

Declaration of Joanna Lopez

1. My name is Joanna Lopez. I am Frank Lopez's ex-wife and Sammy Lopez's sister-in-law. Frank was my first love, and he's been part of my life ever since we met in the third grade. We started going steady when we were about twelve years old, and we got married when we were eighteen. Over the years all of Frank's brothers, including Sammy, came to live with Frank and me when they had problems. I spent a lot of time with each of them. Today I know Frank's brothers like they were my own family. They are wonderful men with good hearts. They also have so much pain and hurt inside them that they just can't act like a regular family. Some of them can't hold a job, some of them can't stay sober, some of them can't stay out of jail, and some of them won't even talk to each other. It's very sad. They are beautiful people, but they have been through hell. They are really the most messed up bunch of guys I've ever known.

2. Over the years I saw that their problems came from the way they grew up. It's hard to say this, but the truth is the truth: Frank's mother never gave those kids any of the things a mother gives her children. Frank and his brothers basically raised themselves without any of the affection, the time, the guidance, caring, tenderness, or even love that a mother is supposed to give her kids. Those poor boys grew up on their own without any parents at all. Some people say that Frank and his brothers' problems aren't his mother's fault because she did her best. I don't think that's true. Frank's mother did things to her sons that no normal mother would do. She scarred all the kids, especially Sammy.

3. I only saw Frank and Sammy's father one time. It was around the time Frank and I started going steady. I lived a couple blocks away from Frank's house, and one day I walked over to his house to see him. When I got there, a thin man was sitting outside the house

drinking a beer. He didn't say anything to me, and I didn't know who he was, but when Frank and I walked away, he told me that the man was his father. After Frank's baby sister died, Frank's father left, and no one in the family ever saw or heard from him again. Frank and I have known each other for almost forty years, and in all that time, Frank has never said more than a few words about his father. Any time the subject comes up, Frank always avoids it. Frank has a lot of heartache from his father.

4. He also has a lot of hurt from growing up so poor without any guidance or love from parents. As long as I knew Frank and his brothers, those boys were on their own. They were always running around and playing out on the streets until way after all the other kids went home. They stayed out there past dark, and they didn't have anyone at home giving them a curfew, so they didn't go home until they got tired or bored of being out on the streets. We lived in a rough part of southwest Phoenix, and it was the kind of place where most parents knew it was important to make sure their kids were home before dark, especially if the kids were little. Frank, Sammy, and their brothers didn't have anyone looking out for them like this. They stayed out in the streets so much that it was like they never wanted to be at home.

5. Frank and his brothers were always coming over to my house. Frank and I were going steady, so it was normal that he came over to my house all the time. But it wasn't just Frank who came over. His brothers were there a lot too. My parents were the kind of people who shared whatever they had. They felt sorry for Frank and his brothers because everyone knew those boys had less than everyone else in the neighborhood. My parents made sure that Frank and his brothers always felt welcome to come over and share in whatever we had. Frank and his brothers were always stopping by, not just to eat, but also to be around a family. I could tell that they were trying to get a taste of the life they didn't have at home.

6. When we were growing up, Frank and his brothers avoided being at home as much as they could. In our neighborhood, that was dangerous because there were so many problems out on the streets. Frank was always at my house, and that kept him out of the trouble that was waiting out there in our neighborhood. His brothers didn't come to my house as much as Frank did, so they wound up spending a lot more time on the street. With so much poverty, drugs, and crime, our neighborhood was a dangerous place for young kids who didn't have a parent spending time with them and giving them guidance. I could see that the way Frank's mother was raising the boys was having a dangerous effect on them at early age. Anyone who looked could see this. There were plenty of warnings that the dangers of the streets were already getting to Sammy and his brothers at a young age. Steve and Eddie started getting into trouble with the law when they were barely teenagers. The older kids, Sammy's role models, were dropping out of high school by the time they were fifteen. Sammy started smoking marijuana when he was still in grammar school.

7. Even today, I still don't understand how Frank's mother could have abandoned her kids to the streets like she did. I know she had to work hard to pay the bills for eight boys, but she never found time to spend with her boys. She never gave them the guidance that children in a bad neighborhood need to keep themselves safe. Either she didn't care or she didn't understand. She thought that it was enough to tell the boys to behave themselves and then leave them on their own all day. As long as the boys did their chores, she thought they were safe. She didn't realize that the boys did their chores, and then went out to play in very dangerous streets. If you ask her today why all her boys have had so many problems, she still doesn't get it. She says she always told the boys to be good, and she taught them to do their chores, so she just doesn't understand why they are so messed up. She still doesn't get it.

8. Frank was the first of his brothers to move out of the house. He and I got married in 1977 when I was eighteen. That's when I realized just how much Frank's mother never taught him about the world. I had to teach Frank the simplest things about how a family works. We had a son a few months after we were married, and I had to teach Frank that husbands and wives spend time together, that they spend time with their children, that they go to work and earn money so that they can share special times. Frank didn't know about that. He didn't know about having parties, or celebrations, or holidays. Before we got married, he had no idea that a home was supposed to be a warm, comfortable, inviting place that you look forward to coming to. He had no idea how to make sure that a home was all of those things. Frank's mother never taught the boys any of that. She never even told them she loved them or gave them any kind of affection. The boys in that family never knew what a hug was.

9. After Frank and I got married, his brothers started coming to stay with us when they had problems. Over the years, we had each of his brothers with us. Sometimes they stayed for only a few days, and other times they stayed for over a year. Frank and I loved his brothers, and we were happy to be there to help them out, but the problems really got out of control around the time that Frank's mother let her boyfriend Pedro move in with her and the boys. Things changed a lot in their house over the next few years. Pedro came and went as he pleased. Frank's brother Junior moved out and got married. Eddie, Steve, and Jimmy were older, so they were out and on their own too. That left Sammy, Joe, and Georgie with their mother and Pedro.

10. It was hard for Sammy, Joe, and Georgie to adjust to having a man in the house, especially a man like Pedro. He was a violent man, a heavy drinker, and he took control of the house. He carried a gun. For a while we lived in a flat on the top floor of a building

where Frank's mother and the boys lived on the bottom floor. One day while I was looking out the window, I saw Pedro grab Frank's mother by the hair and drag her across the floor like a cave man. Frank's brother Junior heard about it and came over to stand up for her. When he got there and confronted Pedro, Frank's mother got angry at him and told him it was none of Junior's business. Pedro always controlled Frank's mother like this. She did whatever he wanted.

11. Sammy, Joe, and Georgie got into a lot of fights with Pedro. Finally, it got to be too much for Frank's mother. Right around 1979 or 1980, she told the boys that they were grown men and that they needed to go out and find themselves jobs. She kicked them out of the house. I could not believe a mother could do this to her own children. Joe and Georgie were only about fourteen and fifteen years old. The boys were just starting high school. I've had four teenagers of my own, and I know how little a kid knows at that age, especially a kid who has had no love or direction from his parents. Joe and Georgie didn't have enough skills to find a job. Frank's mother had spent so little time giving them guidance and support that they didn't have a clue about supporting themselves. But that didn't stop her from throwing them out of the house.

12. I heard that the boys were sleeping in the big graveyard at 27th Avenue and Van Buren, and I went there and got them. It broke my heart to see young boys like that on their own and sleeping with the dead. When I found them in the graveyard, the poor kids were scared, abandoned, and they had nothing but the dirty, worn out clothes on their back. They had no way to even feed themselves. I brought them home with me, and then I went to the store and bought them shirts, pants, shoes, and underwear. They stayed with us for about a year and a half.

13. When Sammy, Joe, and Georgie lived with us, I never had a problem with them. I gave them a key to our apartment, I gave them a curfew, and they were always

respectful. They cleaned up, they came home before it was too late, and they even babysat my kids. I spent time with those three boys, and we had a lot of heart-to-heart talks about their lives and their feelings. They told me how much it hurt them that their mother chose Pedro over them. I remember them saying “Why didn’t my mom kick Pedro out instead of us?” They cried sometimes when we talked about this, and I could hear the pain in their voices. I just sat there and listened and tried to comfort them. I wished I had an answer for those poor boys. Knowing that their mother threw them onto the streets just to please Pedro devastated those boys. Whenever we talked like this, the boys always thanked me for listening to them. They acted like I had done them the biggest favor in the world. I could see that it was unusual for them to have another adult care about them, give them time, and listen to them. Those poor boys really had nothing but each other.

14. I really cared about Frank’s brothers. When Georgie turned eighteen years old, I decided to have a party for him. I bought a cake and a couple presents and some decorations, and I told Georgie to invite his friends over. It was a beautiful day, and Georgie was so happy that he thanked me over and over for making him feel so special. It was the first birthday he ever got to celebrate with a party.

15. A few years after they came to stay with us, Sammy injured his hand in a lawnmower. It was so bad it looked like he might lose his fingers. Frank and I went to the hospital to be there with him. I was in the emergency room with Sammy, and his hand was a bloody mess. I couldn’t stand looking at it, but Sammy was very calm. I told Sammy that I was going to wait outside while the doctor stitched him up, and he suddenly panicked, grabbed my arm, and begged me not to leave his side. It wasn’t easy for me, but I stayed with him, because I knew that it meant a lot to him to have a woman who cared about him at his side. Sammy’s

mother knew he was injured, but she didn't even bother to come to the hospital. Over the years, the boys had other close calls and wound up in the hospital, and Sammy's mother just stayed home rather than being there for her sons. One time Jimmy got shot in the leg, and Frank and I and the other brothers went there for him, but Frank's mother didn't bother to leave the house. Another time, someone cut Eddie's neck and he lost so much blood that the doctors didn't think he was going to make it. It was the same story: Frank and his brothers and I were at the hospital, while Frank's mother didn't bother to come. She had so many ways of showing that she just didn't care.

16. Even before she ever had any kids here in Phoenix, Frank's mother knew how to turn her back on her own child. She had a child when she still lived in Texas, and she left him behind and forgot all about him. She never even told Frank, Sammy, and the other boys about him; they found out about him on their own. How does a mother do something like that?

17. In the weeks before Sammy got arrested, he looked bad. He had stopped staying with us, and he wasn't staying with his mother either. He said that he had a friend who lived by the park and let him sleep in his car. I knew that he was spending all of his time getting drugs and using them. He wasn't taking care of himself at all. He looked very thin, and I could tell he wasn't sleeping. When he came over to visit, he usually ate like he hadn't had any food in days, and then he passed out and slept all night. He also had stopped cleaning himself. He smelled so bad that I used to make him go take a shower. I hated to hurt his feelings but his odor was so bad, I couldn't stand it. I told him, "Sammy, you're not sitting on my couch smelling like that."

18. When I found out that they thought Sammy was involved in that murder, I couldn't believe it. I thought they had the wrong person or that maybe Sammy was at the scene

of the crime and someone else did it. Sammy was such a sweet, gentle person. I never saw any violence in him. Even today, I still can't believe he did what they said. The only way I can make sense of it is to think he must have used too many drugs. I could tell he was using a lot in those days.

19. It hurts me to think about Frank's brothers and where they've ended up. I'm not just talking about the ones in prison. All of Frank's brothers have wound up with serious problems. First you've got Junior, who is so hurt by the way he grew up that he just wants to forget it, so he doesn't talk to anyone in his family. None of the brothers have seen him in years. Then there's Eddie, who used to be homeless. He has a place to live today, but everyday he still gets so drunk that he can't even talk. There's also Steve who was in prison for about twenty years and keeps going back. Then there's Jimmy who had to go into rehab because he was using all the money for his kids to support his drug habit. Now Jimmy hasn't had a job for over a year. Even Frank has problems. He drinks a lot, especially when he visits with his brothers over at his mother's house. It frustrates me because Frank doesn't have a car; he rides a bicycle around Phoenix. I worry about him, especially when he rides from his mother's house to where we live. It's about fifty blocks away, and it's a dangerous ride for someone who's been drinking beer all night with his brothers. Sometimes Frank calls me to come pick him up because he's too drunk to even walk, let alone ride his bicycle. I'm glad that he calls me, but what bothers me is that his mother never tries to stop him from riding home when he's drunk. I still wonder how a mother can let her son risk his life riding a bicycle across town at night when he's drunk. After so many years, I shouldn't wonder, though. Frank's mother is still doing the same thing she's always done – ignoring her sons.

20. It's also sad for my own kids. They never got to have a good relationship

with Frank's mother like most kids do with their grandmother. When Frank is at her house and they call to talk to them, she yells at them, accuses them of calling just to take Frank's money, and she hangs up on them. She doesn't know how to be a grandmother any more than she knows how to be a mother. Today she won't visit any of her sons. She doesn't get along with Jimmy's wife, so she doesn't go to his house. She won't visit Junior, Frank, or Eddie either. Recently, she finally went to see Joe in prison, but it's been at least ten years since she's seen Georgie or Sammy.

21. When Sammy was arrested I was living here in Phoenix, and everyone in his family knew how to contact me. If someone had asked me to, I would have testified at Sammy's trial.

I declare under penalty of perjury under the laws of the United States and Arizona that the foregoing is true and correct. Signed in Phoenix, Arizona this 10 day of 9, 2003.


Joanna Lopez

Declaration of Manuel Servin

1. My name is Manuel Servin. I grew up in Phoenix at 20th Avenue and Hadley in the same neighborhood where the Steve Lopez and his family lived for many years. The Lopezes moved around all the time, but in the 1960's and 70's, they lived in a bunch of different apartments and houses right around 20th Avenue and Hadley. I met Sammy Lopez's older brother Steve at Murphy #3, the grammar school we both attended. Over the years, Steve became one of my best friends, and I got to be a close friend of his whole family. I knew Steve's mom and all seven of his brothers, including Sammy.

2. The neighborhood where we grew up was poor, mostly Mexican, and back then it was one of the roughest spots in Phoenix. The place showed you all the wrong things and none of the right ones. Across the street, at the corner store, down at the park, and in the alleys, there were drugs, poverty, and crime. They were everywhere you looked, and the neighborhood was a dangerous place for a kid to grow up. If you were lucky, careful all the time, and you had people telling you what to watch out for and making sure you did what they said, you might be able to avoid the dangers. But it wasn't easy.

3. When I was little, I looked up to the kids who were older than me. The problem was that most of the older kids in my neighborhood were into crime and drugs. They were tough kids, and I admired them and tried to do things to impress them. Steve and I always ran around together, and he wanted to impress the older kids just like I did. By the time we were twelve or thirteen, we started smoking marijuana and drinking and stealing what the older kids told us to steal. We weren't thinking about our future. We were just thirteen, and we didn't know we were playing with fire. We just did what came natural – we looked up to the older kids and wanted to be like them. No one ever showed us there was anything better to be.

4. I remember something that changed my life when I was about twelve. I was playing outside one day, and I saw a bunch of police officers come from out of nowhere. They ran by me with their guns and shotguns out. There was even a helicopter up above us. They were chasing a couple guys who had done a robbery or something. The police pulled their guns out, yelled, threw them on the ground, cuffed them, frisked them, and took them away. It's hard to explain, but something clicked in my head that day, and I realized that my only choice in life was to be like the guys I saw the police arrest. It makes me sad to think that I didn't have better role models to choose from.

5. A few years after that, I got into a fight with a tough, older kid from our neighborhood. It's embarrassing to admit today, but it's true: back then I thought that beating this kid up meant I was really someone. I knew that everybody in the neighborhood would find out about the fight. People would hear about it, and they would respect me for winning the fight. It was like I climbed up a notch in the neighborhood. I felt like a star or something. The worst part of all is that I was right: I did get the neighborhood's respect after I beat that kid up. It shows you how sad our lives were in that neighborhood. It's also sad that hurting someone and getting into trouble like that was the only way I knew how to feel proud of myself. I look back on those times, and I see how hopeless it was to grow up that way. But back then, no one tried to show us we could do more with our lives than get into trouble. The bad influences were everywhere around you, and they were stronger than your mom telling you to be good. If you didn't have your parents staying on top of you all the time, making sure you were safe, and making you feel special, you were an easy victim to the streets.

6. In those days, getting high was as important as being tough. At first, Steve and I just smoked marijuana and drank beer. As we got older, we started to use some of the other

drugs that were around, like LSD, black beauties, and all different kinds of pills. The main thing we did to get high, though, was sniff paint. We sniffed it all the time. Any time we got a little money, paint was the best investment we could make. For a couple dollars a can, we could get high all day long.

7. Nothing got us as high as paint did. Sometimes we got so high off paint that we had blackouts. One time, I snapped out of a blackout because I heard myself yelling and screaming at this guy. I was calling him names and stumbling around when I realized I was in a fight with the guy. A bunch of people were standing around watching, and I didn't know how the fight started. I was getting my butt kicked, and I didn't even know it. I wasn't alone in having blackouts like this. All the guys who sniffed a lot of paint, like Steve and later on Sammy, blacked out from sniffing so much of it.

8. As Steve and I got older, his little brother Sammy started looking up to us in the same way we once looked up to the older guys. It was too bad for Sammy, because he was a good boy. He was never in trouble until Steve kept bringing him around to hang out with us. Sammy was just looking for a way to make somebody tell him "good job." Unfortunately for Sammy, he didn't have anyone to tell him good job, except for us. And we only told him when he did things that were bad for him.

9. Back then, Steve and I didn't think about how it might hurt Sammy to be hanging around with us and getting into the trouble we were getting into. We didn't ask questions like, "Is it bad for Sammy to do this with us?" We didn't even think about where our own lives were leading. We were just living day to day and stealing to buy drugs and alcohol. This was the only life we knew back then, and we didn't question it. We grew up just like Sammy did and we knew what it was like to look up to the older guys. That was just life in the neighborhood.

10. From our own experience, we knew that Sammy was easy for us to take advantage of. We had been in Sammy's shoes, and we knew what he was thinking. We knew how to manipulate him. Sammy wanted to do what Steve and I did, so Steve brought him along with us all the time. To get money for drugs and alcohol, we made Sammy break into houses and steal things. Steve and I used to open a window in someone's house, and then we lifted Sammy up and sent him in and told him what to bring us from inside.

11. I think we did some of the things we did just because it felt good to have someone look up to us. One time, we planned out a robbery and told Sammy about it so he could watch it happen. He wasn't a look out or anything, we just wanted an audience to see us do it, and Sammy was our audience. It was at a little, neighborhood store near where we lived. We had it all planned out. The store had a pay phone outside that the owner used to answer, so we had one guy call the phone and when the owner came out to answer it, we jumped him and took his gun and his beer and his money. I can still see little Sammy watching the whole thing happen from across the street. Now I wonder what this did to Sammy. I just wish I thought about this back then.

12. In those days, Steve and I did whatever we wanted to. We were more than a bad example for Sammy; we manipulated him to do things that would get him into trouble. We taught him how to live like we lived – to steal, and get high, and sniff paint. It wasn't like we thought about it and decided to turn Sammy into someone who was going to end up in prison like we did. We didn't think about things like that back then. We were just kids too, and we accepted life the way it was in our neighborhood. We didn't think about school, and learning, and jobs, and our future. The only things we knew were poverty, crime, and drugs. We didn't think we were corrupting Sammy. We thought we were just showing him the way life was.

13. In our neighborhood, everyone was poor, but Steve and Sammy and their family had it rougher than most others. One reason was that they didn't have a dad. There were a couple times when I saw one man around their house. Steve and his brothers never talked about the man or told me who he was. By coincidence one day, I saw him walking down the alley towards the liquor store. I just thought he was going out to buy beer, but he never came back, and no one in Steve's family ever saw him again. Later Steve told me the man was his father, and that if he ever saw the man again, he was going to try to beat him up. I remember that the man left right after Steve's little sister died when Steve and I were about thirteen years old.

14. When she was first born, Steve told me how happy he was to have a sister. It really made a difference to him and to his brothers that they finally had a girl in the family. I had never seen Steve or his brothers like that before. Having a sister really brought out their gentle side. Steve loved his baby sister so much that he didn't even have any shame or embarrassment about her being deformed. He was just so happy about having a sister that he didn't even think about what was wrong with her. He didn't even tell me about her arm before I saw her the first time. When I saw her I noticed that her arm was deformed right away, but it didn't matter to Steve and his family.

15. Steve and his family were really torn up when she died. It was more than just losing a family member to them. Being a girl in a family of eight boys, she was special to all of them. When she died, they didn't just lose a sibling. To them, it was like they lost the beautiful, special little sister who gave them hope. After she died, Steve and his family were so depressed it was like their house was under a cloud.

16. Even before the baby died, Steve's mom really had it rough. Our neighborhood was full of people who struggled to get by. Everyone was poor. Some families only had a

mother and no father. Some families had a father who was drunk or unemployed or on drugs or in jail. But, out of all the poor families in our neighborhood, there were none that had it as bad as Steve's. I never knew of any other family where a mom was trying to raise eight boys by herself. As far as having the toughest situation in our neighborhood, Steve's family took the cake. There wasn't even a second place. Any time I felt bad about my life, I could always look to Steve's family and see how much worse things could be. Steve's mom didn't have any help at all, and it was easy to see that she was worn out. Whenever I saw her, the poor woman was so tired it looked like she might fall asleep on her feet. Most of the time, she looked like she was ready to give up on life, and knowing how hard hers was, I didn't blame her.

17. In our neighborhood, there was so much trouble out there waiting for kids like us that parents really had to spend time with their kids to make sure they stayed away from danger. Keeping your kids safe in that neighborhood was a full time job. Like a lot of the parents in our neighborhood, Steve's mom never had the time to do it. But Steve's mom had even less to give Steve and his brothers. She worked so much that she didn't have time to do the normal, little things other parents did with their kids. I never saw her sitting down with Steve and his brothers and just chatting like other moms did. She didn't ask them how their day was, or what happened in school, or why they looked so sad. She was just so worn out by life that she didn't have that in her. Steve and his brothers were on their own without even the confidence that kids get by having a close relationship with their mom. The way Steve and his brothers acted, I could see that they were all missing that basic confidence. It was like a scar. They all had it, Sammy worst of all. I always thought that was why Sammy was always so desperate to hang out with Steve and me – he just needed some kind of attention.

18. I was over at Steve's house all the time back then. Since there were no parents

around, we spent a lot of time getting drunk at his house. When we drank, Eddie and Steve got into fights. Sometimes some of his brothers jumped in, and sometimes I did too. When guys get drunk and fight you can't make them stop just by asking; you have to get in there and pull them apart. Steve's mom hated to see her sons fight, but she couldn't do anything to make them stop because she was a tiny little woman and her sons were drunk and out of control. When she was home for one of these fights, she lost control of herself. I can still see her crying and begging her sons to stop fighting. Sometimes I tried to break up the fights just so Steve's mom would stop crying.

19. The day of his crime, Sammy called me up and asked me if I felt like partying.

//

//

//

//

//

//

//

//

//

//

//

//

//

//

What “partying” really meant was getting together to drink and get high on whatever drugs we could find. I told Sammy I couldn’t make it that night because I had a date. Later on when I heard about the crime Sammy was accused of, I was shocked. The first thing I thought was that if Sammy did what they said, he must have been so high on drugs that he was out of his mind. I knew Sammy, and I can tell you he wasn’t a violent person. Thinking about all the times Steve and I got high and did things we couldn’t explain, understand or remember, I knew that drugs were the only explanation for that crime. Hurting someone really wasn’t in Sammy.

20. When Sammy was arrested, I was just out of prison for a robbery that Steve and I were convicted of in 1978. I was living in Phoenix and Sammy and his family knew how to reach me. If his attorney had asked me to, I would have testified at Sammy’s trial.

I declare under penalty of perjury under the laws of the United States and Arizona that the foregoing is true and correct. Signed in Phoenix, Arizona this 3 day of April, 2004.


Manuel Servin

Declaration of Domitila Servin

1. My name is Domitila Servin. During the 1960's and 70's my family and I lived near Hadley and 20th Avenue in Phoenix. Corrina Lopez and her eight sons were my neighbors there for many years. My husband and I had four sons and three daughters, and Corrina had eight boys. Since some of our kids were friends, Corrina and I got to know each other, and over time we became friendly.

2. The area where we lived was a hard place to raise a family. Our neighborhood was poor and all of us who lived there had to struggle to make ends meet. That was bad enough, but money wasn't the only problem. Everywhere you looked in our neighborhood, there were crime and drugs. As parents, we always had to worry about the danger of these things to our kids. We lived in a poor neighborhood, but we were like any other parents – we loved our kids, we wanted to take good care them and make sure they were safe. Unfortunately, there was so much trouble out there waiting for kids that the only way to make sure they stayed out of it was to be with them all the time, and nobody can do that. Life was a struggle and most parents had to work all day to pay the rent, buy the food, cook it, keep the lights on, and make sure the house was running smoothly. There just wasn't enough time to follow your kids around and make sure they were safe. As a parent, it was scary because you knew that one wrong step could ruin your kids' lives.

3. The dangers were always out there waiting for our kids. I can say this from experience. Even with all the work my husband and I did to keep our family going, two of our sons ended up spending many years in prison. Even if you were lucky and your kids stayed out of trouble and avoided all the drugs and the crime and the bad influences, they still weren't safe.

The neighborhood was so dangerous that someday someone might just pull up and shoot one of your kids for no reason. This happened to my own son Peter. All the families in our neighborhood had to face these fears. It was a dangerous place where we couldn't take anything for granted. Keeping your kids fed and alive and out of trouble was a struggle that never ended.

4. For Corrina, taking care of her kids was even harder than it was for the rest of us. Many of the rest of the other mothers had husbands to help with the responsibilities of raising a family. Some husbands brought home money, helped raise the kids, and taught them what they needed to know to try to keep themselves safe from all the dangers of the neighborhood. Without that help from my husband, I don't know what I would have done.

5. Corrina was my neighbor for many years, and we saw each other all the time since our kids were such good friends. Still, I never got to know her well. Corrina didn't like to talk about her past. All I ever learned about her personal life was that she came from Texas and that her kids didn't have a dad. I never saw a man with Corrina. If she had a man, he was never around because I didn't know about it.

6. Since she was the only one taking care of her eight boys, Corrina had to work day and night. Even more than the rest of us, she had to worry that she might not be able to earn enough to keep her kids fed and sheltered. She didn't have the chance to save money and move her boys away to a different part of town like I eventually did. Corrina had to get up before the sun to run off to work, then she worked all day, came home late at night and made sure all the cooking and cleaning and laundry at home was done. Then she had to sleep so she could do it all again the next day. She always looked drained. Life was hard for all of the families in our neighborhood, but Corrina had to struggle even harder than the rest of us did. Having eight boys and no husband to help out is just too much for any woman struggling to survive in a poor,

dangerous neighborhood. Poor Corrina. I honestly can't think of anyone who had it harder.

7. Life was also hard on her boys since all eight of them had to share what little money Corrina brought home. When we talked, one thing she did tell me was how hard it was for her to make ends meet. After she paid the rent and bought the food, there was nothing left. Her eight boys grew up splitting nothing eight ways. I knew those boys had even less than the other people in the neighborhood, so I told them they were always welcome in our home. I fed them a lot of times, and they liked coming over, not only to eat, but also because I had a little time to spend with them. They really seemed like they were starving for the attention of an adult. Since she was always working her fingers to the bone, poor Corrina just didn't have time for her boys.

8. Every once in a while, Corrina came to visit me. It didn't happen often because she was almost always working or resting so she could go back to work. When she did come over, Corrina told me how hard it was for her. I never started working until my youngest was five or six, but I still knew what it was like to struggle to keep a family fed. I tried to comfort her, but many times I couldn't, and Corrina just cried and cried about how about how hard it was to keep her boys fed and clothed. Once she started talking about it, she couldn't stop crying. With all she had to do to keep eight boys alive, fed, and clothed, it was just too much for her. Raising eight boys on your own in that part of town was too much for anyone. It touched me to see such pain in a good, hard working woman. She talked about how busy she was and how she tried to make sure her kids stayed safe. She said she always told them to be good before she left them, and she couldn't understand why some of them still ended up in trouble.

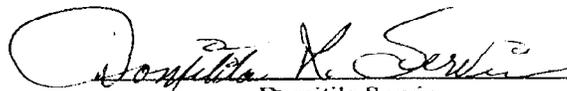
9. Another thing Corrina said was that things were even harder because all eight of her kids were boys. I knew the boys and I thought they needed a father more than anything else.

10. Corrina's sons were good boys. They were at my house all the time, and they always respected me. Corrina's sons were always honest, respectful, sweet boys, and I never had any worries about them being in my house.

11. When I learned that Sammy was accused of a murder, I just couldn't believe it, and even today it's hard for me to think he really did something like that. I still think of him as a sad, little, gentle boy who just needed a dad. I pray that he won't be executed, not only because I remember him so fondly, but also because I know what it would do to his mother. Poor Corrina has already been through so many tragedies. She deserves a little kindness and understanding at least once in her life.

12. When Sammy was arrested for this crime, I was living with my family in Phoenix, and Sammy and his brothers knew how to reach me. I was never contacted by Sammy's attorney or by anyone else working on Sammy's trial. I wish they did contact me, because I would have begged the judge to spare Sammy, for his own sake and, more than anything, for his poor mother's.

I declare under penalty of perjury under the laws of the United States and Arizona that the foregoing is true and correct. Signed in Phoenix, Arizona this 4 day of April, 2004.


Domitila Servin

DECLARATION OF CIPRIANO CHAYREZ

1. My name is Cipriano Chayrez, but my friends all call me Chapo. I was born on April 13, 1967. I met Sammy Lopez when I was twelve years old.
2. I was a good friend of Sammy's younger brother George Lopez who I met when I moved in with my grandparents and started attending Isaac Junior High School. This was in 1980, right after my mom died. When she died, my brother, my sister, and I had to move from our home on the East Side of Phoenix to stay with my grandparents on the West Side of town.
3. This was the beginning of the hardest years of my life. In those years, there was a fierce rivalry between the East Side and the West Side of Phoenix, especially among the Mexicans. As a young, Mexican kid, the last thing in the world you wanted to do was move from one side of town to the other. It made you an outsider in an unfriendly, dangerous place.
4. That felt scary and lonesome enough, but the worst part about this time for me was that I had just lost my mom. When she died, I felt like my whole world ended. I was lonely, miserable, and lost. At first, I didn't know how to make myself feel better, and as time went on I didn't even bother to think about feeling better. It was like I forgot about even trying. I just felt like I belonged in a bad environment. That's why I was glad I met George Lopez. I fit right in with him and with his brothers. They had the same kind of sad, lost, hopeless feeling that I did.
5. George lived with his brothers and his mom in a little attic in a beat-up, old house on West Melvin Street near Willow Park. This was a poor neighborhood, which was nothing new to me, but I was shocked when I saw the way George and his brothers and his mom

cc

all lived together, cramped into that little attic. It was a whole new kind of poor to me. I knew poverty, but I had never seen a family that had to struggle as hard as the Lopezes did.

6. Not that it mattered to me. George was my buddy, and after losing my mom and moving to the West Side of town, I was just glad to have a friend who I fit in with. As kids, George and I used to have a ball riding around on ten-speed bicycles that we put together from scraps of old, broken bikes that the neighbors let us have.

7. After I'd been in the neighborhood for about a year, when I was almost fourteen, George and I started hanging out at Willow Park with George's brother, Sammy, and the older kids. This meant that we were also drinking alcohol and smoking weed. I knew this wasn't a good idea, but at the time, it felt like the only option for me. With all the loneliness from moving and the heartache over losing my mom, I was hurting constantly in those years, and I felt badly about myself. Getting high and drunk was the only way for me to escape the empty feeling I had inside. I felt like I deserved to be in a bad environment, and I think we all shared this feeling. I know it sounds weird, but getting high and hanging out together in that bad environment was the way we got through each day. I realize now that it was desperate and sad, but back then, it was just the way things were and the way we thought they had to be. We were all just kids, and we didn't know, and no one ever told us how, our lives could be different than the ones we saw all around us.

8. As we got older, George and his brothers Joe and Sammy and I spent more and more time together. By 1986, when Sammy was arrested, he and I spent almost every day partying together at the park. Now, when I say "partying," I'm not talking about a group of guys and girls hanging around laughing, singing, and dancing. What partying meant to us was six or seven guys sitting under the ramada or at the foot of a tree in Willow Park, smoking weed, and

drinking until we ran out of money or we passed out. We usually drank cheap beer, but we weren't picky, so if any other kind of alcohol was around, we drank that too. There was also a lot of Angel Dust, acid, heroin, and cocaine.

9. Like a lot of the guys from his generation, Sammy's thing was sniffing glue and paint. We called guys like Sammy "paint hypes" and "glue hypes." It was kind of a derogatory name if an outsider said it, but coming from us, it didn't mean anything, since we were all drunks and addicts of some kind. Sammy and the other paint hypes used to sit under a tree in Willow Park and soak a sock with glue or paint. Then they covered their noses with the sock and breathed in until they got high. They sat under the tree so they could throw their socks up into the branches as soon as the police came around, which happened almost every day. Sometimes there were so many socks hanging there that it looked like they grew from the tree.

10. Sammy hit the paint a lot back then. I saw him do it so many times, I can't even count them. When he sniffed paint, Sammy seemed like he was on another planet. I can still see his eyes and his head rolling around like he couldn't control them, and I can hear him saying in a slow, dazed voice, "Whoa. I'm on the stars." Sammy hit the paint too often for his own good, but none of us who partied with him ever said anything about it to him. The whole reason we went to the park was to get high and try to escape from the reality of where we lived.

11. By 1986, when Sammy was arrested, we were doing this almost every day. It was like our job, seven days a week. We spent most days together, but even on the days when we were apart, we woke up with the same goal – to find a way to get drunk and high. Sometimes we drank so much and did so many drugs that we passed out in the park and woke up right there the next morning. It got to the point that waking up in the park wasn't even strange. We passed out there dozens of times. I had blackouts all the time back then. A lot of times I couldn't

remember what I did the day before, and it didn't matter to me because I didn't care about anything except going back to the park, drinking and getting high.

12. Even though we were both partying back then, there was sort of a difference between Sammy and me. I felt like I was pretending. For me, it was an exciting adventure to be eighteen years old and getting drunk and high with guys who were five years older, like Sammy was. I felt cool to be hanging out with older guys who I'd always looked up to. It sounds crazy to me today, but partying with them, having blackouts with them, and not caring about what happened to myself made me feel like I was somebody.

13. Even back then, I knew that I was just pretending to live that life so I could fit in with Sammy. I had a home to go to every night if I wanted to, and I had people in it who cared about me, even if I didn't think I deserved it. My grandfather used to set a curfew for me every night, and if I didn't make it home by then, he bolted the door shut, and I was locked out until the morning. My brother and sister also tried to get me to stop partying. Eventually, they stopped letting me into their homes. At the time, this hurt me, but I knew they loved me and were trying to get me to stop acting like such a madman.

14. I was lucky to have people who tried to guide me through my tough times. Sammy didn't have anyone doing this. No one cared about him. No one tried to make sure he came home at night. No one tried to get him to stop partying. When I look back on those times, I can see that when we partied in the park, Sammy and I were two really sad young men. I was lucky though, because the way I handled being sad – by partying – was a make believe life for me. For Sammy, it was the real thing. That way of life was survival for him.

15. Sometimes to get money to party, Sammy, Joe, George, and me worked for contractors who needed guys to do things like dig ditches. It wasn't like we had a plan to

make money and get our lives on track. Usually we got paid and let go at the end of the day. Sometimes, we also stole to get money to party. It was always just little things, like a beat-up lawn mower or whatever junk somebody had laying around in their front yard. It wasn't like we were professional criminals. We only did it to get money for beer and drugs, and none of us, Sammy, George, Joe, or I were ever out to hurt anybody.

16. When Joe and George were arrested for murder in 1985, Sammy was locked up for something. When he got out, he was a different guy. He was always so close to his younger brothers, and once they were gone, he said he felt lost without them.

17. Things were especially hard for Sammy because he didn't even have a place to stay. I wanted to help him out, so I let him live in my car back then. It was a 1963 Chevy Impala, a beautiful car that my aunt and uncle gave me because they were trying to help me get on the right track. At night, when I was ready to go home, I opened up the car for Sammy and told him to go ahead and sleep in the car and then wash up in the park in the morning. He was thankful for letting him live in my car, but to me it was just another sad reminder of how much worse Sammy's situation was.

18. I know I partied too much for my own good back then, but Sammy was even worse. He could really overdo it with all the drinking and drugs. One time, right before he got arrested, Sammy came up to me with the craziest look in his eyes. I knew Sammy, and I could tell that he was out of his mind on drugs. He looked like a crazy person, and he was trying to give me money for letting him stay in my car. I just wanted to get away from him because he didn't seem like himself, so I told him to keep his money and get away from me until he sobered up a little.

cc

19. After Sammy was arrested, the police picked me up and brought me to the station to interrogate me about the murder. I was terrified. I was sweating, and I could feel my heart pounding like it was trying to beat out of my chest. Even though this was about a week after the murder, I had no idea what I did on the night it happened. Sammy and I had been partying so much that the days were all a blur. I tried to think back to where I had been that night, but I just couldn't remember. The police interrogation was the most terrifying thing that had ever happened to me, partly because it involved such a serious thing and partly because I just couldn't remember what I had done that night. The police told me they had my fingerprints, a witness, and a picture of me leaving the victim's house. They were trying to make me confess, and finally I lost it. I just broke down and started crying. I had never been pressured as hard as when the police tried to get me to confess to the murder. I kept denying I was involved, and told them to show me all their evidence, but in my mind I was believing them because their interrogation was so intense and the days were all such a blur. Later my girlfriend told the police that I had been with her the night of the crime, and they finally left me alone about the murder.

20. After Joe and George's arrest for murder, I was shocked. After Sammy's arrest for murder, it was even worse. I couldn't believe any of them could be involved with something like this. I had known these guys for years, and I had never seen anything like this in them. I was so scared for Sammy and for myself. I felt like a lost soul. Luckily for me, I had my grandparents who cared for me. My grandfather sat me down for a long talk and told me that I would be okay, but that I needed to change what I was doing with my life. It helped me get through that tough period. I know my grandparents weren't perfect, but at least they were there and they talked to me about some of the important lessons in life. I know I would never have made it out of that lifestyle without their guidance and their love and support.

21. I wish I could say I learned from what happened to Sammy and turned my life around right there. The truth is, it took me about nine more years of mistakes, drugs, wasted time, partying and even a couple years in jail before I started to put my life together. However long it took me to do it, I'm proud to say I finally have put my life together. I've learned a good trade, and I've been at the same job for seven years now. I've been sober for eight years, I'm happily married, I've moved to a better neighborhood, and I have three kids of my own, plus three step-kids. The people who knew me back in my partying days would never believe I've made it to where I'm at today, I'm sure of that.

22. If there is one thing that helped me to finally turn my life around, it is the support I had from my family. My brothers and sisters and aunts and uncles and grandparents were pulling for me all along, and they always tried to push me in the right direction. I know I wouldn't have made it to where I am today without their support, and I can't help but think that things might have been different for Joe, George, and Sammy if they had just a little bit of support too.

23. Today, I tell my kids that they're lucky, and it's not just because they have possibilities. I had possibilities too. My problem was that I didn't know I had possibilities. The reason my kids are lucky is that they have people who talk to them about their possibilities. I grew up in a different time. My grandparents loved me, but just having someone love me when I was growing up in such a bad environment wasn't enough for me. I needed someone to show me all the possibilities that were out there for me. I didn't have anyone telling me I could be whatever I wanted. I didn't have anyone encouraging me to dream. I knew that good things were possible for the rich kids from other neighborhoods, but I didn't think anything good was possible for kids like George, and Sammy, and me. Now I finally realize that there were

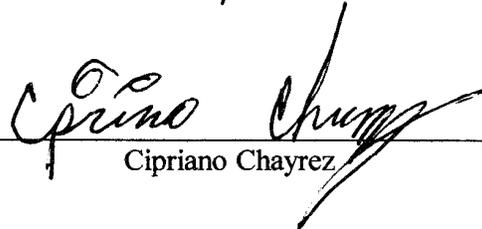
cc,

possibilities for me, and I feel like I could be president of the United States – me, this poor Mexican kid from the toughest part of Phoenix – if someone had made me see all the possibilities I had when I was growing up.

24. I don't regret the life I've lived or wish I could trade places with any of the kids who had it easier than I did. I'm proud of the person I've become. I know I've made a lot of mistakes in my life, but instead of hiding from them, I try to remember that all my mistakes are what made me the person I am today.

25. When Sammy was arrested and when he had his trial for murder, I was living in Phoenix. His attorneys could have easily found me if they tried to, and I would have told them all the things that I knew about Sammy, his family, and our neighborhood.

I declare under penalty of perjury under the laws of the United States and Arizona that the foregoing is true and correct. Signed in Phoenix, Arizona this 13 day of sept, 2002.


Cipriano Chayrez

DECLARATION OF ANGELA GONZALES VILLEGAS LOPEZ

I, Angela Villegas Lopez, declare as follows:

1. Sammy Lopez is my nephew. His mother Concepcion Villegas Lopez is my younger sister. My family has always called her Corrina. Corrina and I are two of our parents' 14 children who survived birth. I was the third born and Corrina was the sixth.

2. My great grandmother was Rosa. Rosa and my great grandfather had at least two children, my great uncle Diego and my grandmother Martina. My grandmother Martina and my grandfather Luis Gonzales had two children, my mother Concepcion and my aunt Cruz. My aunt Cruz is seven years younger than my mother.

3. My grandfather Luis Gonzales was killed in about 1918 when my mother was only ten years old and Cruz was only three years old. My grandmother walked with my mother and Cruz from their home in Chihuahua, Mexico to Texas. There were no paved bridges between Mexico and Texas back then. They had to cross the Rio Grande river on a wooden board. Once they reached Fabens, Texas, my grandmother Martina and my mother supported themselves and little Cruz by working in the cotton fields and washing clothes and cleaning for the farm and cotton workers.

4. My great grandmother Rosa eventually came to Fabens to live, also. She was a very deeply religious woman. The Catholic Church was very important to her, and she went there almost everyday to pray. She practically lived at the church. In her home she kept lots of statues of the Virgin Mary and Jesus and little religious shrines. She was a very proper woman.

She wore long skirts and long-sleeved shirts, and she kept her head covered with a shawl. She was also a kind woman who made dolls out of socks for me and my sisters and brothers.

5. My grandmother Martina also was a very religious woman. Because she had to work, she could not spend as much time in church as her mother Rosa. Martina died when she was about 50. My grandmother Rosa lived to be much older. Martina bought a two-room house up the street from the house my father built for us in Fabens.

6. When I was about seven years old and Corrina was about three years old, our grandmother Martina took in two young boys, Jose and Steven Vera. Jose and Steven are related to Martina, so when they were orphaned in Mexico around 1935 she let them move in with her. Jose was seven and Steven was ten, the same ages as me and my brother Luis. Martina's house was just a block from our house, so we grew up together.

7. My aunt Cruz still lived in Martina's house when Martina died. Cruz later moved to Phoenix, and my mother bought the house from Cruz so that Cruz would not sell it to strangers. My brother Luis moved his family from my parents' house into Martina's house when Cruz moved to Phoenix in the late 1940s.

8. Jose and Steven both joined the military when they were old enough. Jose joined the Army, and Steven joined the Navy. Jose had a house in Fabens, which he gave to my mother when he left. Steven later met and married Ofelia, and they settled in Sacramento, California. He passed away a few years ago, but Ofelia still lives in Sacramento.

9. Jose was a strange child, he was very quiet and kept to himself. When he was an adult, Jose was hospitalized in a mental institution in California. In 1997, he ended up at a rescue mission in El Paso. He was confused and had a memory problem. He did remember my

name, and someone from the mission called my home and left a message for me to pick Jose up. I went to get Jose, but he did not recognize me. He was paranoid and wanted proof that I was really Angela. I showed him my identification, but Jose still did not believe I was Angela. He did not seem to trust me or anyone at the mission. Someone from Social Services later called me about becoming Jose's guardian. I wanted to help Jose, but he was too far gone for me to handle. He was always very neat and orderly when we were growing up. But, he was so dirty when I saw him at the mission that I almost did not recognize him. He refused to take a bath. He had no shoes. The things he said made no sense. Eventually, Jose was sent by bus to his sister-in-law Ofelia in Sacramento. She met him at the bus station, but he did not want to go home with her. He kept insisting that she bring Steven to the station. He did not remember that Steven was dead. The last I heard, Jose was in a mental institution in Sacramento.

10. We had less contact with my father's family when we were growing up because they mostly stayed in Mexico. My father returned to his parents' home in Mexico a few times when most of us children were older. I went with him once in about 1946 after I was married. My father took Corrina and our sister Maria a few years later to visit his family in Mexico. Corrina and Maria were teenagers.

11. My father's family was from Curvea De Torro, which is in the mountains of Mexico. It took us a couple of days to get there. We traveled by train to Chihuahua and then by another train to Creel. In Creel we stayed with my father's brother Pablo. From Creel we rode all day by horse back. Some of the ridges we climbed were so steep that the horses leaned sideways into the mountain. Parts of the trail were so narrow that the horses could barely walk. We also crossed through a creek. The most shallow part we could find came up to the horses'

chests and over our legs. My fathers shoes were ruined. The next day, I was so sore from riding that I could barely walk.

12. My father's mother Maria was a Tarahumara Indian. She was a very small woman with long black braided hair. She was blind and widowed, but she supported herself by weaving baskets. She and the other people in her village lived by barter. They lived near some caves which they used for storing things. I saw a cave so big we could not see the end of it.

13. My father's father was from Spain, but he met my grandmother Maria in her village in Mexico. He passed away before I visited Mexico.

14. My father has three sisters and two brothers. One of his brothers, Jose Blanco, was adopted. Jose Blanco moved to Northern California when he grew up. My father's sister Julia left their village with a man and never returned. The family never heard from her again and does not know what happened to her. My father's brother Pablo moved to Creel, Mexico where he later died. My father's sister Maria moved to San Juanita, Mexico.

15. When my father came to the United States, he worked in the cotton fields near Fabens. He met and married my mother in Fabens. He and my mother had two sons in Fabens, my brother Antonio born in 1923 and my brother Luis born in 1924. Antonio died when he was only two years old. After Antonio died, my parents traveled to New Mexico, Arizona and California looking for work. I was born in Calipatria near San Diego, California in 1928, and my brother Alfredo was born near Las Cruces, New Mexico in 1929. Eventually my parents returned with us to Fabens, Texas where they had ten more children that survived birth. Although my sister Julia, who was born during the depression, only lived a few months.

16. My father got a job with the railroad in El Paso County, but not in Fabens, in the

1930s. The work was too far from Fabens for the workers to live in town, so we lived in railroad section housing in Sierra Blanca, which is about 40 miles from Fabens. Sierra Blanca was not really a town back then, just the name of that part of El Paso County. There was no school in Sierra Blanca, and no bus that went there. So during the school year, my brothers Luis and Freddie and I lived in Fabens with grandmother Martina and great grandmother Rosa so we could attend some school. My younger brothers and sisters stayed with our parents. On weekends my parents and younger brothers and sisters came to Fabens where my father worked to build a house for us. After he finished the house, my mother rented it to others until my father could get work closer to Fabens and we could move into it ourselves. Eventually the public bus came close enough to Sierra Blanca that Luis, Freddie and I could walk to the bus stop and take the bus to school in Fort Hancock, and we moved back in with our parents in Sierra Blanca.

17. There was nothing in the railroad section housing other than the flat-roofed buildings we lived in. There was not even a phone. Because there were no stores and nowhere else to buy or grow food, we had to stock up with food from Fabens on weekends or go hungry during the week. We could only get a ride to Fabens on the weekends, so it was hard to get fresh vegetables and we ate mostly canned vegetables like peas, corn and beans. The workers were able to keep animals next to the housing. We raised chickens, rabbits and sometimes pigs. Dad killed a pig each Christmas. The pig gave us enough lard to cook with for months afterward. After the lard from the Christmas pig ran out, we had to buy lard which was hard to find and expensive in Fabens.

18. Each railroad worker was assigned rooms according to the number of people in his family, and each family got a wood burning stove. The building we lived in had eight rooms.

We got two of the rooms for my parents, Luis, Angela, Alfredo, Josefina, Corrina and my baby sister Maria.

19. The train brought water to Sierra Blanca which then was stored in a cement well. We did not have running water inside the building. We did not have any indoor plumbing and used the bathroom outside. There was only one outhouse for all the workers and their families, so we often had to use the bathroom in the woods. There was no electricity in the section housing until just before we moved out, so we had no refrigerator or electric heating. In the summer time, we kept ice in a chest that doubled as a table. But the ice did not last very long in the heat, and trains only brought ice every two or three weeks to the section housing. In winter, my mother tried to keep us warm by filling our tin wash tub with sand, burning wood in the sand and then dragging the tub of warm sand and ashes inside.

20. We stayed in the railroad section housing for 3 or 4 years until the time my father got really sick. He got food poisoning and had to be taken to the city of El Paso to be hospitalized. When he got out of the hospital, the railroad transferred him to Fabens and we moved into the house he built. We felt like we were living in glory when we moved to Fabens. We had our own house in a town with stores, a school and a couple of bars. People could walk in the streets in the middle of the night. I was not afraid of anything in Fabens back then. I was 11 or 12 years old and Corrina was 6 or 7 when we moved to Fabens.

21. Our house in Fabens had only two rooms when we first moved in, but my parents put a wood stove in each room to keep us warm. My father later built another room onto the back of the house and split the bigger of the first two rooms in half, so we had four rooms. Father paid someone to put in running water, but we did not have an indoor bathroom until after I

was married. I was 15 or 16 years old before we got electricity. We got a fan, too, but mom would not run it even in the middle of summer because she was afraid it would raise the electric bill. After I got married, we got gas, too. Mother was afraid of using a gas stove, though, and she never did. We had a yard in Fabens. We raised chickens, rabbits, pigs and turkeys.

22. Some things were the same for us in the section housing and in our house in Fabens. We always washed our clothes outside by hand. We used four tin tubs. We washed the clothes once in the first tub, again in the second tub, and then rinsed them once in the third tub and again in the fourth tub. We used the same tin tubs to take baths. We built a fire and put rocks and cans around it to hold a tub to heat water for both clothes washing and baths. We pulled one of the tubs inside the house to bathe. I had my first shower when I was 28 years old in 1956 when my husband and I moved to closer to El Paso. We moved to Ysleta, which is connected to Zaragosa in Chihuahua, Mexico by a bridge over the Rio Grande River.

23. Hard work was a way of life for us, even as small children. All my brothers and sisters and I picked cotton after school when we lived in Fabens. My mother picked cotton all day. She brought my brothers and sisters too young for school with her to the fields. They picked some, and they napped beside the field. Those of us children in school came to the field right after we got out of class and picked cotton for a couple of hours until we all went home together for dinner. In the summer time, we all picked cotton all day. We chopped the cotton and weeded the rows with hoes. We chopped cotton May through September and picked cotton September through December. We wore big baggy clothing to protect us from the cotton and the sun and the bug spray. Little bi-planes sprayed the cotton fields for bugs. They flew early in the morning and in the evening when the wind was low. Many owners provided water to us,

especially in the summer. They brought the water in big tanks carried on the back of a truck bed. Some farms made us bring our own water.

24. When I was growing up, people in Fabens mostly made their living working in the cotton fields. Some worked on farms which grew tomatoes, chilies, corn and alfalfa. Only a few people got the steady work of the railroad. Cotton is not as important to Fabens as it use to be. The owners use machines instead of people to do most of the work now, so there are much fewer jobs. The fields were filled with people working when I was little. Now there are just a few people to run machines in the few cotton fields that remain.

25. Life was too hard for our family to enjoy or relax. My family did not celebrate birthdays or holidays. At Christmas, we had a Mexican dinner with fresh tamales and Spanish style fried tortillas, and a pig if we had one to kill. We did not spend money on a tree or presents. We never had a party, cake or present for anyone's birthday. We did not celebrate traditional Mexican holidays such as Cinco de Mayo or Mexican Independence Day. A long time ago Fabens had a parade each September 16th in honor of Mexican Independence Day, but not any more.

26. I completed the fourth grade before I had to start work full-time. I started school when I was 7 or 8 years old and I went until I was 14 or 15. School was hard for me and I had to repeat some grades. My parents spoke only Spanish at home, but my teachers spoke only English in school even though the white children went to one school and the Hispanic children went to another. I learned English living in the section housing and playing with the railroad bosses' children. All the workers were Hispanic, but all of the bosses were white and none of their children spoke Spanish.

27. The Fabens elementary school was segregated, but the high school was not. There were so few Hispanic children who made it to high school that there was no point in setting up a separate school.

28. After I left school, I worked full-time in the fields until I could find another job. I got a job making and selling hamburgers at a stand by the Greyhound bus depot. When I was 16, I was working at the hamburger stand when I met my future husband Matias. Matias use to come to the stand for food. He started walking me home at night. Matias was a not a field worker, but a carpenter who built houses. He helped to build part of the present building for the Catholic Church in Fabens, Our Lady of Guadalupe. Later he got a job working on compressors for a jeans company.

29. My parents did not like Matias because he was from Mexico. They forbid me from seeing him, so Matias and I eloped to Las Cruces, New Mexico. We were married February 20, 1945. When we returned home and I told my parents we were married, they were very angry and threw me out of the house. Matias and I stayed with friends for a month. During that time, my father did not even speak to me. Finally, he had one of my brothers write a letter to me saying that he forgave me and that he wanted me and Matias to come home. Matias and I moved in with my parents and stayed there until after we had our first child, Florencio, a year later in February, 1946. Matias got his immigration papers the fall after Florencio was born.

30. Matias and I had three sons together: Florencio who was born 1946, Miguel who was born in 1947 and Ruben who was born in 1950. Florencio works at a Ascaro refinery in El Paso. Florencio has been married twice and has two sons, Eddie and Jerry, who are each married also. My son Miguel works for the US Customs Department. He and his wife Rita have six

sons, Miguel, Ricardo, Ernesto, Javier, Jaime and Raymond. My son Ruben works at a plant that makes paint. He and his wife Maria have a daughter and two sons: Monica, Matias and David. I also have several great grandchildren.

31. I am very proud of my sons. They have raised good families and work hard to support them. But, like so many of the men in my and Corrina's family, Florencio and Ruben have struggled with alcohol. They have both been convicted of drinking and driving. I am happy that they found the strength to overcome their problems with alcohol and move on with their lives.

32. My husband Matias was killed in 1973. He was driving to work about 7 o'clock in the morning when a truck crossed into his lane and hit his car head on. I have never remarried. Before my husband died I worked for 7 or 8 years at a school cafeteria in El Paso. I did not work in the summer when school was out. This was a problem after my husband died, because it left me with no income in the summer. So I found work making shirts at a factory. Later I worked as a bank custodian. I also worked at the Tandy Corporation for 2 or 3 years.

33. By the time I reached the age of 60, I began to have serious kidney problems which prevented me from working. I received SSI benefits until I turned 65 and began to receive my social security retirement benefits.

34. My father was really sweet. He was a kind man who would help anyone, and he was hardly ever angry about anything. He always seemed to be kind despite how hard he had to work and how poor he was. He was never able to go to school, and he never learned to read or write in English or Spanish. He never learned to speak English either, but he was a smart man. He spoke both Spanish and the Indian language of his mother. He learned the railroad work,

learned how to build a house and even learned how to cook tamales. Making tamales became his Christmas hobby. My sisters and brothers and I ground the corn for days for him.

35. Dad worked very hard during the week and sometimes on Saturdays, too, for the railroad. On weekends, he liked to drink. He drank with the other men in Fabens at one of the bars. When he drank too much, he sang and tried to speak English. He did not change and become mean or violent when he drank like some of the other men in our family.

36. Dad did not usually punish me and my brothers and sisters, our mother did. My father hit me once when I was 14 or 15 years old for walking with a boy. He hit me in front of the boy as soon as he saw us, even though we were not even holding hands or anything. We were just talking, but my father said that girls should not walk and talk with boys.

37. My mother was very different from my father. I think she was tired all the time from so much cooking, cleaning and laundry for our big family. She was mean and angry a lot. She had a very bad temper, and she was very stubborn. Mother was not affectionate at all. She never hugged or kissed any of us. She never said, "I love you." She never showed love to anyone. I think old Spanish people thought it was more respectful not to be affectionate in front of others. There was no affection between my parents, at least in front of us children. My parents never touched each other at all in front of us.

38. Mother was very strict. Everything always had to be perfect, and everything had to be her way. We even had to wash the dishes her way. If we broke a dish, mother hit us with her hand or with a belt and then she made us eat off the broken pieces. She checked each chore that any of us children did. If she did not like the way we did it, she hit us. Mother also punished us by making us stand outside in the sun with no water for 4 to 6 hours at a time in the summer

heat. She made us kneel on our knees and hold bricks with our arms stretched out. She hit us if we dropped or lowered the bricks. Mother kept track of the money and was very careful how she spent it. She never bought any of us any toys. She said that toys were a waste of money.

39. Mother was never able to go to school in Mexico or the United States, but she taught herself to read and write in Spanish. She read out loud to us from the Bible in Spanish. Like her mother Martina and her grandmother Rosa, my mother was very religious. She prayed a lot at home and in the church. She kept religious pictures and statues all over the house. She talked to me and my brothers and sisters about Jesus. Mostly she liked to teach to us from the Old Testament.

40. Sammy's mother Corrina is four years younger than me. She was always very quiet and simple. She was so shy when she was a child that she did not hardly talk at all.

41. Corrina was raped when she was 17 years old by Jesus Vasquez, who was much older than Corrina. Jesus Vasquez had money because his parents had their own farm, and he would never go with a poor girl like Corrina. To him, she was just someone to have sex with. Corrina was ashamed and did not tell anyone for many months that she had been raped. She did not know that she was pregnant until she went to Mexico with our sister Maria and our father to visit our father's family. Corrina was hurt on the horse ride and had to see a doctor. The doctor realized Corrina was pregnant and told her.

42. After Corrina, Maria and my father returned from Mexico, I came home one day to find my mother hitting Corrina. Mother was really angry, and I asked her why. She said that Corrina was pregnant. After that, my mother made Corrina stay home so that no one would see that she was pregnant. I felt so bad for Corrina, she was so scared and unhappy. She told Jesus

Vasquez that she was pregnant. He denied the baby was his, and he never gave Corrina or his son a penny.

43. After Corrina had her baby, she went to find work in Phoenix, where our Aunt Cruz lived. Our father and mother would not let Corrina take her baby, whom she named Roberto. Once Corrina left Fabens, she never came back to see Roberto. Maybe she was mad at our parents for keeping him. Maybe her baby reminded her that she had been raped.

44. Corrina met Arcadio Lopez working in the fields in Phoenix. They never married and Arcadio never took care of Corrina or their eight sons. He became an alcoholic, and Corrina never wanted to talk about him on the rare occasion when I did get to see or talk her. Corrina had to raise their children all by herself. Arcadio left Corrina, but he came back and they had a little girl Gloria in 1970. Gloria was born with a balloon of skin between her arm and her body. It was like a cancer and Gloria died from it when she was still a baby. After that Arcadio left and never came back. I think he went to California and died.

45. I went to see Corrina when her oldest son Junior got married in the late 1970s. Corrina was very troubled. Junior watched over his seven younger brothers and even dropped out of school in the ninth grade to help support the family. She cried to me and said, "My right hand is going. What will I do? He is the only one who can make my sons go the right way. Now I will have no one to take care of my children, and I have to work to feed them."

46. For many years after Corrina left Fabens, I never saw her. I think for a long time she wanted to stay away, but later she was too poor to visit even if she wanted to. She could not afford to have a phone. Now I see Corrina more often because our family is getting older and dying. I saw her when our father died in January 1996. I saw her again at our sister Josefina's

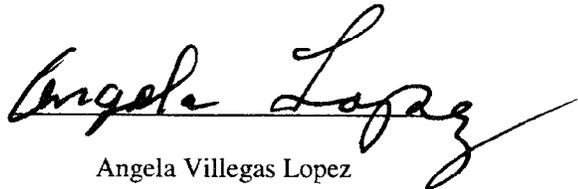
funeral in California last summer. Corrina also came to my granddaughter Monica's wedding in June 1994.

47. I love my sister Corrina very much. She has had to struggle her whole life. Even though she always worked hard, she was never able to give her children the security or things that she wanted for them. I think she did the best she could, but raising eight sons all by herself was too much for Corrina. It breaks my heart that now her son Sammy may be killed. I am afraid that it may kill Corrina, too.

48. I was never contacted about our family before now. I would have told Sammy's lawyers about our family if they had asked me.

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

Executed on April 16, 1999.


Angela Villegas Lopez

DECLARATION OF LUIS GONZALES VILLEGAS

I, Luis Gonzales Villegas declare as follows:

1. I am the oldest living child of Jose Villegas and Concepcion Gonzales. I am Sammy Lopez' uncle. His mother Concepcion Villegas Lopez is my younger sister, and my family has always called her Corrina.

2. My father's parents were Jesus and Maria Villegas. My grandfather Jesus was Spanish but he was raised by an Indian tribe in Cananea in the State of Senola, Mexico. My grandmother Maria was a Mexican Indian who was born blind. They married and lived most of their lives in the mountains of Chihuahua, Mexico. They had several children together including my father Jose, my aunt Maria and another son named Pablo. My father Jose also had a half-brother named Jose Blanco. My aunt Maria lived in San Juanita, Mexico, as an adult. She visited our family in Fabens in 1945 when my wife Delores and I were newlyweds. Sammy's mother Corrina was not yet born.

3. My father Jose Villegas never had the opportunity to go to school. He never learned to read or write, and he never learned to speak more than a few words of English. He signed his mark with a triple X. Father came by himself to the United States when he was about 20 years old to look for work. My father worked on farms and in the fields when he first came to the United States. He was working in the cotton fields in Fabens, Texas, when he met and married my mother. Their first child, my older brother Antonio, was born in Fabens in 1923, and I followed in 1924. Antonio died the next year before he was two years old.

4. As my father searched for work to support us, we left Fabens and travelled to New Mexico and Arizona and even on into California. He usually worked on farms, although he killed ducks for a company in the Calipatria Imperial Valley for a while. My sister Angela was born in Southern California in 1928 and my brother Alfredo was born in Las Cruces, New Mexico in 1929. The Depression made it even harder for my father to find work and he moved us back to El Paso County (Fabens), Texas where the rest of my brothers and sisters were born.

5. Eventually, my father got work with the Southern Pacific Railroad where he worked until he retired 36 years later. At first we lived in the railroad housing, but in his extra time, my father built our family house in Fabens. He usually had Sunday off so he spent the whole day working on the house. When we first moved into the house it had two bedrooms, a living room and a kitchen. My parents put beds in the living room and on the back porch, but we still had to sleep two to three people in each bed. We also had an old covered wagon in the yard. When my sister Angela got married, she and her husband slept on a mattress in the wagon. My father later built on two more rooms. We did not have an indoor bathroom until after I joined the Army.

6. My parents also helped my grandmother Martina buy a house less than a block from our house. It was also a small grey square building with just a kitchen and one other room. She kept goats in her yard.

7. When we were little, the streets in Fabens did not have names and the houses did not have addresses. The mail is still not delivered to people's homes in Fabens; everyone has a post office box instead. The neighborhoods had names, though, like Turtle and Windmill. The street where my family lived was eventually called Johnson Street after the man who originally owned the land around it.

8. My father liked to drink, but he did not ever get mean or violent when he drank. He was always a warm and affectionate man.

9. My mother Concepcion, on the other hand, was a very cold woman. She had a very difficult childhood. My mother's father Luis Gonzales, was a store owner in Torreón in central Mexico in the state of Coahuila. He had two stores and was a fairly wealthy man until he was shot and killed by Pancho Villa's bandits. His wife Martina Gonzales never went to school, but she was a smart and strong woman. After her husband was murdered, she walked into the United States with her small daughters, Concepcion and Cruz. She did not realize she had left Mexico; she was just walking to safety. Martina found her way to Fabens, where she supported herself and her two children by washing clothes and cooking and cleaning for the farm and railroad workers. Later, Martina worked in a restaurant. She was still working in a restaurant when her daughter Concepcion married José Villegas.

10. My mother was just 11 years old when she walked into Texas with her mother and her three-year-old sister Cruz. Like her mother before her, Concepcion never attended school in either Mexico or the United States. She never learned to speak English and she never learned to read or write in any language, but she did learn to sign her name.

11. My mother met and married my father in Fabens when she was 16 years old. My father was 21. They never applied to be legal residents or citizens of the United States. They were afraid that they would be deported if they tried. They also felt that in some ways they would be betraying their Mexican heritage if they got American citizenship.

12. My mother was very strict. It was very important to her that her children be hardworking and well groomed. She did not tolerate weakness. She expected us to take care of our

chores and responsibilities and to make sure that our younger brothers and sisters did the same. She often punished many or all of us for something one of us had done. She made us children clean the house, wash clothes and cook. As the oldest daughter, my sister Angela was responsible for braiding the hair of each of the younger girls every morning. My mother made her braid their hair very tightly so it would stay neat. My sisters did not like it that tight because it hurt their heads, and they often loosened the braids once they were at school. But if they forgot to rebraid their hair before they got home, mother hit them for loosening the braids.

13. The Catholic Church was very important to my mother. She expected everyone in her house to attend church every week, at least on Sunday. Anyone who missed church on Sunday for any reason could not leave the house until the next Sunday except to go to school or work. Our Sister of Guadalupe Catholic Church has always been the biggest building in Fabens.

14. I started school in Fabens. When I was in the second grade, my family moved to housing provided by the Southern Pacific Railroad for its workers further out in El Paso County. The closest school to the railroad housing was in Fort Hancock. I walked a mile and a half to a bus stop to take a bus to Fort Hancock. When my brothers and sisters were old enough, they did, too. I withdrew from school about the fourth grade. I never learned to read or write in English or Spanish.

15. I started working full-time in the fields after I left school. One of my first jobs was planting sweet potatoes for 10 cents per plant. It was hard work because the plants had to be placed deep into the mud, which was wet and hard to walk through. The mud soaked through my clothes to my skin. When I was little, people in Fabens, including me and all my brothers and sisters, worked mostly in the cotton fields. But many years ago the owners started using machines and less

workers. Today there are only a few cotton fields left at all. There are more pecan and pepper fields than cotton fields now.

16. I first saw my future wife Delores, who is called Lola, when she was getting on a school bus. I was 15 and Delores was 14. I started trying to be near her bus stop when she went to school just so that I could see her because I knew that I wanted to marry her. I did not know how to read or write, so I got my Aunt Cruz and my brother Alfredo to write letters to Delores for me. I wrote to her for five years. At first, she sent my letters back to me. After I continued writing to her for a while, she finally wrote back to say she did not know who I was and she wanted me to stop writing. But I kept writing to her, even after I joined the Army and moved away, and eventually she started writing back to me. When I returned home on leave, I told my father that I wanted to marry her. He agreed to go with me to ask Delores' father for permission. We went to their house a couple of times, but her father was never home. Finally, we went to speak to him in the field where he tended cattle. He got angry and told us his daughter was not a cow to be discussed in a pasture. He said we had to wait for him at his house if we wanted him to listen to us. While we waited for Delores' father to finish his work, we went into town to eat and drink a few beers. I think my father was more nervous than I was -- he was so anxious he put black pepper in his beer and drank it. Delores' father gave his permission for me to marry Delores, and we have been happily married for 54 years.

17. On our wedding night, I stayed out drinking with my friends. I got so drunk that when I woke up the next day, I had forgotten that Delores and I were married. When I finally went home, I asked my mother what Delores was doing there. Two days later, I was shipped out by the Army and was not able to return home for another year and a half. I had joined the Army when I

was a teenager because there was so little work in Fabens, and I was in still in the Army when I married Delores. Just after we were married, I was stationed in Japan. I am not sure why, but I was released from the Army shortly thereafter, although I was recalled into active duty when the United States entered World War II.

18. Delores lived with my family during the times I was away on military duty, and I sent my mother my paycheck each month. In addition to Delores, my sisters Angela, Fina, Maria and Corrina and my brothers Alfredo, Ricardo, Jesus and baby Jose and my cousins Stephen and Jose Vera all lived with my parents at that time, plus my mother was pregnant with Venancia. The house had only three rooms then and no indoor bathroom. My father treated Delores like one of his own daughters. He gave her 50 cents each payday for candy and bought her clothes when he bought my sisters clothes. My sisters Fina and Maria shared their bed with her. Still, it was hard for Delores to live with my family, at least at first. She was not used to having so many people around her all of the time. She was not used to how spicy my mother taught my sisters to make our beans. She thought it was strange that my family put molé instead of stuffing in the turkey at Thanksgiving.

19. After I finished my military service, I returned to Fabens. I was drinking in a bar when my mother walked past and saw me.

20. I tried to find work to support my wife and family in the Fabens area, but there were few jobs. I worked as a truck driver and then I worked for the railroad. After my grandmother Martina died and Aunt Cruz moved Phoenix, Delores and I moved our family from my parents' home into Martina's house. Martina's home was only a room and a kitchen, but it meant a lot more space and privacy for my family. We later moved to Abilene for a while to follow work with the

railroad. Eventually that job was finished, too, and I again had to look for work. This time we decided to try Fort Worth, which is much bigger than Fabens and has many more job opportunities. Delores also had two sisters and a brother in Fort Worth. We moved to Fort Worth in 1955 and have lived in the area ever since then.

21. In 1960, we bought the house we live in today. We agreed to pay \$7,800, but the house needed some work and to be painted so we did not have to make a down payment. Still, it was hard to make the payments because I earned only \$1.15 per hour when we bought the house. For a long time, we slept and ate on pieces of cardboard because we could not afford any furniture. We only had enough money to make our house payment, buy groceries and a few beers.

22. Money was always very tight back then, but my wife and I struggled hard to provide for our four daughters. We tried to have meat, usually chicken, once a week. We managed to buy each of our children four new clothing outfits at the beginning of each school year. Of course, children did not dress like they do now; children today want certain brands of clothes and expensive running shoes.

23. I worked for 30 years at the Trinity Valley Iron and Steel foundry in Fort Worth. I retired in 1990 when the foundry went bankrupt. After all those years I still was earning only \$5 per hour when I retired.

24. My parents had so many children over such a long period of time that we are very different in age. I am closest to my oldest surviving brother and sister, Alfredo and Angela, who are just four and five years younger than me.

25. When I was a boy, two of mother's cousins were orphaned in Mexico. Jose and Stephen Vera were about 5 and 6 years old, just a little younger than me, when their parents died.

They came to Fabens to live with my grandmother Martina. When Martina became too old to raise them anymore, they moved in with my parents and family.

26. For as long as I knew Jose, he was always depressed. When he was little, I thought it was because his parents had died, but he never got over it. He was never a happy boy or adult. He joined the U.S. Army, but he was released. He began to do strange things like hide all his money in a suitcase. A couple of years after I moved to Fort Worth with my wife and daughters, Jose was in a car accident. Instead of arresting Jose, the police put him in a mental institution in Waco, Texas. When Jose got out of the mental hospital he went to California to find his brother Stephen.

27. Stephen also joined the military. He stayed in the Air Force until he retired. He was stationed in Sacramento when Jose got out of the hospital and went to find him. Jose did not get better though, and he was placed in a mental hospital in Sacramento where he still lives today. Stephen has since died, but his widow Ofelia still lives in Sacramento, too.

28. When Corrina was still in high school, she was raped and became pregnant. Our mother was very angry at Corrina for being pregnant. She was ashamed of Corrina and made her stay in the back room whenever anyone came to the house. My mother, my sister Angela, my sister Corrina and my wife Delores were all pregnant at the same time. My youngest sister Petra, Angela's son Rubin, Corrina's son Roberto and my third daughter Juanita were all born within a year of each other.

29. Our mother ordered Corrina to get a job to support baby Roberto, but Fabens was very small and there was little work in the fields and not many other jobs at all. In 1951, Corrina went to look for work in Phoenix, where our aunt Cruz Gonzales Madrid and our sister Fina lived. Roberto was less than six months old, and my parents made Corrina leave Roberto behind with

them. Once she left Fabens, Corrina separated completely from us. We did not hear from her very often and we did not see her at all for many years. The last time I saw Corrina was about two years ago at our father's funeral.

30. Corrina has remained in Phoenix to this day. She got a job working in the fields around Phoenix, where she met Arcadio Lopez. Arcadio never married Corrina because he had a wife in Mexico, but Corrina and Arcadio stayed together for many years and had eight sons and a daughter together. Arcadio eventually left Corrina just like he left his wife in Mexico.

31. When Corrina's son Roberto was little, he believed that my parents were his parents, too, instead of his grandparents. He called my parents Mom and Dad, just like my sisters and brothers and I did. I don't think Roberto found out Corrina was his mother instead of his sister until she came to visit when he was about 10 years old. My family and I had already moved to Fort Worth by then. When Roberto learned that Corrina was his real mother, he became very upset and confused.

32. For a long time, Roberto remained very troubled. He drank too much, and he becomes hostile when he drinks. He has gotten in many fights while he was drunk. He eventually went to prison for a few years. After Roberto got out of prison last year, he went to live with my sister Petra and her family just up the street from me. He has worked hard to be a better person and to learn from his mistakes. He has even tried to quit drinking.

33. My brother Alfredo is four years younger than I am. He joined the U.S. Army when he was a teenager. He became a paratrooper and a cook. After he got out of the service, he became a chef. He got married and moved to Santa Barbara, California, where he has lived for many years.

34. My brother Ricardo was born in 1939. Like Alfredo, Ricardo also became a chef.

He moved to California with Alfredo for a while when he was still a teenager. Alfredo was 10 years older than Ricardo. Ricardo was a kind man, but he changed when he drank. Drinking made Ricardo want to fight. Ricardo never got to find his dream of being a chef though. He was murdered when he was still only in his early twenties. Ricardo was an alcoholic and had cirrhosis of the liver. He died in a bar in California when a woman shot and killed him and then herself. A gun belonging to another woman was found on his body. Ricardo had been dead more than a month before the police contacted our family.

35. I did not know my brother Jesus very well. He was born in 1941, so he was 17 years younger than me. He died in a drunken-driving accident in 1962, when he was 20. My youngest brother Jose, two years younger than Jesus, has also had alcohol-related problems and has been arrested at least twice for drinking and driving. I left the Fabens area when Jose was just a small child, so I don't know him very well, either.

36. My youngest sister Petra and her family, including Corinna's son Roberto, live on the same street as my family here in Fort Worth, and my sister Venancia and her family live just a few streets away, but Venancia and Petra are both more than 20 years younger than me. They are much closer to each other than to me. Their kids, and sometimes Venie and Petra themselves, call me Grandpa.

37. Our mother lives with Venie and I visit her several times each week. But our mother has Alzheimer's dementia and does not recognize most people, not even her children. My face is familiar to her, but she usually thinks I am her father instead of her son. She thinks Venie is just some nice lady who takes care of her.

38. If Sammy's trial lawyers had contacted me, I would have told them about my sister

Corrina and our family.

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.

Signed Executed on 4-8, 1999.

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

Luis Villegas

CONFIDENTIAL: ATTORNEY WORK PRODUCT

DECLARATION OF MARIA GONZALES VILLEGAS ESTRADA

I, Maria Villegas Estrada, declare as follows:

1. Sammy Lopez is my nephew. His mother Concepcion Gonzales Villegas is my older sister, and my family and I have always called her Corina. I am the 8th of the 14 children of Jose Villegas and Concepcion Gonzales who survived childbirth. Corina was born in 1932 and I was born in 1935 in Fabens, Texas about 30 miles from El Paso.

2. My husband is Jose Rodolfo Estrada, but everyone calls him Rudy. We both grew up in Fabens. Rudy is five years older than me. We started dating when I was still in grammar school and he was working at Fort Bliss. I met Rudy one year when the carnival came to Fabens. I loved the ferris wheel, but did not have much money for rides. The operator let me stay on the ride over and over and over again. I asked him why and he told me that Rudy kept paying him for the rides when I was not looking. After Rudy and I dated for a while, I became pregnant and we decided to go ahead and get married instead of waiting until I finished school. Rudy asked my parents for permission. My mother agreed to sign a paper allowing us to marry even though I was not yet 16 years old. My mother said we could marry because I was pregnant, but she was really upset, angry and sad about it. She drank that night until she was drunk, something she did not usually do. Rudy and I have been married since 1952, almost 47 years now.

3. Rudy and I have always lived in Fabens. Rudy served in the US Navy between 1949 and 1950 and then he served in the Naval Reserves for another six years. He returned to Fabens after completing his active duty and worked as a civilian at Fort Bliss for 35 years before he retired a few years ago. I have worked off and on outside of our home over the years. I volunteered at the

primary school in the cafeteria for six years. I still earn money by watching children during the day while their parents work. We count our blessings that he got a decent job, held on to it, and retired with benefits. We're by no means rich, but we have enough to help our children when they need it and we had enough to give the children a decent life when they were growing up.

4. Rudy and I have four children of our own. Our oldest son Robert, who we call Bob or Bobby, was born November 3, 1952. He has worked hard to make a good life for his family and has earned a masters degree in psychology from University of Texas at Austin. He now counsels troubled boys at a clinic in El Paso and is working on his Ph.D. He and his first wife Natalie Davis have two children, Christian born in 1982 and Vanessa born in 1985. After he and Natalie divorced, Bob married Karen Higginbotham and now he has two step children, Carie and Corey Martin.

5. Our daughter Teresa is a school teacher in Fabens. She is married to Ricardo Avalos and has two children, Junior born in 1980 and Bernadette born in 1982. Bernadette is going through a phase where she and her mother do not get along, so she is living with our youngest daughter Christina. I encourage the children to help each other out. It's one of the good things about living close to your family. Our son Joe works for the phone company. He has a sixteen-year-old son, Damian, by his ex-wife Gina Huerta. He is now married to Rosa Carvajal and they have two children, Adrian born in 1987 and Omar born in 1990. Our youngest daughter Christina had three children by her ex-husband. David was born in 1983, Victor was born in 1986 and Deanna was born in 1988. Christina and her husband separated and divorced several years ago. The youngest member of our family is Christina's fourth child Manuel, who was born in 1996.

6. I was named after my father's mother Maria. She was a full-blooded Tarahumara Indian born in the Sierra Madre Occidental mountain range in the State of Chihuahua, Mexico. The

Tarahumara Indians are known for their long-distance runners. Although she was born blind, my grandmother had great strength and was very resourceful in her own right. She raised five children and then supported herself after she was widowed.

7. My father's father was Jesus Villegas. He was born in Creel, a town in Chihuahua, Mexico about 250 miles from El Paso, Texas. He was of Spanish descent, but after he was orphaned he was raised by Tarahumara Indians. That is how he met my grandmother. My grandparents Jesus and Maria had at least five children, including my father Jose Villegas. Another of their sons was named Pablo. Pablo came to visit us in Fabens once. My grandparents also adopted a boy named Jose Blanco.

8. When my father Jose was a young teenager, he was kidnaped by some men to serve in Pancho Villa's army. It was a very hard life for him. He did not have enough clothing or food, and he missed his family. When he was 17, he and another boy forced into Pancho Villa's army decided to desert and escape to the United States. They were terrified because they knew that Pancho Villa would have them executed if they were ever caught. They had no horse so they had to walk for many days always on the look out for Pancho Villa's men. They ate whatever they could find along the way. They ate raw snake because they were afraid Pancho Villa's men would see a fire. They eventually made it to Texas and my father found farm work near Fabens.

9. I went with my father and my sister Corina (Sammy's mother) to visit my grandmother Maria when we were teenagers. Another time our older sister Angela went with my father and brought clothing to my grandmother and her family that Angela and our mother made. We took a train to Chihuahua and then another train to Creel. From Creel we had to travel by horse because the train did not go any further into the Sierra Madre Mountains at that time. We rode an

entire day to get to my grandmother's village. She lived very high in the mountains. Some of the trail was so steep that I was afraid the horses would fall off the mountain and take us with them.

10. My grandmother did not speak Spanish or English, but an Indian language I had never heard before. My father translated for me and Corina. I did not realize before that my father spoke two languages. It helped me to understand why it was so difficult for my father to learn English from the other Spanish speakers in Fabens. My grandmother wore a beautiful skirt with bright patterns and many layers that gathered in a kind of draw string around her legs. Her hair was very thick and black and she wore it in two long braids down her back. She had no shoes and went barefoot. Corina and I giggled to ourselves when we saw grown men in the village near her home wearing loincloths instead of pants.

11. My grandmother lived in a small wooden cabin with a dirt floor. There was no electricity or indoor plumbing in her home or in the village. My father showed us caves where they lived when it was very hot and where they stored things from the weather. My grandmother spent each day preparing corn and weaving blankets from sheep's wool. She supported herself by trading the blankets for more materials and other things that she needed. My father explained to me and Corina that the Tarahumara Indians bartered instead of using money.

12. My father liked to drink beer when I was growing up, but mostly just on the weekends. It was a social thing. All the men were expected to drink. The men all drank a lot, too. I think that was a machismo thing. The men in Fabens either worked in the fields or for the railroad. They depended on their physical strength to support themselves and their families. No man wanted to seem too weak to drink as much as everyone else.

13. My mother's grandmother was named Rosa. Her daughter Martina married Luis

Gonzales and they had two daughters, my mother Concepcion and my aunt Madrid. My grandfather Luis built two successful businesses in the town of Torreon, Mexico. I think one was a store and the other was a restaurant and bar. The businesses failed or were lost during the Mexican revolution. Many people in my family believe that some of Pancho Villa's men actually killed my grandfather Luis and burned his businesses. His body was found weighted down in the river.

14. My widowed grandmother left Torreon with my mother, who was about 11, and my aunt Madrid, who was only three years old. With no one but her two small daughters she walked out of the mountains until she reached safety. She did not even realize she left Mexico until she came to Fabens and someone told her. My mother never got to go to school in Mexico or Texas. She had to go to work in the fields to help her mother support them and her baby sister Madrid. They also cooked and cleaned for the field workers. Later my mother's grandmother Rosa came to Fabens to live with them.

15. My mother's journey from Mexico into the United States must have been even harder for her than it was for my father. She was so much younger and had no one but her mother and baby sister. My mother would not talk to me or my brothers and sisters about such things. Mother was always busy taking care of a chore or making sure that us children were taking care of ours. She was always very serious and did not approve of idle chatter.

16. Mother took charge of most things in our home, including the money. My father gave her his pay. She hid the money and decided when and on what it was taken out and spent. My mother was very careful with money. She did not like to buy things she did not think were truly necessary. But, at the start of each school year she made a trip to El Paso to buy school supplies. She bought most anything we asked for school, but we had to ask for it before she made only the

one trip. She would not make a second trip for school supplies for any reason. My mother bought shoes for us either from El Paso or in Mexico. She and my oldest sister Angela made all of other clothes, even our underwear.

17. Mother was very cheap. She did not like to buy things she did not think were necessary. She did not think toys were necessary. She usually did not buy toys at all, even at Christmas or birthdays. She bought us a doll once, but she bought only one doll and we all had to share it. There were so many children sharing the doll it was hard to ever get a chance to hold it.

18. My mother was very strict. She believed strongly in discipline. She gave each of us children chores to teach us responsibility and not to be lazy. She made sure that even as little children we were all very neat in our appearance and every chore we did. Mother hit us if we did not do a job as well as she thought we should.

19. Mother punished mostly by hitting us and she hit at least one of us everyday. She also punished us in other ways. In the summertime she made us stand in the hot sun. One time when Corina and I were 11 and 13 we got into an argument. Mother made us stand in the sun for hours, and Corina's nose started to bleed. A neighbor came over and told my mother that she was worried that we were going to get sunstroke, but Mother told her to mind her own business. She punished my brothers by making them kneel with their chest and arms out holding bricks or rocks in each hand. If they let the rocks down, she hit them.

20. The girls had to cook dinner, wash and dry the dishes, clean the house, and wash and iron the clothes. The boys had to clean the yard and take care of the chickens and dogs. We all had to shine our shoes and make our beds.

21. To iron the clothes we built a fire in the stove and then heated the iron on top of it. It

took a long time to iron the clothes because we had to wait for the iron to reheat every few minutes. There were always so many people living in the house that there were always baskets full of clothes to be washed and ironed. The girls started making dinner from the time we were very young. Today parents would not let children that young near a fire or hot stove. Each of us girls took a turn either making the tortillas or the rest of the dinner for the family each day for a week at a time.

22. Mother hit us if we tore our clothing. She hit us if we lost a ribbon from our hair or let the braids come loose at school. If she caught me or one of my sisters with our hair messy or without a ribbon, she accused us of playing with boys and hit us.

23. Mother punished the older children for things that the younger children did wrong or did incorrectly. She said it was our responsibility to watch over one another. So our older brothers and sisters punished us, too. If they could keep us out of trouble, they kept themselves out of trouble also. Sometimes they punished us for unreasonable things. When my brother Alfredo was 16, my father got him a bike to get to work with. Sometimes when Alfredo did not take his bike to work, Corina and I rode it. We did not have a bike of our own. We just rode the bike around the yard and then used tree branches and twigs to cover up the tire marks in the dirt in the yard. One day Alfredo came home early and caught us on the bike. He hit us and told us that girls were not allowed to have bikes because it is not ladylike to ride a bicycle. My oldest brother Luis slapped me across my face so hard he left an imprint when he saw me talking to a boy on the way home from school. The boy was just a friend, not a boyfriend. Luis did not care. He said girls should not talk to any boys. My mother saw the mark Luis left on my face and asked me what happened. I told her that Luis had hit me and why, and she said it was the right thing for him to do and slapped me, too.

24. Mother celebrated Christmas by going to church. For Christmas dinner we made

tamales from corn our mother had me and my sisters grind for days before hand. Our father killed a pig when we could afford to have one. Sometimes Mother gave us each a piece of candy. She never gave toys or other presents.

25. Mother was always a very cold person. She very rarely smiled, and I do not remember her laughing ever at anything. She always had the same mean expression on her face, so it was hard to tell if she was angry or not until she hit someone. She gave us children things we needed for school, but she never showed us any affection. She did not ever hug or kiss us or tell us that she loved us. She always punished us when she thought we had done wrong, but she never said something nice or told us we had done a good job when we did something right. Many of my brothers and sisters did not know how to show affection when we first moved out on our own, but we have learned some over the years. I have seen how tender my husband Rudy is and now that my children are grown they have told me how much that meant to them. My mother never did learn to show warmth. She has always been cold, even to her grandchildren and great grandchildren.

26. My mother is old now. She has Alzheimer's disease and does not recognize me or my brothers or sisters any more. She lives with my sister Venancia in Fort Worth. As my mother and father got older they became unable to take care of themselves. My father's mind was sharp until the day he died in 1996, but he lived to be more than a hundred years old and he needed help making meals and cleaning the last few years of his life. Some records incorrectly state he was born in 1902. After my father worked for the railroad for many years, the railroad commission told him he had to get a birth certificate if he wanted to later retire and receive a pension. Many records such as birth certificates were destroyed by Pancho Villa and my father was not able to get his true birth certificate. My father had to travel to Mexico and pay the local government to make him another.

My father was not educated and he was not good with numbers, so he just guessed his birth date as 1902. My father's younger sister and brother later told us based on their birth dates that our father was born as much as ten years earlier than 1902. My father in law, Francisco Estrada, also believed that my father was born in the early 1890s. Francisco was born in 1893. If my father had been born in 1902 he would have been only a child when my father in law was a teenager. But, Francisco and my father met and became drinking buddies when my father first came to Fabens and they were both teenagers. My sister Venancia took our mother and father into her home five or six years ago. My parents wanted to be buried in the Catholic cemetery in Fabens, but when my father died none of us could afford to ship his body from Fort Worth. It would have cost a thousand dollars.

27. I am very proud of my Mexican heritage. My children speak Spanish, but my grandchildren speak very little Spanish. This makes me sad because I feel that they are losing an important connection to their past. I want them to understand where their people came from.

28. Fabens has always been a very poor and very small town. When I was younger, I thought it would grow, but it hasn't. My two oldest children were born in our house without the help of a doctor because it was too far to go to the hospital once I went into labor. There still is no hospital or full-time doctor in Fabens. One doctor comes once a week to the low-income clinic. We either go to El Paso or into Mexico to see a doctor, the dentist, or for medical care. There is an ambulance service for emergencies. There are no maps of Fabens, and many of the roads do not have street signs. The mail is delivered to the post office but not to any of the homes.

29. Some things have changed in Fabens. When I was growing up, the schools were segregated. Even though there were so few students, there was a school for whites, a school for Hispanics and a school for blacks. There were never more than a few black people in Fabens. It is

mostly a Hispanic town with some white folks. Today, Fabens is probably 75 percent Mexican nationals. They have a lot of problems adjusting to the pace of life here. They walk in the middle of the street even when cars are trying to get around them.

30. As machines replaced workers in the cotton fields there was less and less work for the people of Fabens. So close to the Mexican border, there is a steady flow of new immigrants into the town looking for work along with the people who already live here. People are desperate for money and the lack of jobs and opportunities makes people depressed and lifeless. Jobs provide more than the rent and food on the table. They give pride and a sense of worth. I think the shortage of work and closeness to the border has caused drug trafficking to become Fabens' worst problem. Drug abuse then causes other problems. My husband and I read last year that the major US-Mexican border cross over points for drug trafficking are El Paso, San Diego and then Fabens. We were sad but not surprised when we learned this.

31. When I was a child we thought nothing of leaving the house unlocked with no one home all day. Now I have a six-foot fence around my house. I keep it padlocked even when I am at home. We trained our dog Lucky to bark whenever he hears anyone come near our fence. My husband and I often see drug deals being made in the alley behind our home and on the street up the block. There is a family on our street that supports itself by dealing drugs. To stay safe, we just mind our own business and do not cause the drug dealers any trouble. They know that we do not want to bother them, and they have left us alone so far.

32. I am most saddened that my own family has fallen to drugs. I don't understand why some people get involved in drugs and others don't. I have seen my younger sister Augustina buying drugs in Fabens. Friends and neighbors tell me regularly that they see her buying drugs,

most often on the weekends. She has no other business in Fabens now that she lives in El Paso. She does not come to visit me when she is in Fabens, she just buys drugs and leaves. She knows that I do not approve of her drug use and do not want her in my home until she has stopped. I fear that I can not trust her while she is on drugs. Even after being arrested for drugs and for public drunkenness, Augustina continues to use drugs. Her youngest son James is in prison now because he killed a man over something to do with drugs. Still, Augustina does not change her life.

33. Augustina has many problems that have ruined her life. She was once married to an El Paso police officer with whom she had three children. Her oldest son Danny is married with three children of his own. Augustina's daughter Kimberly is stationed in Houston with the US Army. She served in Desert Storm. Augustina's youngest son Christopher James is in prison for life for killing a drug dealer. Now Augustina is married to a Hell's Angel biker. She lives in El Paso, which is about 30 miles from Fabens and she often comes to Fabens. Because of Augustina's drug problem, we have not spoken in five years. To get money for her habit, Augustina sold my parents' and grandmother Martina's homes. She did not tell me or my brothers or sisters what she was doing. She just came with two U-Haul trucks one day and emptied the houses. After that, my sister Venancia went to court to get custody of our parents.

34. My sister Corina was raped when she was in high school and became pregnant with her first child, Roberto. Our mother had no sympathy for Corina. Instead of comforting Corina when she found out, Mother became very angry and hit Corina. While Corina was pregnant, Mother made her hide in the back of the house if anyone came close to the house. After Corina had Roberto, Mother threw her out of the house. She told Corina that she had to find work to support Roberto. There was little work in Fabens, so Corina went to Phoenix where our Aunt Madrid and

sister Josephina were living. Mother made Corina leave her new baby with us. I think Corina was very hurt because she did not return home for many years.

35. In Phoenix, Corina found work in the fields, where she met Arcadio Lopez. She and Arcadio never married, but they had eight sons together. They also had a daughter, but she died when she was less than a year old.

36. About 20 years ago my husband was sent by the military to Oakland for training. We drove from Fabens to Oakland and visited Corina in Phoenix on the way. When we drove up there were a bunch of kids in the yard who stopped whatever they were doing and watched us. When it was clear that we were stopping at their house and actually getting out of the car, they all ran and hid. They stayed outside until Corina called them in and then they hid behind the furniture.

37. Arcadio was a mean drunk. When I saw Corina she told me that he beat her. I could see how afraid not only Corina, but the children were of him. After Arcadio left Corina, she met another man without citizenship who moved in with her.

38. Corina and her family were always very poor. She was a hard worker, but she could not make enough money to support her eight sons. Arcadio drank too much to be able to make very much money in the fields, and he spent much of the little money he did make on cheap wine. Corina had to get state agency help and welfare. When we visited her on our way to Oakland, she and her children were living mostly on government food. My husband Rudy drove Corina to a warehouse where she stood in line for hours to get Army surplus food in dark green cans. Some of the cans had black markings, but some were blank. I asked Corina how she knew what was in the cans, and she said she didn't. Corina and her kids ate whatever happened to be in the cans she opened that day. Corina and all her children lived in run down tiny apartments where the rent was

due weekly. She passed the clothes from one son to the next until they were too thread bare for anyone to wear, and then she sewed the pieces together to make blankets.

39. Corina's son Roberto grew up with many problems. He has a drinking problem. He becomes paranoid when he drinks and wants to fight everyone around. He molested and raped my daughter Christina when she was 13 and he was in his mid-twenties. He threatened to hurt her more if she told anyone. Christina did not tell anyone until just before she was married at the age of 19. She went to see a psychiatrist who helped her deal with her intense anxiety about sex. Christina had blocked out most of the painful memories of what Roberto had done to her, but the psychiatrist helped her to remember and accept her past through hypnosis. Later, Roberto molested his own daughter Emily when she was 6 and 7 years old. He took her for walks by the irrigation canal where he had sex with her. His wife Augustina left him when she found out. Roberto also beat his wife Augustina before she left him. She had restraining orders made against him to protect her and their children. Roberto went to prison and when he got out last year, he went to Fort Worth to live with my sister Petra and her family. Petra and Roberto are about the same age and they grew up together in my parents' home, but Petra has a 12-year-old daughter Jenna living with her, too.

40. Corina's son Steve also did not know how to act with girls in the family. Steve is 5 years older than my youngest daughter Christina. When Steve's older brother Junior married his wife Anna, my family went to Phoenix to attend the wedding. Steve was 19 and my youngest daughter Christina was 14, but Steve asked me and my husband if he could take Christina out to a club with him. We told him no because she was too young. Steve wrote Christina a couple of letters that were inappropriate for a man to write to someone so young or to his cousin.

41. Steve later went to prison for rape, but he has changed while he was in prison. He

has become a responsible and polite man. He is very respectful to his mother now. He works full time with a grounds keeping company. When Steve first got out of prison he found his brother Eddie who was wandering the streets in Phoenix without a job or home. Steve brought him to Corina's house to live with them and tried to help get Eddie a job and to quit drinking, but Eddie was too far gone. Eventually, Eddie ended up back on the streets.

42. Many of my and Corina's brothers have drinking problems. My brother Ricardo was an alcoholic. He dropped out of school when he was in high school. He was only 17 or 18 years old when he moved with our brothers Jose and Alfredo to California to look for work. He later came back to Fabens to stay with our parents for a while. One day I was at my parents when I heard Ricardo in the bathroom. He was making strange noises like someone shivering and breathing really hard because they are very, very cold. I knocked on the door and asked Ricardo what was wrong. He didn't answer for a long time. When he finally did speak he told me nothing was wrong. I knew something was very wrong, so I knocked on the door again and asked Ricardo to please let me in. When he opened the door he was shaking all over. He said he really needed a beer, and I realized that he was going through withdrawal. The last time I saw Ricardo he was in his 30s. This was in the mid-1970s. He was still drinking even though it was making him throw up blood. It was not long after that Ricardo was shot and killed in a bar in California.

43. My youngest sister Petra has never been married but she has three children. The fathers of her first two children have had little to do with them since they were very small. Her youngest child's father Marvin Cervenka is very different. He and Petra have been in a constant court battle over Jenna. He gets Jenna every other weekend and one night each week. He files a complaint if Petra is late with Jenna. Last year Petra had to go to jail because she took Jenna out

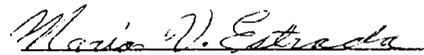
of state during a weekend Marvin was suppose to have Jenna.

44. I thank God that Rudy and I have been able to raise our children to be responsible. I see how hard my sisters' lives are who do not have the love and help of a husband and it breaks my heart. I believe that if Sammy's father had been a decent man and helped Corrina, their children would have had a chance to make it.

45. I was never contacted by anyone about my nephew Sammy, our family, or our life. If asked, I would have testified at his trial about what our lives were like.

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 on April 16, 1999.



Maria Villegas Estrada

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 cursive script, appearing to read "Venancia Villegas Garcia", written over a horizontal line.

Venancia Villegas Garcia

DECLARATION OF PETRA GONZALES VILLEGAS

I, Petra Gonzales Villegas, declare as follows:

1. I am the youngest child of Jose Villegas and Concepcion Gonzales. Sammy Lopez is my nephew, the son of my older sister Corrina Villegas. I was born August 1, 1949. Corrina was born November 3, 1932, so she is almost 17 years older than me.

2. I am the youngest of my parents' children. In all, 14 of us survived birth, although two died as infants. Our ages are very spread out, and my oldest living brother is 21 years older than me. Unlike most of my brothers and sisters, I was able to attend and graduate high school. I have three children: Stephen, born August 14, 1973; Daniel, born May 24, 1981; and Jenna, born April 10, 1986. After my son Daniel was born, I went back to school and completed 2 years of business school and later more classes at the Tarrant County Community College. I now work for the City of Forth Worth Courts in the traffic citations section.

3. My parents Jose and Concepcion met while they were both working at a farm near Fabens. They saw each other at a dance. My mother's mother, Martina, did not like Jose because he drank, but she gave them permission to marry. Many years later Martina's mother, my great grandmother Rosa, came to Fabens to live with my family. Martina and my mother got mad at Rosa when she took off my father's shoes after he passed out from drinking.

4. My father Jose was one of six children. One of his sisters was kidnaped by some of Pancho Villa's men when she was a teenager, and his family never saw her again. His mother Maria was a blind Mexican Tarahumara Indian who did not speak English or Spanish. His father

Jesus was Spanish and died when my father was still a boy. My father came to this country from Mexico when was just a young man himself. My father went back to Mexico to visit his family every few years, but it was a very difficult journey and he took some of my brothers and sisters only a couple of times. For many years there were no roads up into the area of his village, and he had to walk or ride along narrow mountain trails to get there. Later he hitched rides part of the way with loggers clearing the mountain forests. The first time my father returned home, people did not recognize him. His mother told him that he no longer seemed like a Indian in his shoes and long pants. I did not know his side of the family well, but his niece Irma came to live with my sister Venancia and helped her with her children.

5. In the United States, my father worked in the fields for years before he got a job working at the Southern Pacific Railroad where he worked for more than 35 years before retiring. My father did well with the railroad, but he never made foreman. He was very good at his work and he could manage the other men, but his lack of schooling prevented him from being able to keep the books. He could keep track of things in his head, but he did not know how to write out the numbers for the records foremen had to keep. He understood the math, though. He understood when the men in charge were collecting more checks from the railroad than there were workers and keeping the extra pay for themselves. My father's mind stayed sharp until he died just after News Years in 1997.

6. My mother Concepcion also came here from Mexico when she was very young. My mother's father had been a successful businessman who owned two businesses in Mexico before he was murdered by Pancho Villa's bandits. The killers tied a weight to his body and threw him in the river. This happened long before I was born, when my mother was a small girl. I

always suspected the violence of my grandfather's death and his family's sudden poverty afterward must have caused my mother's sour attitude about life.

7. Our mother was always very strict with us. In fact, she was downright mean. Mother disciplined all us children very roughly. She hit us with a belt on our arms, back and legs until we were black and blue. She gave these spankings everyday to at least one of us. She hit us for all sorts of little things. She beat us if she didn't think we completed a chore right or fast enough, she beat us if we said we did not like something she had given us to eat, she beat us if she thought we were not listening to her. Mother had no sense of humor. We could not joke with her or tease her. If we used bad language or hateful words, she washed our mouths out with soap.

8. Mother was a perfectionist, and she expected us to be perfectionists also. She wanted everything just right. When we made our beds they had to be perfectly even or she hit us for doing a poor job. We had to curl our hair perfectly for church. She inspected the dishes after we washed and dried them and she hit us if she found anything we missed. We were not even allowed to chew gum.

9. Mother never told me or my sisters about the birds and the bees. I learned about sex and periods from my sister Tina; I could not imagine my mother ever talking about something like that.

10. From the time we were about five years old, all of us kids picked cotton after school and on Saturdays. It was hot backbreaking work, and our little hands would be chapped and torn at the end of the day. The working conditions were unsafe, too. We could see small planes dropping pesticides on the fields beside us as we worked, and we drank water from the big open barrels set out by the owners of the field. I often wonder how much our health has been

affected by drinking that water that had been freely exposed to the pesticide sprays. Still, the extra money we made was important to the family, so we had to do it. When were little, we stopped and took naps on the side of the fields. My mother tied empty bean bags around our waists for us to stuff the cotton into. When we were very small, she had to make smaller bags for us so we were able to carry them. When my brother Jesus dropped out of school, he picked cotton full-time. My brother Jose wanted more than anything to get out of the cotton fields, so when he did not pass the eighth grade and he dropped out of school, he moved to California to live with our brother Alfredo who was a newlywed.

11. My parents' first child, my oldest brother Antonio , was born in 1923 but died as an infant from scarlet fever in 1925. My next oldest brother, Luis, was born September 25, 1924, followed by Angela on October 2, 1928 and Alfredo in 1929.

12. My sister Josefina was born in 1930 and died in 1998, when she was around 67 or 68. Josefina was called Fina by our family. She married Martin Morales, and they had two daughters, Marta and Antonia. Fina and Martin split up, although they never divorced. Martin did not want their two children, so Fina brought them home to live with our family. Antonia was 10 and Marta was 9 when they came to live with us. Antonia is a few months older than me and Marta is a few months younger than me.

13. Fina met another man Alfonso Velarde, and she had another six children with Alfonso. Fina and Alfonso never married because legally she was still married to Martin Morales, but she and Alfonso stayed together until Fina died last year of cirrhosis of the liver. Alfonso beat Fina, and I think he feels very guilty about it now. He thinks he hears her ghost haunting him.

14. Fina had an affair while she was with Alfonso and gave birth to a little boy she put up for adoption. Most of us did not know he existed until last spring when he came looking for us. He is named Jesus Barrios and he is in the Army. He served in Desert Storm and is now stationed in Bosnia. Fina died just a few months after they were reunited.

15. My sister Corrina, Sammy's mother, was born November 3, 1932. Corrina has lived in Phoenix since I was just a baby. I was only a year old when she gave birth to Roberto. My older brothers and sisters told me that Mother chased Corrina off right after she had Roberto. I believe it, because Corrina had almost nothing to do with our family after that, and she never sent any cards or letters or presents to our mother.

16. When I was young, I went with my mother and some of my brothers and sisters to visit my brother Alfredo in Santa Barbara and my sister Corrina in Phoenix. Corrina was always horribly poor. She and her children lived in tiny rundown apartments and houses. When we visited, we did not go on outings or do anything special because Corrina was so poor. Mother bought groceries for Corrina and her family while we were in Phoenix.

17. I met Corrina's common-law husband Arcadio on that visit. Arcadio worked as a laborer. He was a very small, very thin man. He was very light complected but had very dark eyes and black hair. He was always drinking, and he beat Corrina.

18. Corrina's son Jose came from Phoenix and stayed with me in Texas for a while when he was a teenager. He came during the summer, around July, and stayed with me until the following April or May. He was a good-hearted kid, but he a difficult time in school. He got a job working with me until he went back to his mother in Arizona.

19. My sister Julia was born November 14, 1933, but she only lived a few months and

died March 9, 1934.

20. My sister Maria was born January 16, 1935. Maria had three children. Her oldest son Bobby used to have a lot of trouble with alcohol, but later he straightened himself out and became a counselor for troubled kids in El Paso. Maria's godmother Maria Inez Mendoza Cedillos was 113 years old when she died.

22. My brother Ricardo was born April 3, 1939. He became a terrible alcoholic. He moved to California for a while, but he later moved back to Fabens. I was still living at home with our parents and my son Stephen, who was seven years old. I moved out because I did not want my son around Ricardo. My parents tried to keep my son, like they had kept Corrina's son Roberto, but I would not let them. I moved Stephen to Fort Worth, where we stayed with my sister Venancia and her family. It was hard for Stephen when we first left Fabens because he spoke only Spanish, but Stephen was a bright boy and he learned English from the other children at school.

23. My brother Jesus was born July 1, 1941. He was killed in a car accident in 1962, when he was just 20 years old. The sheriff came to our house at 5 in the morning to tell my parents. I was 13 years old. I remember being woken up by the crying of my mother. My mother was usually a very reserved woman who did not show much emotion. She was screaming Jesus' name over and over, and so I knew he was dead. The rest of us were all in shock and just stared at our mother.

23. My brother Jose was born July 2, 1943. He is an alcoholic and unpredictable. When he drinks, he becomes an entirely different person. He once had a good job working for a meat packing plant. One of the men who worked with Jose bought a big house he could not

afford, so he had to spend almost all his money on house payments. One day he asked my brother Jose for money for lunch and Jose got angry. They got into a fight and Jose stuck a meat hook in the man's eye. Jose was fired. Jose eventually moved to Fort Worth, where he has been arrested for DWI a couple of times. Jose applied for social security benefits years ago. The Social Security Administration had a doctor examine Jose for his memory problems, diabetes and drinking. He has a heart condition, too.

24. My sister Venancia was born May 18, 1945. She had a twin who died before birth. My son Stephen and I moved in with Venancia and her family when we moved to Fort Worth. I had my son Daniel while living with Venie. After Venie and her husband split up, my family continued to live in the house with Venie's ex-husband, but just as friends. He eventually moved out and later my boyfriend Marvin Cervenka moved in. Marvin bought the house from Venie and her ex-husband.

25. Marvin and I had Jenna while living in Venie's old house. Marvin was a very cold man and never really made an attempt to be part of a family with me and my children. He even kept his food separate from what my children and I ate. I eventually left him and bought my own house up the street from my brother Luis. Marvin still lives in Venie's old house.

26. My sister Augustina, born May 28, 1945, is known as Tina. Tina, Venie and I have always remained very close. I was very saddened when my sister Venie sued Tina in 1991 for custody of my parents. The lawsuit dragged on for many years and has divided my family even more than the distance between our homes and the difference in our ages.

27. Our father built our house himself several years before I was born. It had four rooms: a kitchen, two bedrooms and a living room. We had a big back yard. There was no grass

in the yard, but my father had a garden and my mother grew some plants. Gardening was the one thing I think my mother really enjoyed. Outside in the back yard, we had a shower, and we used a tin tub as a bathtub. We did not have an indoor bathroom until I was much older. I remember as I was growing up, we were the first in the neighborhood to get a couch. We were also the first to get a phonograph and later we were the first to get a television. We were poor, but we had many people to help make money in the fields. Smaller families in our neighborhood were even poorer.

28. Many of the older children had already grown up and moved out by the time I was born. Tina, Venie, Jesus and Jose were still in the house for most of the time I was growing up. Fina's daughters Antonia and Marta and Corrina's son Roberto also lived in the house most of that time. In addition to all my brothers and sisters, Jose and Stephen Vera also grew up in our house. The Vera brothers were somehow related to my mother's mother Martina. Martina adopted them after they were orphaned, but Martina was in bad health herself and died when she was only 50 years old. Jose was only 14 and Stephen was only 10, so the Vera boys moved in with my family and my parents raised them along with the rest of us. They both joined the military and moved out when I was still very little. Stephen Vera became a postman in Sacramento after he left the military, but he died.

29. Jose Vera was always a strange child. He would sit for hours in the window in some kind of trance, like he was in another world. He was also very shy and got scared on dates. If that didn't make him strange enough, he was also one of the few men in Fabens who didn't drink. Jose Vera became an architect and moved to Chicago, but later his mental illness got even worse and he could not keep his job. He moved to Sacramento to be near his brother, and he was

eventually hospitalized there. As far as I know, he is still institutionalized there to this day.

30. When I think of Sammy, I remember that shy little boy hiding behind a chair at Corrina's apartment in Phoenix. Each time I think of my sister Corrina, I can't help but to think about how deep the pain she feels for Sammy must be. They are both a part of my family and so a part of me.

31. I was never contacted by anyone from Sammy's trial defense team. If asked, I would have testified about my family including my sister Corrina and her sons.

32. 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.



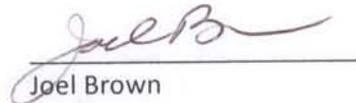
Petra Villegas

AFFIDAVIT OF JOEL BROWN

1. My name is Joel Brown. I am an attorney licensed to practice in the state of Arizona. I am currently employed at the Maricopa County Public Defenders Office in the Capital Unit.
2. As a young lawyer, I was assigned the case of *State v. Samuel Villegas Lopez*. Mr. Lopez's case was my first capital case. At the time I represented Mr. Lopez, I had never been trained on how to present a case in mitigation. Back then, we did not have trial teams or mitigation specialists like we do now. When I look back now on how we did things back, then it seems like we were in the dark ages.
3. Mr. Lopez was a quiet client. He was not demanding. He was not a difficult client.
4. I did not have an investigator assigned to the case. I was by myself. I had no concept of mitigation. I did not conduct a mitigation investigation. The evolution in capital work from then to now is unbelievable.
5. When Sam was convicted of first degree murder and the case was going to proceed to a sentencing phase, I asked some of the senior lawyers what to do. They told me to call some family members to be character witnesses. I did not even know that I had done anything wrong until Judge D'Angelo started to make a record about the fact that I did not present any mitigation.
6. Current counsel for Mr. Lopez has shared with me a number of declarations from family members and from a neuropsychiatrist who evaluated Mr. Lopez for federal court. I believe that the mitigation evidence in these declarations is very valuable mitigation. I wish I had presented it at Mr. Lopez's sentencing hearing.
7. I know Judge Robert Doyle. I do not remember ever speaking to him about Mr. Lopez's case.

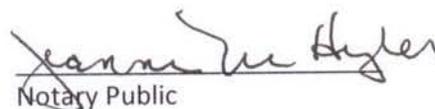
Further affiant sayeth not.

Dated this 10 day of February, 2012 in Phoenix, Maricopa County, Arizona.


Joel Brown

Subscribed and sworn to before me this 10 day of February, 2012.




Notary Public