

**DECLARATION OF VENANCIA GONZALES VILLEGAS ALARCON GARCIA**

I, Venancia Garcia, declare as follows:

1. I am Sammy Lopez' aunt. His mother is my sister. I am the 12th child of Jose Villegas and Concepcion Gonzales, and I was born May 18, 1945 in Fabens, Texas about 30 miles from El Paso. Concepcion Gonzales Villegas is my older sister, and she was born November 3, 1932 in Fabens. My family has always called her Corrina.

2. My first husband Jesse Alarcon and I had three children: Rebecca, ~~J~~xavier and Amanda. I was 23 years old when we married in El Paso in 1967. Jesse was in the military then. After we were married for only a few weeks, he was stationed in Germany for an 18-month assignment. I was pregnant with our daughter Rebecca, nicknamed Becky, so I stayed at home with my family and she was born in El Paso on New Years Day 1968. Jesse was later stationed in Kentucky at Fort Campbell and then in Korea. After he got out of the service, we moved to Fort Worth, Texas, where our son Javier, nicknamed Harvey, was born November 3, 1968 and our daughter Amanda was born November 19, 1973.

3. Jesse and I divorced after 17 years of marriage. A couple of years ago, I married Henry Garcia. We have a home in Fort Worth. My daughter Becky and my son Harvey live with us, along with Becky's husband and child and my mother Concepcion.

4. Becky graduated from high school in 1986. She married a boy in the military right after she graduated. Just after they were married, he was sent to Guam for several months. He had an affair with another woman while he was away. When he returned to Fort Worth, he

told Becky about the affair. He told her he felt they had married too young and he now wanted a divorce. Becky later re-married. She and her second husband, Augustino Cantu, have one child, my grandson Elijah Luke Cantu. Harvey has never married. Amanda married a man in the military named Joe Garcia, and they now live in Yuma, Arizona.

5. My father Jose Villegas was born in Mexico in 1902. His mother, Maria, was a blind Tarahumara Indian. He was never able to go to school and he never learned to read or write. He signed his name with a triple X. He never learned to speak English though he lived in the United States for more than 75 years. But, he could speak the Indian language of his family and Spanish. He was taken from his family in Mexico by Pancho Villa when he was only 12 or 13 years old and forced to work as a cook for Villa's men. When he was older, he escaped from Pancho Villa and walked across the border into Texas.

6. Our mother was born in Torreon, Mexico. She was a very religious Catholic woman. Our parents met in El Paso County near Fabens. All my brothers and sisters, including Corrina and I, grew up in Fabens. There used to be lots of cotton fields in Fabens, but there was little other work. There was not a doctor in Fabens, either. There are not as many cotton fields anymore, and most of the work is now done by machines instead of by hand.

7. Our father worked in the fields and on ranches in El Paso before he started working for the railroad. He worked for the railroad for 36 years before he retired.

8. A couple of times our father visited his family in Mexico. It was a long and difficult journey into the mountains of central Mexico so he could not go very often and he usually did not take any of us children. But a couple of times he did take some of us children. He took clothes made by our mother and our oldest sister Angela as gifts for our grandmother Maria.

Before he came to the United States and met my mother, my father had a daughter in Mexico named Julia. Julia married a man who beat her. When she was pregnant with her first child, her husband kicked her in the stomach so hard that she and the baby died. Our father's mother told him this when he visited her. My father was very angry, but there was not much he could do. He wanted to find the man and punish him, but the man hid from my father in the mountains. My father cried when he returned home and told us about Julia's death. From that day, my father cried whenever he spoke of Julia.

9. Our father drank beer on the weekends. He usually started drinking about noon on Saturday and drank until about 10 at night. Drinking was just what men did in those days; it was expected. He drank until he got drunk, but he was a happy-go-lucky kind of drunk. He would laugh and dance. He always loved to dance, even in his last year when he was almost a hundred years old. His mind stayed sharp until he died, just after New Years in 1997.

10. Our father was a very kind man. He tried never to let us go hungry or without clothing, and he made really good tortillas. He loved kids. Our father kept an account at the local drugstore for us kids where we could go get candy or ice cream. He also took us to the movies after church on Sundays sometimes. Mother never went to the movie theater with us.

11. Our mother was more than strict. We followed every rule she made or paid a price. She made everyone who lived in her house attend church. Anyone who missed church on Sunday was not allowed out of the house until the next Sunday except to go to school or to work. Each December, the Catholic church in Fabens had a week-long celebration in honor of the Virgin of Guadalupe. We all had to attend every day. Each day we had to get up at 5 a.m. and walk the mile and a half to the church for services. We all had to attend catechism classes, too.

12. Our mother punished us in ways that would be called child abuse today. No child should be treated the way we were. She beat us almost every day. Our father used to tell her that she shouldn't beat us girls, but she did anyway. She spanked us with a belt or with a stick, whichever was handier. She beat us on our bottoms and the back of our legs until we looked like zebras. She punished the boys by making them kneel on their knees, stretch out their out their arms and hold bricks. If they dropped the bricks, she hit them. If she caught any of us sucking our thumb, she clamped a clothespin on our lip.

13. Living with my mother was like being in the military. Every rule had to be followed perfectly. She accepted no excuses. One of her rules was be very neat. The girls had to curl their hair and we all had to shine our shoes every night. Each day before we left the house, we had to stand in line for inspection. If one of us had a tear in our clothing, if our socks needed darning or if our shoes were not shined, she hit us. My sister Augustina switched socks with me or one of our other sisters a couple of times, so we would get the beating instead of her.

14. Every morning before we went to school, church or work, each of us children had to carry a pail of water from the river to the house to water the yard and the plants. We had running water but Mother wouldn't let us use it. From the time that we were very little, the girls had to take turns cooking for a week at a time. If we did not complete our chores or if we did not do as good a job as she thought we should have, she hit us.

15. My family survived because every one of us worked from the time we were big enough to go to school. We all had to go to the cotton fields to work when we were in elementary school. Our parents bought beans in hundred-pound sacks and used the sacks to hold the cotton we picked. After school each day and on Saturdays in the fall, all of us kids had to

pick cotton. Picking cotton is the hardest work there is. It cuts up your hands and makes them raw and bloody. The cotton bolls have sharp razor edges that go right through your skin. In the spring and summer when there was no cotton to harvest, the boys had to pull weeds from the fields. Mother also picked cotton in the fall. She worked in the fields all day and we met her there after school. Mother kept the money we earned for food and bills, but she gave us a little to buy candy.

16. I figured out how to get out of picking cotton by agreeing to make fresh tortillas everyday. I had to start as soon as school was over to make them in time for dinner.

17. Even though we were poor, I loved Christmas. We had tamales made from scratch. This meant grinding corn for 3 or 4 days to make sure that it was very fine. Our mother made each of kids take turns grinding the corn flour for a couple of hours. On Christmas Eve, we hung socks as Christmas stockings on bed poles. Our parents put apples and oranges and candies in the socks, but could not afford to give us any toys. We never got any toys, even on our birthdays, even after our father got a good job with the railroad. Our mother just did not think we should get toys.

18. When we were growing up, we were not allowed to do many of the things other children did. We made our own toys. We made dolls with clay from the river and sticks. We even made furniture for our dolls from the clay. We were never allowed to play or visit other kids' homes. We could not leave our yard to play. We were not ever allowed to have kids over to spend the night or in the house, but we could have friends in our yard once in a great while for maybe thirty minutes or so. Sometimes when we asked to have other children in the yard, Mother hit us. I did not like to ask Mother to let me have someone in the yard because I could

not tell when she was going to say yes and when she was going to get angry and hit me for asking. We were only allowed to go to school dances and events if all of us went together. If we came home separately, Mother hit us. When one of the younger kids did something they weren't supposed to, like going outside at the wrong time or breaking a rule, our mother hit the oldest kids even though they had done nothing wrong.

19. Mother was very old-fashioned. She did not tell her children about the birds and the bees. When we grew older, before any of us were allowed to date, we had to bring the date home to meet our mother. Then we could go out, but only with a chaperone. I used to take my younger sister Petra as a chaperone, then my date and I dropped her off at her godmother's house and picked her up on the way back home. Mother never figured it out and Petra's godmother never told on us. Our mother did not tell me or my sisters about periods, either. When I got my first period, I didn't know what was happening. Luckily, I was on my way home from school for lunch when it happened. I remember that I was very scared, but my mother just said it was natural. She didn't think it was a big deal.

20. Our mother never showed affection to others, not even us kids. She gave us basics and necessities, like supplies for school or clothes for a special event, but she never hugged or kissed us or said that she loved us. She and my father always slept in separate rooms. I did not know that families expressed love for each other until after my own children were grown. I didn't know how to show love and affection to my kids when they were growing up. I have learned over the years, especially through the love of my second husband, Henry Garcia. I am able to show my grandkids a lot more love than I ever knew how to show my kids.

21. My life was very sad because of the way Mother treated me and my sisters. We

knew very little about the world outside home, and home was a place with little joy and no love. Today, our mother has adult diabetes and Alzheimer's disease. My brother Luis is the only one our mother recognizes, and even then, she doesn't know who he is — she thinks he is her father. She calls me the nice lady who takes care of her. It was hard at first to have her live in my home.

22. My oldest brother Antonio was born in Fabens before the Great Depression. He only lived a couple of years before he died in 1925.

23. My oldest living brother, Luis, was born in 1924 in El Paso County, probably in Fabens. Luis is 21 years older than me. My kids, my nieces and nephews and even some of our younger brothers and sisters call him Grandpa because he is so old. Luis was in the Army during World War II. When Luis was first in the Army, his wife Lola lived with our family while he was stationed out of the country. She shared a bed with me and Petra. Luis and Lola later settled in Fort Worth and had four daughters: Olivia, Alice, Juanita and Ernestine. All four daughters are married and have children and grandchildren. Luis is really a great grandpa.

24. My sister Angela was born in 1928, and married Matias Lopez in Fabens. Matias was killed in a car accident in 1973 on his way to work, and Angela has never remarried. She and Matias had three sons: Florencio, Miguel and Ruben. One of them was awarded the Purple Heart in Vietnam. Florencio's second son served in the U.S. military in Desert Storm. Angela's youngest son Ruben has a problem with drinking. I think he drinks to help him cope with pressure. He got a DWI a few years ago in El Paso.

25. Our family called our sister Josefina by her nickname, Fina. Fina had two daughters by her first husband, Martin Morales. Martin beat Fina and she eventually left him, but they never divorced. Fina later moved in with Alfonso Velarde and they had several more

children together. Alfonso did not like having Fina's children from her first marriage around. So when Marta and Antonia were still in elementary school they came to live with us. Fina and Alfonso eventually moved to California to live. Fina was still with Alfonso when she died from liver disease in the summer of 1998. I was surprised when I learned she was having liver trouble, because Fina's drinking was not as heavy as most of our family.

26. Fina's daughter Marta has been married twice. Both of her husbands beat her. At a family gathering around my father's funeral in January 1997, there was a big fight when Marta's daughter started crying because her stepfather Roger Garland hits her mother. I was just glad that Marta was there. Usually her husband does not let her attend family events. Fina's second daughter Antonia is married to Joey Nef and lives in Burbeon, Missouri so we do not see her very often anymore.

27. My sister Maria never left Fabens. She and her husband Rudy live just a few blocks from where we grew up. She and Rudy had three children, and they all still live in El Paso County. I always thought Maria was the happiest of all my brothers and sisters. She seemed to laugh the most and her husband is a kind man who does not drink much. But, Maria had a nervous breakdown and a stroke a few years ago. Luckily, Rudy is retired from his civilian job at Fort Bliss and he was able to stay with her and take care of her during her recovery.

28. My sister Augustina, called Tina by the family, has been married twice. When our parents became too old to live by themselves, Tina took care of them. But Tina spent their money on drugs and her family. I eventually went to court and took custody of my parents in 1993.

29. Tina's first husband was a police officer in El Paso, and they had three children.

Tina's daughter Kim is in the U.S. Army and served in Desert Storm. Kim lives in Tulsa, Oklahoma. Tina's youngest son, James, was convicted of murder in 1993 and is serving a life sentence in Texarkana. The murder had something to do with a drug deal. He was only 19 years old when he went to prison. Tina is remarried now to a man named Michael Hall and lives in El Paso.

30. My brothers Alfredo, called Freddie, and Ricardo were chefs. They moved to California and settled in Santa Barbara. My brother Ricardo was an alcoholic. He was a good man when he was sober, but he was crazy when he drank. He acted like everyone was out to hurt him. I asked him once why he was so different when he drank, and he told me that he heard voices when he drank. My brother Jose moved to Santa Barbara for a while, but has since moved back to Texas and now lives in El Paso with his daughter's family. Jose is a drinker, too. He has been arrested a couple of times for DWI.

31. When Corrina got pregnant and was not married, my parents were ashamed and angry. Her first child, Roberto, was born in November 1950. Corrina had to leave Fabens and move to Phoenix where my mother's sister Cruz lived and would take her in. There was very little work in Fabens besides working in the cotton fields. Father made her leave Roberto behind with us. He said she did not know how to raise a baby alone. Mother had just given birth to Petra in August 1949, so she breast fed both Petra and Roberto.

32. Although Corrina wanted to find a good job in Phoenix, it ended up being like Fabens. The only work she could find was working in the fields. She met Arcadio Lopez working in the fields there. She and Arcadio never actually got married, but they had eight sons and a daughter together. Arcadio beat Corrina up. I was too young for my mother or my older

sisters and brothers to talk about such things with me, but I overheard them discussing it. Our mother did not like it, but she did not want Corrina to leave the father of her children.

33. Corrina stayed very separate from the family once she left. She was always very poor and did not have the money to visit us. I think she was also angry at my parents for keeping her son Roberto.

34. When Sammy was maybe 5 or 6 years old, I went to Phoenix with a couple of my sisters and brothers to visit Corrina and her family. We stayed two or three weeks. All of Corrina's children were very shy. The first few days we were there, the kids all hid from us. They stayed outside until it was dark, and when Corrina told them to come inside they hid behind the furniture. If anyone talked to them they got scared and ran off. Maybe it was because Arcadio was so mean to them and their mother.

35. In 1971, Petra, Tina, our mother and I went to visit Corrina and see her baby girl, Gloria. Gloria was less than a year old. She was a beautiful baby with curly eyelashes and very white skin, but she was sickly. She had been born with a strange illness that caused her to have a big sack of flesh between her arm and her body. Corrina had to drape dresses over Gloria because she was not able to put Gloria's left arm through the armhole of a dress or shirt. Gloria died after an operation to remove part of the thing on her body. We were still there for the funeral.

36. While I was married to my first husband, Corrina's son Jose lived for about three years with us in Fort Worth. Corrina called and asked if he could stay with us for a while. I did not ask her why. He was only 16 when he came to live with us, but he had already withdrawn from school. I told him he had to go to either school or work, and he got a job with me at the

Tandy Corporation. He bought his own food and clothing. He returned to Phoenix to see his mother, and when he returned to Texas, he moved in with my sister Petra for a while.

37. While Joe was living with me and my family, Corrina's youngest son George came to visit him. George seemed to have mental problems. He was so shy he was weird. Even though he was a teenager himself, he hid behind his older brother Joe and whispered to him rather than speaking directly to any of us.

38. As for Roberto, Corrina's son who grew up in our home in Fabens, he and his family have had many psychological problems. He became a heavy drinker, too, and is uncontrollable and violent when he drinks. He married Agustina Cortez, and they had two children, Roberto Jr. and Emily. Roberto beat his wife so badly when he drank she eventually left him. While drinking, Roberto once beat up my husband Henry and another time beat my son Harvey so bad he had to go to the hospital. Roberto raped his daughter Emily and went to prison for it. When Roberto got out of prison, he went to live in Fort Worth with my sister Petra. The court said Roberto is not to live with any relatives with children. Petra's daughter is 12 years old, but Petra lets Roberto stay with them.

39. My youngest sister is Petra, and her family also has struggled with alcoholism and breaking up. Petra never married, but she has three children. Petra and her oldest son Stephen lived with our parents until Stephen was in school, and then Petra moved to Fort Worth to find work. Stephen was a good boy until he got old enough to drink. Stephen is very different when he drinks. He gets wild and rowdy and has a terrible temper when he drinks. He and Harvey got into a fight when Stephen was drunk, and they did not speak to each other for a couple of years. But last year, Stephen had a son himself and has tried to control his drinking and his temper. He

has even started to see a counselor about it. Renee, the mother of his baby, won't marry him until he gets his drinking and his temper under control. Stephen, Renee and their son Caleb live with Petra, her other two children and Roberto in her two bedroom house.

40. Petra's second son, Daniel, was born in 1980 in Fort Worth. Daniel graduates high school this year and plans to go to college to be a doctor. Petra does not have the money to pay for his college, so Daniel has joined the military to earn the money.

41. Petra's youngest child is 12-year-old Jenna. Jenna's father Marvin Cervenka is from Czechoslovakia. He and Petra have spent a lot of time in court over custody of Jenna, and Petra even went to jail last year over it. Before that, the family court judge ordered Petra to go to counseling.

42. My mother carried 16 children, though two of her babies died before they were born and two died when they were still very little. My parents raised a total of 17 children to adulthood: their 12 surviving children and three of their grandchildren, plus two of my mother's relatives, Jose and Steven Vera.

43. Jose and Steven Vera were orphaned when they were young and came from Mexico to live with our grandmother Martina. Martina lived in a small two-room house up the street from us. But Martina was too old to be expected to raise two little boys, so they moved in with us. Steven Vera joined the navy when he grew up. He was stationed a couple of places in California, where he met his wife. They settled in Sacramento, where his wife still lives. Steven Vera died in 1995. Jose Vera joined the army and eventually moved to Sacramento, too. He went crazy and was put in a mental hospital

44. I was never contacted by anyone regarding my nephew Sammy when he was on

trial. If asked, I would have discussed our family and testified at trial.

45. 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 April 8, 1999.

A handwritten signature in black ink, appearing to read "Venancia Villegas Garcia", written over a horizontal line.

Venancia Villegas Garcia