcadio that I loved him either. I didn't love him, and now I can't remember what I ever even liked about him.

20. When Arcadio moved in, I did not know he was an alcoholic — and I never dreamed what a bad alcoholic he would become over the next few years. He did not drink so

much when we were first together, but over time, he began drinking both at night and during the day. He drank wine mostly. I think he did drugs also, but I'm not sure what kind. He would go a few days or a week without drinking, then he would turn around and stay drunk every day for two or three weeks. He stopped paying any attention to his responsibilities even though our family kept growing. He worked less often and spent much of the little money he did make on wine instead of food and rent for our children.

21. Arcadio's behavior also became worse as he drank more and more often. Arcadio disappeared for days without any explanation when he came back home. He had a bad temper and got angry easily. When he got home from work he did not say anything nice to me or the children, he just demanded his dinner. He ate, put on clean clothes that I had washed and ironed for him, and then went out drinking only to come home later smelling of alcohol and throw up. Sometimes he did not make it back into the house or apartment but passed out in the yard after wetting and throwing up on himself. Arcadio often screamed at me and the children for no reason and accused me of crazy things, like having an affair with a Shamrock milk delivery man. He got angry if I didn't want to give him money for beer and wine. The only good thing about Arcadio's drinking was that Arcadio couldn't have sex when he drank too much.

22. I never knew when Arcadio was going to come home drunk and out of his mind. Our children were afraid of him, their own father, never knowing what mood he'd be in when he came home. When Arcadio was drunk, he called our sons cruel names and hurt them for no reason. Back when we were at the Arena Ranch and our oldest little boy Junior was about four years old, he grabbed at Arcadio's leg while Arcadio was heating some water. Arcadio spilled the boiling water on Junior on purpose and burned him badly. Junior was scared of Arcadio and never liked him after that.

23. Arcadio often threatened me with his work knife when he was drinking.

Arcadio's knife was about ten inches long and he kept it sharp for chopping the vegetables in the fields. I learned to run from him whenever I saw him start to pull it out. Most often, Arcadio hit me with his fists and knocked me into the wall. The boys kept watch and warned me when they saw their father coming home. They cried and beg me to lock the door and not let him in the house. Sooner or later, though, I always had to let him in — otherwise he broke all the windows. Our landlords for a while were a nice white neighbor couple who called the police on Arcadio when he got rough with me. Once while we were living in Glendale and Arcadio was throwing things at me, I hit him in the car with a 2' x 4' to protect myself. The police came that time, and I got a restraining order against him and he got six months in jail for attacking me.

24. Arcadio brought in food and things sometimes, but he never helped with the rent or the bills once we had all those children. He never gave me any money directly for anything. He either bought what we needed himself or he just spent his money on his drinking and women. With eight boys to feed, we needed a lot more money than I could make by myself. We got evicted several times when I could not come up with the rent even though I worked as hard as I could. The boys and I packed everything we had into boxes and sacks. Once when we had no where else to go and Arcadio had run off again, the boys and I went to the park to look for a place to sleep, carrying all our stuff. The boys were crying and scared and they kept asking me what was going to happen to us. I was scared, too, and I didn't know what to tell them. The police found us in the park and told us we couldn't stay there overnight. I thought they were going to arrest us, but the policemen took us to an apartment building and paid the deposit for a place for us to rent.

25. My first son by Arcadio Lopez was born in 1954. We named the boy Arcadio

after his father, but everyone has always called him Junior. Junior is ashamed of how poor he was growing up. He lives in a rich part of Phoenix with his wife Anna now and never comes to visit or bring his two sons to see me. He has never given me any pictures of his children. Junior does not like anyone to smoke or wear shoes in his house, so I don't think I would like going there anyway.

26. Our second son, Eddie Lopez, was a chubby baby born in 1955. Eddie has grown up to be a hard drinker, as bad as his father Arcadio. For some reason, Eddie was the only one of our sons that Arcadio ever paid any attention to. From the time Eddie was about five years old, his father took him along with him to bars. I had to ask the police a few times to get Eddie and bring him back home. Eddie sleeps on the streets now and is barely able to keep a job. He works only at jobs that pay daily and spends it all each night on beer and whiskey. I don't understand why people drink so much.

27. In 1957, our third son Frank Lopez was born. Our family has always called him Pancho, which is Mexican for Frank. Frank had his tonsils out when he was a kid. I am so grateful he was only one of my babies ever to need surgery, but Frank was very sick when he had his tonsils out. His throat was so swollen that he could not swallow even a little water and he could not speak. Pus came out of the blisters on his throat. I took him to the county hospital where a doctor operated on him. Today, Frank and his wife Joanna have four children and live in a house in Phoenix. We could never afford a phone when my children were growing up, so it was very sweet when Frank had a phone installed for me. All I have to do is pay the monthly bill.

28. In 1958, our fourth son Esteve Lopez was born. Most people nowadays call him Steve. Our family called him Avee when he was small because that's what little Frank called him when he was trying to say "baby." Steve was a good boy, but I did not know how to make him

understand that he should not play with boys in the neighborhood who got into trouble. He went to prison for many years and was released from prison in March 1998. I was never able to bring myself to see Steve in prison, but now that he is out, I see Steve often. He has better manners since he has been in prison, and he now helps me every Saturday and Sunday. Steve worked construction from the time of his parole until he was laid off because of a work shortage. He then began working for a large landscaping firm.

29. In 1960, our fifth son Jimmy Lopez was born. Jimmy and his girlfriend Diane have two daughters, Valerie, age two, and Ashley, age seven. I do not know where Jimmy's family lives, but I babysit Valerie at my home during the week while Jimmy and Diane are working. Jimmy gets home about 6 p.m. each day. Jimmy is a good cook. He brings me food or chocolate sometimes.

30. Our sixth son Sammy Lopez was born in 1962. Sammy was a chubby baby, like his older brother Eddie. All my other kids were skinny, but those two were fat when they were little. When Sammy was a year and half old he could say "dada" and "mama" and "wawa." Sammy could walk six to nine months before he could talk. Even when he was older, Sammy was always a quiet little boy.

31. My first five sons by Arcadio Lopez were all born right after one other, about a year or so apart. After Sammy was born, though, it was a couple of years before I got pregnant again. Our sixth son, Jose Lopez, usually called Joe by most people, was born in 1965. Our seventh son, George Lopez, followed in 1966. Sammy was always closest to Joe and George, his two baby brothers, even though he was nearer in age to the older boys. My three youngest sons have always been best friends, even now that they are grown men.

32. Joe and George never got into trouble with the police until they were arrested for

killing a man over drugs when they were 19 and 20 years old. I could not believe it. Sammy took it especially hard. He was very sad and withdrew into himself. I could see he was hurting, but I did not know how to talk to him to about it.

33. When the boys were growing up, they had funny nicknames for each other. Gringo was the boys' nickname for George because he was so white, and Nigger was their name for Sammy because he was so dark. Jimmy was called Worm because, when he was a baby, he wiggled across the table to eat from the sugar bowl. Joe was called Skinny because he was so thin. The younger boys' nickname for Junior was Wolf because he punished them to keep them in line when I was gone. They thought he was too mean to them, but Junior was trying to be the man of the house.

34. Growing up, my boys were alone all afternoon after school and only had Junior to look after them. Arcadio and I were both out working, or else I was working two jobs while Arcadio was off somewhere drunk. The neighbors tried to keep an eye on the children for me, and my older sons were good about watching my younger sons. Still, I worried with so many boys in the house together unattended that one of them would have an accident. Luckily, the boys did not have many serious accidents or emergencies. The most serious one I can remember happened to Junior. When Junior was 10 and Eddie was nine, Eddie threw a balsa wood airplane in the air, and when it came down it poked Junior in the eye. When I got home and saw Junior's eye, I called Arcadio's bosses, some Japanese ranch owners, and asked them to let Arcadio leave work and borrow a truck to get Junior to the hospital. They said they would, but then they didn't let Arcadio leave until after 8 p.m. By the time we got Junior to the hospital many hours had passed, and he had lost too much fluid from his eyeball for it ever to heal completely. He had to wear a patch for a long time. Junior still has to wear dark eye glasses to protect his eye from the

light and to hide the fact that the eye still sometimes leaks tears. Junior is even wearing his dark glasses in his wedding portrait.

35. Our last child and only daughter, Gloria, was born in 1970. Sammy was almost eight years old then. Arcadio was disappearing more and more often and for longer periods of time before Gloria was born, so I had thought that we would not have any more children. I was very happy to finally have a girl, and she made our home better just being there. With so many boys in the house already, I was glad they finally had the influence of a sister to calm them down. They acted so sweet, all crazy about Baby Gloria. Gloria was born with a sickness, and she died in 1971 when she was less than a year old. I think all my boys still carry a heaviness inside them because their only sister was taken from them so young. I do, too.

36. Not long after Gloria died, Arcadio drifted away for good. Sammy was about nine or 10 years old, his oldest brother Junior was 17 and his youngest brother George was only about five years old. I had to raise eight boys by myself. My oldest sons, especially Junior, helped me take care of and watch my younger sons. Junior had already dropped out of school a couple of years earlier when he was a freshman in high school and gotten a full-time job at the Arizona Republic newspaper to help me with the bills. Frank and Eddie got jobs when they were in high school, too. Junior moved out when he got married in the mid 1970s. I felt like I was losing my right hand when Arcadio left home. He had helped with the bills and helped control his younger brothers. I told him what chores I wanted the boys to do and he made sure that they went to school and did their chores when they got home.

37. With or without Arcadio, my sons and I always had to struggle to make ends meet. One of our first homes was on the Arena Ranch in Tolleson, which is north of Phoenix. Arcadio and I worked for a time in the fields at the ranch when we had only our first three sons.

The ranch workers all lived in cabins provided by the owners. The cabins had no water or bathroom or even a stove inside. I cooked all our meals outside over an open fire. I washed our clothes in a metal tub. The worst thing about the ranch was the scorpions. Every morning when we woke up scorpions were all over the ground, but we were very lucky and none of the boys ever got stung. I was careful to check the outhouse for scorpions before I let the boys use it in the morning. I told the boys over and over again always to watch for scorpions and not ever to go near one. I always told my boys to be careful.

38. We moved from the ranch to a few places in Glendale, which is just outside of West Phoenix. In 1966, after Jose was born but before George was born, we moved to the south west part of Phoenix. We lived in a couple different places there, too. Many of the places we lived in were not better than the ranch. The places we rented were small and the boys had to share beds, but they had running water and electricity. We were never able to afford to have a phone when the boys were at home. Each of the neighborhoods we lived in were mostly Hispanic.

39. After Arcadio left me and the children for good, I met Pedro Santibenez and we have been together now for about 25 years. I met Pedro at a place called the Crystal dance hall. I liked listening to the Spanish bands that played there. I never went to places like dancehalls, but after Arcadio left, my children told me I should go out and relax. They knew how hard I had always worked to give them food and clothes. So I went out with the women I worked with. One night at the Crystal dancehall, Pedro came up and told me not to dance with anyone but him. So, the women I came with and I left and went to another dance hall, but Pedro followed us. Pedro moved in with me and the boys when Sammy was 10 years old. Joe was seven then, and he was use to sleeping in my bed. When Pedro moved in, Joe tried telling him to go to his own

house to sleep.

40. After Pedro moved in with us, he told me about his family in Mexico. He is married to another woman in Mexico, and they have eight children — three girls and five boys. Five of Pedro's children now live around Phoenix. Pedro's daughter San Juana had her first baby last September 27. She called me from the hospital and said she was alone and scared, so I went to the hospital and stayed with her all day. Pedro has two sons who live in Kansas, and his oldest son Pedro Jr. still lives in Mexico.

41. For the last six or seven years, Pedro has worked for the company that takes care of the parks in Scottsdale. My son Steve now works for the same company. Every morning they go down to the office and a company truck takes them to their work assignments. Pedro and Steve have the same birthday, too: October 23rd.

42. I still live in Southwest Phoenix after more than 30 years. I like that I know the neighborhood. I always shop at the same grocery store, and I don't have to go out anywhere else very often. I don't like that there are more people hanging out here who don't belong than there use to be. I see more prostitutes and people buying and using drugs or just drinking alcohol. I have seen someone shooting up drugs in the vacant lot next to where I live.

43. My mother's sister Cruz Madrid still lives in Phoenix a few blocks from me in a government housing project. She had seven children: Ramone, Velia, Lorenzo, Lupe, Rinaldo, Ruben and Francis. Ruben was killed in a drunk driving accident right after he came home from Vietnam. Lupe's son Ricky, nicknamed Duke, was killed in a Phoenix park when he tried to help a girl being stabbed by another man. I haven't kept up with Cruz and her family in the last several years.

44. I love all my children, including Sammy, very much. I wish I could have given

Sammy and his brothers more when they were younger. I wish I could have protected them from the people who hurt them, especially their father, but I did not know what else to do. It just seemed so hopeless.

45. Before Sammy's trial, no one asked me about Sammy or our life. I would have talked to them and testified if someone had asked me.

I declare under penalty of perjury under the laws of the State of Arizona and the United States that the forgoing is true and correct.

Executed: June 15, 1999.

A handwritten signature in cursive script that reads "Concha Villegas". The signature is written in black ink and is positioned above a horizontal line.

Concepcion (Concha) Villegas