DECLARATION OF GEORGE W. WOODS, JR., M.D.

I, George W. Woods, Jr., M.D., declare as follows:

1. I received my bachelor's degree from Westminster College in Salt Lake City, Utah, in 1969. I received my medical degree from the University of Utah in 1977. In 1981, I completed my psychiatric residency at the Pacific Medical Center in San Francisco, California, and was a National Institute of Mental Health/American Psychiatric Association fellow in 1982. From 1989 to 1994, I was the Clinical Director of the New Beginnings Program, an inpatient, dual diagnosis (co-occurring) disorders, substance abuse detoxification and rehabilitation center at Doctors Hospital in Pinole, California. I was appointed Senior Consulting Addictionologist to the New Beginnings Programs at Doctors Hospital and San Ramon Regional Medical Center, San Ramon, California, in 1994 and served in that capacity through 1996.

2. I am Adjunct Professor at Morehouse School of Medicine, Atlanta, Georgia, where I teach Clinical Aspects of Forensic Psychiatry. I also am Adjunct Professor in the Department of Educational Leadership and Public Policy at the California State University, Sacramento.

3. I was Adjunct Professor at the University of California, Davis, Medical School, Department of Psychiatry, in the postgraduate Forensic Psychiatry Fellowship from 1996-2000. I also have served as Affiliate Professor at the University of Washington, Bothell campus, from 1998 to 2003. I have lectured both nationally and internationally on issues of trauma, chemical dependency, and criminal responsibility. I have served as technical advisor to the Kenyan and Tanzanian Medical Associations, helping these medical societies develop clinical and research responses to the August 7, 1998 Kenyan/Tanzanian U.S. Embassy bombings.

4. My clinical practice is based in Oakland, California. I have been qualified and testified as an expert in numerous civil and criminal cases in state and federal courts. A copy of my *curriculum vitae* is attached to this declaration.

5. I have been asked by attorneys for Mr. Sammy Lopez to prepare a social history of Sammy and his family's background to determine what possible genetic, social and interpersonal factors affected his development, mental status, and psychological functioning. Such a history is necessary for mental health experts to review in order to establish a base line for Sammy's[1] cognitive functioning, to compare his cognitive and behavioral functioning when intoxicated to his base line functioning, to determine if intoxication exacerbated any underlying physiological conditions with psychiatric consequences or psychiatric disorders, to determine the presence and course of his addictive disease, to determine the likelihood of the presence, severity and effect of neurological deficits and the effects of intoxication on those deficits, and to determine any other factors that would have influenced or controlled his thought processes and behavior during the offense.

6. Mental health and medical experts also require social history information to weigh and assess lay witness reports of Sammy's behavior surrounding the offense, during interrogation by law enforcement, and during clinical interviews with Sammy. A properly documented social history also offers insight into factors and circumstances that affected Sammy's behavior over the course of his life and is relevant to the presence, significance, and weight of mitigating factors.

7. In reaching my professional opinion, I conducted interviews with Sammy at Arizona State Prison in Florence, interviewed his mother, several of his brothers, and family friends that knew Sammy. I also consulted with Dr. Dale Watson, who administered neuropsychological testing to Sammy. I have also reviewed documentary evidence concerning Sammy's educational, medical, psychological and psychiatric history and facts relevant to the legal proceedings against him. I have reviewed similar material regarding members of his family. The materials I reviewed are listed in the Appendix attached to this declaration. These

---

[1] Since Sammy's family members share many of their last names, Mr. Lopez (Sammy) and they will be referred to by their first names.

are the kinds of materials routinely relied upon by experts in my field of psychology in reaching their professional opinions.

8. I met with Mr. Lopez on four occasions, January 19th and 20th, 2005, March 8th, 2005, and May 3, 2005. Mr. Lopez was crippled with anxiety about our first two meetings, since he was required to be heavily shackled, and to wear a stun belt. After the first two contact interviews, Mr. Lopez specifically asked that my next visit be behind glass. When I inquired why Mr. Lopez felt it necessary to be interviewed behind glass, he said that he felt more comfortable without the more personal contact afforded in a contact visit, although he could not be touched.

I. INTRODUCTION AND OVERVIEW

9. Sammy Lopez was an acutely impaired child who suffered from brain impairments. Sammy was born into a family with a history of mood disorders. Sammy was raised in a horrifically violent home where he was acutely traumatized and grew up without love or guidance in the most dangerous part of Phoenix. Sammy was taught to steal and use drugs by his only role models. This (and more) combined to make Sammy depressed, drug addicted and affectively disregulated. Sammy Lopez was the sixth of eight boys born into a volatile, chaotic, and unpredictable environment to cold, unaffectionate, abusive and distant caretakers who were ill-equipped to manage even their own lives. Sammy's father oscillated between controlling, brutal behaviors and depressed, abandoning ones. The profound grief and trauma Sammy's mother experienced, even before the brutality she experienced at the hands of Sammy's father, left her anxious, depressed and ill-equipped to raise eight boys. Sammy's upbringing left him vulnerable to a range of mental illnesses by disrupting important developmental experiences. Multigenerational trauma, substance abuse, anxiety, psychosis and mood disorders left Sammy and his family at an increased risk for developing similar disorders. These familial and genetically-derived disorders ensured that Sammy grew up in an environment where he did not receive the care-taking relationships necessary for healthy psychological and

neural development and thus, was unable to develop healthy coping mechanisms that might assuage the effects of mental illness.

10. Genetic heritage and acquired brain damage combined to leave Sammy with crippling mental impairments. As a pre-adolescent, Sammy exhibited clear diagnostic signs of acute trauma. This was not merely the product of neglect and mistreatment; it was also the effect of growing up in constant fear for his life and for the life of his mother. The chronic and horrific violence Sammy suffered, the physical and sexual assaults he witnessed against his mother, and endlessly repeated abandonments and ongoing neglect by his attachment figures left Sammy utterly unprotected from this recipe for developmental disaster. He has spent his entire life reaping the tragic seeds of his childhood.

11. After a brief stay in West Phoenix, Sammy's family moved to one of the most dangerous neighborhoods of Southwest Phoenix, where Sammy grew up. Southwest Phoenix is a racially segregated, crime-ridden, and violence plagued community reserved for the metal recycling industry, foundries, and populated almost exclusively by unspeakably impoverished Latino families. In this community, Sammy's family stood out as being extraordinarily poor.

12. Sammy's father, Arcadio was a cruel and vicious alcoholic who beat his wife and children regularly. As the years went on, Arcadio's violent and unpredictable rages worsened. Due to the constant danger and fear in his family life, Sammy's anticipatory stress response was activated nearly constantly burdening Sammy with all the attendant challenges of acute trauma: hyperarousal, hypervigilance, high anxiety, agitation, guardedness, paranoia, and sleeping difficulties. These symptoms became integral to Sammy's development and remain with him to this day. This fact is crucial to any effort to understand Sammy Lopez. Sammy's ability to respond appropriately to emotional and interpersonal stimuli was grossly impaired by the lack of modeling by his parents. This impairment, known as affective dysregulation, explains Sammy's inability to make and enact plans in the long term and sound decisions

spontaneously. Sammy Lopez was an acutely impaired child raised in fear, violence, and poverty.

13. Sammy's mother, Concha's, failure to protect her children and decision to stay with Arcadio in spite of the vicious attacks on her and their children sent the painful message to her children that their needs were unimportant and that somehow this is what they deserved, gives serious testament to her psychological imbalance. Sammy internalized the message that he was not worthy of his mother's love or protection, a message that destroyed his ability to make healthy everyday decisions.

14. As a young child, Sammy was plagued with fear and an inability to navigate his environment. This left him unable to regulate his responses or develop healthy coping mechanisms. A common symptom in traumatized children is night terrors. Night terrors occur when a child is startled from sleep, has agitated motor movements, is unresponsive and inconsolable, and shows signs of autonomic arousal such as rapid breathing, racing pulse, and sweating.[2] For many years, Sammy suffered from horrifying and intense night terrors; they became even worse after a particularly brutal beating from Arcadio. Often, Sammy's brothers and mother awoke in the middle of the night to find him crouched in the corner of the kitchen shaking with fear or bolting out the door running for his life. Sammy was difficult to reach in this state. When his family was able to awaken him and reintroduce him to reality, Sammy burst into tears.

15. Sammy and his family lived in profound conditions of neglect and poverty. When Sammy was seven years old it was noted that he suffered from frequent tooth pain, cavities, repetitive tonsillitis, and ear infections. Sammy's caretakers routinely failed to act on recommendations that he seek medical attention. In conversations today, Concha makes it clear that she lacked not only the financial resources to provide Sammy with the medical

---

[2] Mash and Barkley (2003). Child Psychopathology. New York: The Guilford Press. 729.

attention he required; she also lacked the resources to recognize and meet all but the most basic needs of any of her eight sons.

16. When Sammy was seven years old, his mother gave birth to his sister Gloria, the first girl after nine boys. Sammy and his brothers adored their baby sister Gloria who was born with a birth defect. Sammy especially gravitated to his sister. He watched over her and attended to her as if she was the answer to all that was wrong with his family. Before her first birthday, Gloria died. A dark cloud hung over the family after the loss of Gloria. Not only had Sammy and his brothers lost their baby sister, they also lost their mother who fell into a deep, dark, depression. On top of this intense grief, Sammy's father took Gloria's death as an opportunity to abandon their family forever.

17. With Arcadio gone, Sammy and his brothers were still unable to relax. They had no way of knowing that Arcadio was gone for good. In Arcadio's absence, Sammy's eldest brother, Arcadio Jr. (Junior), became the man of the house. Learning from the only example he knew, Junior terrorized and beat his brothers as their father had done. Concha forced Junior to drop out of high school so he could help her raise the boys. Junior's frustration over this obligatory situation left him resentful and looking for someone to take it out on. Junior beat his brothers for minor infractions and reinforced the idea that home was not a safe place. Junior's terror only stopped when he married, moved out of the family home, and ultimately abandoned Sammy, too.

18. Within a year of Junior's marriage, Concha moved another man into the house, Pedro. Pedro was an insensitive and brutal alcoholic who never tried to be a father to Concha's boys except to beat them when something of his was missing. Pedro's abuse became sadistic when it came to Sammy whom he liked to terrorize with guns and threaten to kill.

19. Her own horrific childhood, multiple rapes, physical assaults, and coercive control by common law husbands left Sammy's mother uniquely unable to assume even the most basic responsibilities of parenthood and to care for Sammy in a manner that would have allowed

Sammy to confront his congenital and environmental misfortunes. To make matters worse, Sammy experienced difficulties in school. His frustration of not being able to keep up with his peers ultimately led to his withdrawal just after the ninth grade. Uneducated, unskilled, and traumatized, Sammy was left to fend for himself. Looking for a way to ease the pain Sammy felt he found relief in drugs and alcohol.

20. By age eighteen, Sammy was sniffing paint chronically and suffering severe consequences as a result. Sammy robbed neighborhood houses as a desperate attempt to obtain money for drugs. Sammy was homeless, living in cars, staying in the neighborhood park, and the local cemetery.

21. Sammy's friends and family have documented that he suffers a pathological response to alcohol, becoming unpredictable, irrational, agitated, and at times, psychotic. When Sammy drinks, even just a small amount of alcohol, he quickly and dramatically changes. Sammy's intoxication and addictive disease were the direct consequence of a devastating accumulation of risks that shaped his development and behavior. As a child, Sammy had to contend with multiple risks: family mental illness, abandonment, family addictive and neurological disease, poverty, and constant life- threatening danger at home and in his community. Each alone constituted a significant obstacle to healthy development, but in combination they resulted in devastating mental impairments.

22. The constant mortal terror in the Lopez home prevented Sammy from developing what many of us take for granted: the comforting certainty that the world is a safe and secure place and that our caretakers are ready, willing, and capable of providing us with safety and comfort. Emotions in Sammy's family were dangerous, erratic, and pathologically extreme. Like all children, Sammy and his brothers craved affection from their mother, which provides the sense of security needed for normal development. Suffering however, from her own severe psychological impairments, Concha could not provide her sons with the love and attention they so desperately needed.

II. BACKGROUND AND FAMILY HISTORY

Maternal Family

Concha's parents: Trauma, Poverty, and Isolation (Journey to the US)

23. Sammy's maternal grandmother was Concepcion Gonzalez. The story of her migration to the United States and her life in the United States shed light on Sammy's development because the pre and post migration stressors she survived molded the manner in which her daughter would rear Sammy. A true understanding of Sammy's development also requires an understanding of Concha's own abuse history, cultural beliefs, and genetic heritage and how they found expression in the manner in which she reared Sammy and his siblings. Her remarkably impoverished upbringing and her deep religious and cultural beliefs all shaped her responses to major stressors during the course of her life and are represented in her language, beliefs about family, and her self concepts. Concha's determination to keep her family together at all costs -- even when the price was chronic brutality at the hands of the children's father -- springs from her strong cultural understanding of a mother's role. It is important to note here that, due to her own trauma, neglect, and astonishingly humble expectations for her own life, Concha was unable to actualize those motherly obligations vis-à-vis her own children.

24. On his mother's side, Sammy is the progeny of a large extended Mexican American family who immigrated to the United States to escape the ravages of the Mexican Revolution. Sammy's mother, Concha (Corrina) Gonzales Villegas was born November 3, 1932, in Fabens, Texas to Conception [sic] Gonzales and Jose Villegas.[3] Concha's parents and siblings call her Corrina while Sammy and his siblings refer to their mother by her legal name, Concha. Concepcion (Sammy's maternal grandmother) was one of two children, Concepcion and her sister Cruz, who was seven years younger, born to Luis and Martina Gonzales, Sammy's

[3] Concha Villegas, Certificate of Birth, State of Texas, 11-3-32

maternal great grandparents.[4] Martina's mother Rose and her husband had at least two children, Diego and Martina.[5]

25. Concepcion's father (Sammy's maternal great grandfather) Luis Gonzales was killed around 1918 when Concepcion was just ten years old and Cruz was three years old.[6] Luis Gonzales owned a store in Torreón which is located in Central Mexico when he was snatched by Pancho Villa's bandits and shot and killed.[7] Luis' body was later discovered at the bottom of the river.[8] Luis' death filled his wife Martina with fear. Not knowing what else to do she fled her village and walked with her two daughters, Concepcion and Cruz, several hundred miles from Mexico to Texas.[9] Martina was not even cognizant of the dangers when she walked out of Mexico; she was just desperate to get somewhere safe.[10] The trip was extremely dangerous, especially for a lone woman and two small children and the timing of Martina's journey could not have been worse. Mexican revolutionaries, under the leadership of Pancho Villa, roamed northern Mexico attacking United States' border towns as well as Mexican communities. Twenty thousand United States Army troops were deployed under General Blackjack Pershing as "a punitive expeditionary force" into northern Mexico -- the exact area

---

[4] Declaration of Angela Villegas Lopez, Signed 4-16-99

[5] Ibid

[6] Ibid

[7] Declaration of Luis Gonzales Villegas, Signed 4-8-99

[8] Declaration of Maria Villegas Estrada, Signed 4-16-99

[9] Declaration of Angela Villegas Lopez, Signed 4-16-99

[10] Declaration of Luis Gonzales Villegas, Signed 4-8-99

of Martina and her children's journey.[11] Another 100,000 National Guard troops were deployed along the border from Yuma to Brownsville. From 1916 to 1919, "several cross border raids in the West Texas Big Bend area were carried out by Mexicans associated with various factions of the Mexican Revolution."[12] The intense military effort to pacify the border led to violent retaliation, including the execution of fifteen Mexicans taken from a Texas village on the Rio Grande who were innocent bystanders.[13] This volatile and dangerous milieu offered the better, safer life to which Sammy's grandmother fled as a child. It was a harsh world in which survival was the most audacious dream possible. So Spartan was Concepcion's existence that it shaped the upbringing of Concepcion's posterity two generations down the road.

26. Martina and her daughters reached Fabens, Texas, exhausted, but alive. Fabens was a small border town filling quickly with other refugees from the turmoil of the Mexican Revolution. The final step in their journey, crossing the Rio Grande, was as perilous as hiding from troops and marauders. The woman and her two young daughters crossed the Rio Grande clinging only to a single wood.[14] Once they reached Fabens, Texas, Martina and Concepcion took any work they could find. Martina worked in a restaurant, washed clothes and cleaned for the farm workers, and worked in the cotton fields.[15] Although Concepcion was school age, survival demanded that she work instead of attending school.[16]

---

[11] Dunn, Timothy J., The Militarization of the U.S. - Mexico Border 1978 - 1992. University of Texas at Austin, 1996, p. 10

[12] Ibid

[13] Dunn, Timothy J., The Militarization of the U.S. - Mexico Border 1978 - 1992. University of Texas at Austin, 1996

[14] Declaration of Angela Villegas Lopez, Signed 4-16-99

[15] Declaration of Luis Gonzales Villegas, Signed 4-8-99

[16] Ibid

27. Martina was eventually joined in Fabens by her mother Rosa (Sammy's great, great maternal grandmother), a traditional Mexican woman whose life reflected her deeply held religious beliefs. Rosa was a very conservative and devout Catholic woman who filled her house with religious shrines and went to church every day and prayed.[17] Martina was also extremely religious but because since she was forced to work she was unable to attend church as often as she would have liked.[18] Martina's demanding life took its toll on her and when she was only about fifty years old, she died.[19] Before her death, she saved her meager earnings and purchased a modest two room house near her daughter Concepcion's house.[20]

28. Concepcion met and married Jose Gonzales in Fabens at age sixteen; ; Jose was twenty-one years old.[21] Like Concepcion, Jose was a refugee from Mexico.They brought with them a culture in which work was tantamount to survival and the lowest job with the most meager pay was still an opportunity. Although Jose's father, Jesus was Spanish, he grew up in Cananea in the State of Senola, Mexico where he was raised by an Indian tribe.[22] Jose's mother, Maria, who was born blind, was a Mexican Indian. Jesus and Maria lived much of their married lives together in the "mountains of Chihuahua, Mexico."[23] Together, Jesus and Maria had at

---

[17] Declaration of Angela Villegas Lopez, Signed 4-16-99

[18] Ibid

[19] Ibid

[20] Ibid

[21] Declaration of Luis Gonzales Villegas, Signed 4-8-99

[22] Ibid

[23] Ibid

least three children together: Jose, Maria, and Pablo.[24] Sammy's maternal aunt learned the family's paternal history as a small child:

> Jose Villegas was born in Mexico in 1902. His mother, Maria, was a blind Tarahumara Indian. He [Jose] 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. 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.[25]

29. As a teenager, Jose was kidnaped by Pancho Villa's men. At age seventeen, Jose and another kidnaped boy narrowly escaped from the army of Pancho Villa and made it to the United States. The journey was arduous; they had no horses and could not start fires at night for fear they would be caught and executed by Pancho Villa's men. Eventually, Jose and his friend arrived safely in Texas.[26] Jose was one of many refugees from the Mexican Revolution who sought safety in Fabens. He found work near Fabens in the cotton fields where he met and married Concepcion.[27]

30. Jose and Concepcion's family had a sad and remarkably high rate of infant mortality, one-third of their children died at birth or during the first years of life. Two of Concepcion's pregnancies ended with stillborn infants and two survived birth only to die before their fifth birthday. Concepcion and her husband, Jose "raised a total of 17 children to adulthood: their 12 surviving children and three of their grandchildren, plus two of [Concha's] relatives,

---

[24] ibid

[25] Declaration of Venancia Garcia, Signed, 4-8-99; page 2

[26] Declaration of Maria Villegas Estrada Signed 4-16-99

[27] Declaration of Angela Villegas Lopez, Signed 4-16-99

Jose and Stephen Vera."[28] Large families were essential for survival as smaller families struggled even more with fewer people to help earn money in the fields.[29]

31. For Jose and Concepcion every day was a battle to survive. Unable to make enough to live on working in the cotton fields of Texas, Jose and Concepcion had to join thousands of others in the migrant trail that moved west from Texas to California through Arizona. The young couple immediately had two sons between 1923 and 1924; one of their sons, Antonio, died when he was just two years old.

Concha's Childhood:

32. Sammy's mother, Concha, was the sixth child born to Jose and Concepcion Villegas. Concha was born with a twin sister, Julia, who died shortly after birth.[30] Like many children born of undernourished parents, Concha was born and grew up with severe physical challenges. A problem with her leg which kept her from walking until she was four years old. From the age of one to four years old, Concha moved by dragging her body across the floor with her arms and hands.[31] Their community was too poor to support a physician, nurse, or medical clinic, and, if medical services would have been available, the family was too poor to pay for medical care. Jose, Concha's father, relied on home remedies and Indian folk medicine to treat his daughter. Jose rubbed Concha's legs with the inside lining of egg shells and then covered her legs in the hot Texas sand; Jose believed this would make Concha's legs stronger.[32] Without the ability to walk, Concha was completely vulnerable and at the mercy of others. A

---

[28] Declaration of Venancia Villegas Garcia, Signed, 4-8-99

[29] Declaration of Petra Villegas, Signed 4-8-99

[30] Declaration of Angela Villegas Lopez, Signed 4-16-99

[31] Declaration of Concha Villegas, Signed 2-11-06

[32] Ibid

testament to the dire consequences of this severe impairment came in Concha's toddlerhood, when she was attacked by a neighborhood dog[33]and lay down on the ground, helpless and unable flee or defend herself while the dog bit her. Concha still has the scars from this attack.[34]

33. Although Concha's family was impoverished, they informally adopted other children from their extended family, who were either abandoned or orphaned. When Concha was about three years old their grandmother took in two of their grandmother's cousins who were orphaned in Mexico, Jose and Stephen Vera.[35] Jose and Stephen Vera had no place else to go, so Concha's grandmother, Martina, allowed them to come and live with her around 1935; Jose was seven years old and Stephen was ten.[36] Jose and Stephen immediately became part of the family and grew up with Concha and her siblings. Eventually, the two boys moved in with Concha's family when Martina was no longer able to raise them.[37]

34. After the family returned to Fabens, Jose found work with the railroad in El Paso County where he ended up working for over thirty-five years before retiring.[38] By all accounts, Jose worked extremely hard and had a decent career with the railroad although he was never made a foreman because his race and his lack of education hindered his abilities to move up in the company.[39]

---

[33] Ibid

[34] Ibid

[35] Declaration of Luis Gonzales Villegas

[36] Declaration of Angela Villegas Lopez, Signed 4-16-99

[37] Declaration of Venancia Villegas Garcia, Signed 4-8-99

[38] Declaration of Petra Gonzales Villegas, Signed 4-8-99

[39] Ibid

35. The railroad company practiced segregation just as the rest of the country. They provided segregated housing for Mexican workers in a remote settlement of rough shoddy structures known as Sierra Blanca, located about forty miles from Fabens, Texas. The railroad section housing was barely habitable, and Sierra Blanca was not an actual town but instead just a name given to a work camp in an unincorporated area of El Paso County.[40] In selecting the site and building the housing for Mexican railroad families, the railroad made no provision for schools. Sierra Blanca did not have a school or school buses in which to transport children to the nearest school. During the school year, children in the Villegas family stayed in Fabens with their great grandmother Rosa so they could go to school.[41] The younger children stayed with their parents, Jose and Concepcion, in Sierra Blanca. On weekends they all came together and went to Fabens where their father worked to build a home for his family.[42]

36. Life in Sierra Blanca was stifling and it gave Concha her first exposure to a dynamic she would later replicate in her own family: isolation. Concha's sister, Angela, described how desolate their day to day experience was:

> 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.[43]

---

[40] Declaration of Angela Villegas Lopez, Signed 4-16-99

[41] Ibid

[42] Ibid

[43] Ibid, Page 5

37. Company housing was crowded, unsanitary, and afforded little privacy. The railroad company assigned rooms based on how many people were in each worker's family.[44] The building where Concha's family lived was equipped with eight rooms. Two of the rooms were given to Luis, Concepcion, Luis Jr., Angela, Alfredo, Josephina, Concha and the youngest baby Maria. The buildings had no water inside, and Concha's family had to use water brought by a train and then stored in a well.[45] Only one outhouse was provided for the entire community of workers and their families, and often people had to go into the woods.[46] Section housing did not have any electricity so the family tried to keep "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."[47] Concepcion tried to keep her children warm in the cold desert winters by burning wood in a wash tub filled with sand. When the sand was warm with hot ashes, Concepcion brought the tub inside. Unfortunately the heat lasted for just a short while.[48]

38. Concha and her family lived in the railroad section housing until about 1939, when Concha was seven years old.[49] The family was transferred to another town because the unsanitary conditions of section housing nearly killed Concha's father.[50] Jose had to be hospitalized because of a bad case of food poisoning and when he was released from the

---

[44] Ibid

[45] Ibid

[46] Ibid

[47] Ibid

[48] Ibid

[49] Ibid

[50] Ibid

hospital, the railroad company transferred him to Fabens where the family was able to move into the house Jose built.[51]

39. Although a vast improvement over Sierra Blanca, their home in Fabens was very modest and typical for poor families in Fabens. The major difference in their new home was that they had running water, although they still did not have an indoor bathroom. Years later the family would get gas and electricity but Concha's mother feared high bills and so never used their fan or their gas stove.[52]

40. Fabens was a barren town filled with people living in poverty. The majority of the town worked in the cotton fields, others worked on farms, and a few were lucky enough to work for the railroad.[53] Life was full of hard work and struggle and there was no time or reason to celebrate or relax. The Villegas family did not celebrate any of the holidays or any of their birthdays as there was no time or money for such frivolous things like presents or parties.[54]

41. The routine of daily life did not change much after the family moved to Fabens. The entire family, Jose, Concepcion, Concha, and all of Concha's siblings, continued to work hard as field laborers in order to sustain themselves. Work and survival came first, before education or any other consideration. Concha and her siblings were forced to work in the fields full time after they quit school. Work in the fields was hard and everyone in the family was expected to contribute:

> 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

---

[51] Ibid

[52] Ibid

[53] Ibid

[54] Ibid

> 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.[55]

Concha hated working in the fields but she had no choice:

> It was always hard for my family to stay alive. I started working and going to school around the same time. Every day, me and my brothers and sisters went home right after school to change into our work clothes. Then we went to the fields, and we picked cotton until the sun went down. The work was hard, hot, dirty, and it hurt. We tried to hide ourselves from the sun and the heat by wearing rags and hats, but it didn't work. It was just too hot in the fields. We wrapped our hands and arms in rags and sometimes gloves so the cotton plants didn't cut us. That didn't work either. Our legs, arms, and hands were always cut and scarred from the cotton plants. If we forgot our gloves or something to cover our head, my mother pulled our ears and yelled at us.[56]

42. Agricultural workers were not provided with any type of protection from the hazards they faced. Pesticides were freely sprayed from the air on workers below without regard for health consequences. Petra, Concha's youngest sister, described the dangerous working conditions:

> 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

---

[55] Declaration of Angela Villegas Lopez, Signed 4-16-99, Page 7

[56] Declaration of Concha Villegas, Signed 2-11-06, Page 6-7

had to make smaller bags for us so we were able to carry them.[57]

43. Later, when Concha was forced to move to Phoenix she desperately tried to find a good job but found nothing but work in the agricultural fields where she was further exposed to dangerous neurotoxins. [58] Pesticides covered plants and left them with a dry residue that showered her and other workers whenever they picked or disturbed the crops. Some pickers and field workers wore bandannas over their mouths, in order to avoid breathing the poisonous residue. The extreme heat of working under Arizona's sun discouraged most workers from covering their mouths. Concha resigned herself to inhaling the foreign substances that killed bees, spiders, mosquitoes, flies, birds, snakes, and ground animals that were exposed. By the time Concha was in Phoenix and pregnant with Sammy and his brothers, work at the risk of health was an easy choice and one that was validated by her childhood experience.

44. The Fabens' school system was inadequate by any definition and its policy of segregation restricted Latino children's ability to learn and closed the door to opportunity. Schools were segregated and Concha and her siblings were forced to attend a Mexican-only school. Even the few black children in town were required to attend their own school to keep them separated from the white children.[59] School was especially difficult for Concha because she did not understand English. To make matters even worse, her teacher only spoke English in the classroom.[60] Since Concha's family spoke only Spanish at home, it was a long time before Concha understood what her teachers were saying.[61] When Concha eventually learned some

---

[57] Declaration of Petra Gonzales Villegas, Signed 4-8-99, Page 3-4

[58] Declaration of Venancia Villegas Garcia, Signed 4-8-99

[59] Declaration of Concha Villegas, Signed 2-11-06

[60] Ibid

[61] Ibid

English, she was not allowed to speak it at home because it sent Concha's mother into a rage and she didn't want to be hit.[62] Afraid of what might come out of her mouth, Concha tried not to speak at all.

45. Concha's older sister Angela dropped out of school after the fourth grade and went to work in the field full time. Even though Angela was allowed to attend school, field work made her too exhausted and unable to keep up with her school work.[63] Luis, Concha's oldest brother, also withdrew from school because of work and even though he made it to the fourth grade, he "never learned to read or write in English or Spanish."[64]

46. On a few occasions, Concha's father was able to set aside enough money to return home to the mountains of Mexico to visit his family.[65] The trip was a long and strenuous excursion that required travel by train and horseback which made it difficult for children to travel.[66] Committed to seeing his family, Jose took some of his children with him on a few occasions.[67]

47. Concha's paternal grandmother Maria was a Tarahumara Indian who was born blind.[68] Concha and her sisters were fascinated by the Indian village of their grandmother, the new language people in the village spoke that the sisters could not understand, and the

---

[62] Ibid

[63] Declaration of Angela Villegas Lopez, Signed 4-16-99

[64] Declaration of Luis Gonzales Villegas, Singed 4-8-99

[65] Declaration of Petra Gonzales Villegas, Signed 4-8-99

[66] Declaration of Angela Villegas Lopez, Signed 4-16-99

[67] Declaration of Venancia Villegas Garcia, Signed 4-8-99

[68] Declaration of Maria Villegas Estrada, Signed 4-16-99

different kind of dress men and women wore. Maria supported herself by trading the blankets and baskets she made.[69]

48. Unlike Concepcion, Jose was a warm, affectionate, and emotional man who did the best he could to ensure his children had their basic needs met.[70] While Jose appreciated and enjoyed spending time with his children, he did nothing to protect them from their mother's unrelenting abuse.[71]

49. Concha's mother, Concepcion, on the other hand, created a rigid, controlled environment where children were unable to thrive. Concepcion was the authoritarian of the household and unlike Jose, she was harsh, unloving, and, at times, cruel. Life was bleak for Concha and her siblings and the future offered little relief. Because Concepcion was emotionally disabled, she kept Concha and her siblings isolated from the other children in the community. This alienation did not allow Concha to develop healthy relationships and instilled in her the notion that she was alone and unwanted.

50. Concepcion beat her children just about every day and when the children turned to their father Jose for protection, he offered them none.[72] Concepcion imposed painful ritualistic kinds of punishment. She punished her sons by forcing them to kneel on the floor and hold bricks in the air. If they dropped the brick, Concepcion hit them.[73] Concepcion did not allow her child to engage in any normal childhood comfort-seeking behaviors like sucking their thumbs. If Concepcion caught a child sucking their thumb she clamped a clothes pin on their

---

[69] Ibid

[70] Declaration of Venancia Villegas Garcia, Signed 4-8-99

[71] Ibid

[72] Ibid

[73] Declaration of Angela Villegas Lopez, Signed 4-16-99

lips.[74] Indeed, some of her punishments were sadistic and life-threatening. Concepcion made her children stand outside during the blazing hot Texas summers with no water for hours at a time.[75] During one of these ritualistic punishments, a neighbor witnessed Concha and her sister standing outside and noticed that Concha's nose was bleeding from the heat. The neighbor tried to intervene by telling Concepcion that she was going to give her girls sunstroke; Concepcion ignored the neighbor's concerns and warned her to stay out of her affairs.[76]

51. Concepcion punished the children for unintentional acts, such as dropping a dish. When a dish was broken, Concepcion used her hand or a belt to hit the child and then forced them to finish their dinner off the broken dishes with complete disregard for their safety.[77] Concepcion's violent temper flared if she felt her children expressed any kind of perceived weakness.[78] She enforced an impossible code of conduct and the children felt as if they were in the military. Concepcion demanded perfection and did not tolerate mistakes from her children. She checked each chore that the children performed and if it wasn't done to her liking, she whipped them with a belt.[79] Concepcion also required neatness in her children's appearance and if anything was out of place, the children were beaten with either or a belt or a stick (whichever Concepcion could get her hands on first) until they were red all over from the marks she left.[80] Venancia described some of their mother's impractical rules:

---

[74] Declaration of Venancia Villegas Garcia, Signed 4-8-99

[75] Declaration of Angela Villegas Lopez, Signed 4-16-99

[76] Declaration of Maria Villegas Estrada, Signed 4-16-99

[77] Declaration of Angela Villegas Lopez, Signed 4-16-99

[78] Ibid

[79] Declaration of Concha Villegas, Signed 2-11-06

[80] Declaration of Venancia Villegas Garcia, Signed 4-8-99

> 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.[81]

52. Concha and her siblings were also punished for wrong-doing by their siblings because Concepcion believed that they were all responsible for each others actions.[82] When one of the younger children did anything wrong, Concepcion punished the older siblings too.[83] Older children learned to model their mother's behavior and punished their younger siblings in hopes of keeping everyone out of trouble.[84]

53. Concepcion was a severely unhappy and unaffectionate woman who did not provide her children with any love or positive attention. Never once did she hug or kiss her children or say "I love you."[85] Concepcion's total lack of affection was pathological and adversely affected her children who, as they grew older, recognized they themselves had no idea how to show love or affection.[86] Concepcion never learned to change her behavior and remained a cold woman who could not even provide her grandchildren and great-grandchildren any kind of love.[87]

---

[81] Declaration of Venancia Villegas Garcia, Signed, 4-8-99, Page 4

[82] Declaration of Maria Villegas Estrada, Signed 4-16-99

[83] Declaration of Venancia Villegas Garcia, Signed 4-8-99

[84] Declaration of Maria Villegas Estrada, Signed 4-16-99

[85] Declaration of Venancia Villegas Garcia, Signed 4-8-99

[86] Declaration of Maria Villegas Estrada, Signed 4-16-99

[87] Ibid

54. Because Concha's home environment was so unnaturally restrictive and limited, Concha was not provided the opportunity to learn to think for herself or to learn how to solve problems effectively. These limitations would become even more apparent when Concha was faced with rearing her own children years later. Concha's childhood development was dictated by events over which she had no control. Inequalities existed in all spheres of life for Mexican children in rural Texas where she was born and raised. Denial of fundamental civil rights guaranteed poverty, substandard education, inadequate medical care, and high infant mortality -- all realities of Concha's life. The harshness of the environment outside her home was compounded by the cruelties within her home. The lessons Concha learned in her formative years shaped the way she reared her own children. Concha responded to the absolute control her mother exercised over her by withdrawing and becoming a shy child who barely spoke.[88]

Concha's Rape and Exile

55. In Concha's family, threats of interpersonal violence created an environment in which there was no protection for the physical or psychological integrity of the children. Adult perpetrators were permitted to act impulsively and with impunity in assaulting and threatening the children with annihilation.

56. Mexican culture defined Concha's concepts of the world in which she lived. Her daily routine reflected her unquestioning acceptance of traditional beliefs about a distinct family system, the roles of each family member, the roles of women, and the relationships with extended family. When Concha was just seventeen years old she was raped by a close family friend who was considered part of the family. Her response to this traumatic event was shaped by her cultural beliefs. As devastating and threatening as rape is for any person, it was especially traumatic to Concha because of her belief system.

---

[88] Declaration of Angela Villegas Lopez, Signed 4-16-99

57. At the tender age of seventeen, Concha, who was a virgin at the time, was raped by Jesus Vasquez and became pregnant. Jesus Vasquez and his family were exceptionally close with Concha's family. Concha described the way Jesus lured her from school:

> He was like an uncle to me. He was about thirty-five years old at the time, and he came to my high school one day. He told the school people that I had to go home right away because my mother had been hurt. I went with Jesus in his car, but he didn't drive to my house. When I asked Jesus where he was taking me, he yelled at me and told me to shut up. He took me out to the cemetery. Then he tied me up like an animal and raped me. I was a very young girl and a virgin, and I didn't know about sex when Jesus Vasquez violated me in this horrible way.[89]

58. Concha was mortified by the experience; she felt ashamed and humiliated and wondered what she had done to cause such a thing.[90] With no one to confide in, Concha internalized what happened to her as being her fault. Compounding the traumatic event, Concha's body started to change and she experienced morning sickness. Not knowing anything about sex, Concha did not think it was possible to get pregnant without being married. When Concha's mother recognized the symptoms of pregnancy, she became enraged.[91] Concepcion believed that Concha dishonored the family and, as Concha recalls, "she hit me over and over with a belt. She said I was a stupid, selfish girl, and that I would bring God's punishment to our family."[92]

59. Concha's sister Angela provided more insight into how deeply shamed and enraged Concepcion was at Concha for being raped:

> After [Concha], Maria, and my father returned from Mexico, I came home one day to find my mother hitting [Concha]. Mother was really angry, and I asked her

---

[89] Declaration of Concha Villegas, Signed 2-11-06, Page 7-8

[90] Declaration of Concha Villegas, Signed 2-11-06

[91] Ibid

[92] Ibid

> why. She said that [Concha] was pregnant. After that, my mother made [Concha] stay home so that no one would see that she was pregnant. I felt so bad for [Concha], she was so scared and unhappy. She told Jesus Vasquez that she was pregnant. He denied the baby was his, and he never gave [Concha] or his son a penny.[93]

60. Concha believed she had to marry Jesus because of the pregnancy but Concha's mother refused to allow this to happen — not because Jesus raped her, but because he was too closely related to the family. Concha's mother told her God and Church would not condone such an incestuous union. Once Concha started showing, Concepcion forced her to quit school and banished her to the back room of the house all day so no one could see her.[94]

61. Soon after Concha had her baby, she was exiled from the home by her mother. Jose and Concepcion forbade Concha to take her baby Roberto with her and forced her to leave her child with them. Concepcion raised Roberto as if he were her own and even breastfed him along with her own daughter, Petra.[95] Concha experienced profound sadness at the loss of her son, Roberto. Roberto grew up believing that his grandparents were really his parents and that his mother was his sister.[96] It wasn't until Concha came to visit when Roberto was about ten years old that Roberto learned that Concha was really his mother. Roberto was shocked by this admission and for a long time remained confused and disturbed.[97] With nowhere else to go, Concha went to Phoenix, where her aunt lived, in search of work. Concha's

---

[93] Declaration of Angela Villegas Lopez, Signed 4-16-99, Page 12-13

[94] Declaration of Luis Gonzales Villegas, Signed 4-8-99

[95] Declaration of Venancia Villegas Garcia, Page 9; Roberto Villegas Birth Certificate, 11-9-50

[96] Declaration of Luis Gonzales Villegas, 4-8-99

[97] Ibid

exile from the family separated her from her family to this day. It would be years before the family would see Concha again.[98]

62. The trauma of the rape alone was a life-altering experience for Concha. Combined with pregnancy, the loss of her first born, and exile from her family, the rape and its aftermath were devastating for Concha. Forced to leave her family home in Fabens, she lost her sense of control, connection, and meaning. The rape left Concha fearful, anxious, and helpless. Concepcion's brutal response to Concha's traumatic event allowed Concha to further internalize the belief that somehow she was to blame, that the rape was her fault which filled Concha with feelings of shame. Shame can attack a person's perception of not only their actions but for individuals with mental illness, their entire self. The effects of shame can be quite debilitating as a person interprets everything about themselves in a negative light.[99] Concha did not have any of the support mechanisms or adaptive coping skills in place to allow herself to heal. Concha's sense of connection to her family was destroyed and she never again relied on them to help her survive any crisis, regardless how life-threatening it was.

Paternal Family

63. Because Sammy's father played a critical role in his life as a genetic contributor, caretaker, attachment figure, and role model, it is important to understand the patterns of behavior that Sammy learned from his father's relationships not just with Sammy but with all members of the family. Sammy's father created an environment filled with unrelenting and unpredictable chaos, mood swings, and stressful events that placed his children at risk for developing clinically significant mental illness and possibly alterations in brain function.

64. As is often the case in mentally ill and severely dysfunctional people, his family history is shrouded in secrecy and thus little is known about Arcadio. Arcadio was a

---

[98] Ibid

[99] Lewis, H.B. (1971). *Shame and guilt in neurosis.* New York: International University Press.

secretive man who refused to disclose any information about his family of origin or his background. Children in the family knew nothing about Arcadio.[100] The oldest son, Junior, asked his mother about his father's family once but Concha could not provide any information.[101] The little that is known has come from records obtained since his death.

65. Sammy's father, Arcadio Verdugo Lopez, was born on January 12th, 1927 in Tombstone, Arizona.[102] Concha met Arcadio working in the fields in Arizona. Although she and Arcadio were never married, they had eight sons and one daughter.[103] It is believed that Arcadio never married Concha because he was already married to a woman in Mexico.[104] Ultimately, Arcadio abandoned Concha and their children with nothing, just as he had done to his wife in Mexico.[105]

66. After Arcadio Lopez finally abandoned his family for good, he moved to Tulare County, California, where he lived for at least ten years. Arcadio was alcoholic who ultimately drank himself to death. As discussed later in this declaration, Arcadio was picked up numerous times for public drunkenness in Tulare County. In June 1983, at the age of fifty-six, Arcadio was found dead from liver failure due to cirrhosis, lying in a field

---

[100] Declaration of Arcardio Lopez, Signed 6-17-99

[101] Ibid

[102] Coroner's Autopsy Report re: Arcadio Verdugo Lopez. Tulare County Coroner Case No. 83-6-414-58. (1983)

[103] Declaration of Venancia Villegas Garcia, Signed 4-8-99

[104] Declaration of Luis Gonzales Villegas, Signed 4-8-99

[105] Ibid

surrounded by empty beer and wine bottles.[106] His family had not heard from him in more than a decade.[107]

Extended Family: Mental Illness and Addictive Disease

67. The prevalence of alcoholism and drug addiction in Sammy's immediate and extended family is remarkable and widespread. Alcoholism contributed to the chronic and pervasive interpersonal violence, poverty, chaos, and rejection that characterized Sammy's early life and potentiated other stressors he faced.

68. There is strong presumptive evidence that certain mental disorders such as schizophrenia, affective mood disorders, and addictive diseases have a genetic component. "The inherited factor in a disease such as depression may be a vulnerability to depression, which might in turn require other influences, such as environmental factors, to allow expression of the disorder."[108] In Sammy's family, his father, mother, many of his brothers, and numerous maternal relatives display symptoms of depression, alcoholism, and post traumatic stress disorder that have significantly impaired their ability to function.

69. Jose Vera, Sammy's maternal adoptive uncle, suffered from a mental disorder and displayed symptoms as early as childhood. Jose was described as a "strange child" who was socially withdrawn and quiet.[109] As a child Jose appeared to dissociate as he sat at the window for long periods of time as if he was "in some kind of trance, like he was in another world."[110] Concha's brother Luis remembered that Jose always seemed depressed. When Jose was little,

---

[106] Coroner's Autopsy Report re: Arcadio Verdugo Lopez. Tulare County Coroner Case No. 83-6-414-58. (1983)

[107] Ibid

[108] Sophia Vinogradov, Editor, Treating Schizophrenia, San Francisco: Jossey-Bass Publishers, p. 13

[109] Declaration of Angela Gonzales Villegas Lopez, Signed 4-16-99

[110] Declaration of Petra Villegas, Signed 4-8-99

Luis blamed his odd behavior and depression on losing his parents at such a young age. Jose's depression and mental illness became more pronounced as he grew older.[111] As an adult Jose began exhibiting paranoid behaviors, like hiding "all his money in a suitcase."[112] Police picked him up in Waco, Texas and ended up committing him to a mental institution. Eventually, Jose was hospitalized in Sacramento, California.[113] Jose was delusional and paranoid and could not even trust his own adoptive sister Venancia with whom he had grown up, or anyone at the social service agency who were trying to help him. Jose did not believe that Venancia was who she said, a disorder called Capgras Syndrome. In an attempt to alleviate his suspicions, Venancia, showed Jose her identification, but still Jose did not believe her. Venancia was later contacted by social services and was asked to serve as Jose's guardian but she declined, explaining that she "wanted to help Jose, but he was too far gone" for her to deal with.[114] Sammy's maternal aunt, Maria, led what appeared to be the most stable life of any of her family. Maria never set foot out of Fabens and appeared to lead a happy life.[115] To everyone's shock, Maria later suffered a "nervous breakdown."[116]

70. The relationship between chronic exposure to trauma, early childhood neglect, and alcoholism is clearly demonstrated in Concha's family. Several of Sammy's maternal uncles, aunts, cousins, as well as his brothers, have histories of alcoholism, and their intoxication is frequently accompanied by bizarre changes in their behavior.

---

[111] Declaration of Luis Gonzales Villegas, Signed 4-8-99

[112] Ibid

[113] Ibid

[114] Declaration of Angela Villegas Lopez, Signed 4-16-99

[115] Declaration of Venancia Villegas Garcia, Signed 4-8-99

[116] Ibid

71. Sammy's half-brother Roberto, who was taken from his mother and reared by his mother's parents as their own, suffered from mental illness and alcoholism. Venancia described Roberto's behavior:

> As for Roberto, [Concha's] son who grew up in our home in Fabens, he and his family have 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.[117]

72. Sammy's maternal uncle, Jose Gonzales, was an unpredictable alcoholic who turned into a different person when he drank.[118] Sammy's cousin, Ruben, is an alcoholic who drinks to help him to deal with pressure.[119] Ruben's brother, Florencio, has also suffered with alcoholism and both have been convicted of drunk driving.[120] Another cousin, Stephen who is Petra's oldest son, has a temperament changes when he drinks; he becomes loud and his violent temper flares.[121] Maria's oldest son, Bobby, has also struggled with alcoholism. [122]

73. Concha's brother, Ricardo, was an alcoholic who was a nice decent man when he wasn't drinking, but when he was drunk, he turned crazy.[123] He became suspicious and

---

[117] Ibid

[118] Declaration of Petra Gonzales Villegas, Signed 4-8-99

[119] Declaration of Venancia Villegas Garcia, Signed 4-8-99

[120] Declaration of Angela Villegas Lopez, Signed 4-16-99

[121] Declaration of Venancia Villegas Garcia, Signed 4-8-99

[122] Declaration of Petra Gonzales Villegas, Signed 4-8-99

[123] Declaration of Venancia Villegas Garcia, Signed 4-8-99

paranoid and worried that people were out to hurt him. Ricardo confided in his sister that he "heard voices when he drank."[124] Once, one of Ricardo's sisters, Maria, heard odd noises coming from the bathroom and realized it was Ricardo. He sounded "like someone shivering and breathing really hard because they are very, very cold."[125] Maria convinced Ricardo to let her into the bathroom. She described what she saw:

> 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.[126]

74. Although alcoholism is significantly less frequent in Latino women than in other ethnic groups of women, at least two of Sammy's maternal aunts have addictive diseases. Sammy's aunt Maria and her friends and neighbors have witnessed their sister, Augustina, purchasing drugs on many occasions. Despite the fact that Augustina has been arrested for being drunk in public, she is still unable to stop using drugs.[127] Sammy's aunt, Josephina, suffered from liver disease and died as a result. Venancia did not think Josephina was a heavy drinker in comparison to the rest of her family.[128]

75. Mental impairments in the family increased the likelihood of addictive disease, and many family members attempted to self-medicate with alcohol and drugs. Efforts

---

[124] Ibid; Declaration of Luis Gonzales Villegas, Signed 4-8-99

[125] Declaration of Maria Villegas Estrada, Signed 4-16-99

[126] Ibid

[127] Ibid

[128] Declaration of Venancia Gonzales Villegas Garcia, Signed 4-8-99

to self medicate were obfuscated by Latino cultural beliefs about drinking. Concha's sister described community attitudes about alcohol use:

> 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.[129]

76. Although culture plays an important role in the family's use of alcohol, it by no means accounts for the degree and severity of addiction demonstrated in many of Sammy's family members. Most members of the family are tolerant of drinking to some extent, but recognize the destructive role that alcoholism has played in many of their relatives' lives.

Immediate Family

77. Sammy Lopez was born on June 30th, 1962, in Peoria, Arizona; he was the seventh child born to Concha Villegas[130] and the sixth child born to Concha Villegas and Arcadio Lopez. Concha was a thirty-one year old housewife and Arcadio a thirty-four year old farm laborer.[131] As I stated above, Arcadio and Concha were not married and had met nine years earlier while working in the fields.

78. Concha was one of many farm workers Arcadio shuttled back and forth for their employer to agricultural fields surrounding Phoenix. One day, while driving her home from the fields, Arcadio, offered to drop Concha off at her door.[132] Concha thought his offer was strange because he did not take anyone else all the way home. Concha was not comfortable with

---

[129] Declaration of Maria Gonzales Villegas Estrada, Signed 4-16-99

[130] Concha Villegas's first son, Roberto Villegas, had a different father than Arcadio Lopez. Robert Villegas Vital Records, Birth Certificate, 11-9-50.

[131] Sammy Lopez, Vital Records, Certificate of Birth, State of Arizona, 6-30-62.

[132] Declaration of Concha Villegas, Signed 2-11-06

a strange man knowing where she lived but she also did not know how to say no. Arcadio continued to take Concha directly to her building every day.[133]

79. One day, out of the blue, Arcadio showed up at her doorstep with all his belongings and announced that he was going to be staying with her. Concha did not want Arcadio anywhere near her but she felt powerless against the demands of a man and again was unable to say no. Frustrated, Concha could not comprehend how Arcadio could just move into her apartment without an invitation. But the profound trauma Concha had experienced throughout her life left her unable to protect herself from Arcadio's unwanted presence.[134]

80. Life with Arcadio was forceful, violent, and chaotic. Immediately after Arcadio moved into Concha's home, he began to rape her and continued to rape her at will during their entire relationship.[135] When Concha tried to fend Arcadio off, Arcadio beat her until she could not fight anymore.[136] The earlier rape Concha suffered contributed to her intense desire to avoid sexual activity and compounded the feelings of powerlessness and helplessness she felt under Arcadio's control.

81. Concha became pregnant quickly and was overwhelmed with despair, but again was unable to take any independent action, either for herself or later, for her children. "When I found out I was going to have [Arcadio's] baby, I just wanted to cry. I felt so hopeless. It hurt to know I was going to have a child from another man who forced me and took advantage of me."[137] Concha grew despondent when she began to realize that that as long as Arcadio lived

---

[133] Ibid

[134] Ibid

[135] Ibid

[136] Ibid

[137] Declaration of Concha Villegas, Signed 2-11-06, Page 12

with her, she would be raped and continue to have more children.[138] Concha had nine children with Arcadio, one after the next without adequate time to recover physically or mentally from the toll of rape, pregnancy and childbirth: Arcardio, Jr., (Junior), born 8/30/54;[139] Eddie, born 11/25/55;[140] Frank, born 8/22/57;[141] Esteve (Steve), born 10/24/58;[142] Jimmy, born in 1960;[143] Sammy, born 6/30/62;[144] Jose (Joe), born 1/6/65;[145] George, born 6/16/66;[146] and Gloria, born 12/9/70.[147] Concha and Arcadio's relationship ended only when Arcadio finally abandoned the family for good sixteen years after they met.

III. EMOTIONAL/ SOCIAL/PSYCHOLOGICAL DEVELOPMENT

Life in Phoenix: Poverty, Isolation, and Racism

82. In the early years of their union, Concha, Arcadio, and their children lived in a tiny shack at Arena Ranch in Tolleson where Concha and Arcadio worked. Their house had

---

[138] Declaration of Concha Villegas, Signed 2-11-06

[139] Declaration of Arcadio Lopez, Signed 6-17-99

[140] Eddie Lopez, Employment Records, National Metals Company, Page 161

[141] Declaration of Frank Lopez, Signed 2-11-06

[142] Esteve Villegas Lopez, Vital Records, Certificate of Birth, 10-24-58.

[143] Declaration of Jimmy Lopez, Signed 2-10-06

[144] Sammy Lopez, Vital Records, Certificate of Birth, State of Arizona, 6-30-62

[145] Jose Lopez, Vital Records, Certificate of Birth, State of Arizona, 1-6-65

[146] George Lopez, Vital Records, Certificate of Birth, State of Arizona, 6-16-66

[147] Gloria Villegas, Vital Records, Certificate of Birth, State of Arizona, 12-9-70

no bathrooms or running water, and Concha had to cook all their meals outside.[148] The worst part of living at the ranch was dealing with the scorpions. The family slept on the floor and in the mornings they woke to find scorpions crawling all over.[149] After the ranch, the family moved to Glendale for a short while, and then eventually ended up in Southwest Phoenix.

83. Sammy's family lived in the section of Phoenix that was reserved for the metal recycling industry, foundries, and impoverished Latino families. Housing codes were not enforced, and thousands of poor Latino families crowded into inexpensive, unsafe housing that merely provided some protection from the elements. Sammy was unable to participate in normal childhood activities that teach children fundamental lessons about themselves, their world, and relationships with others. Even though Sammy lived in an impoverished neighborhood, his family's extreme poverty set them apart from other children in the neighborhood and left him and his family isolated.

84. Early and chronic poverty has the worst effects on child development. Chronic poverty is dehumanizing as it damages parents' capacities for maintaining any kind of hope. These feelings tend to undermine a parent's sense of their lives as economic constraints limit choices about where they can live, how to feed and clothe themselves and their children. The poverty and disadvantages the Lopez family experienced led to inadequate nutrition, inadequate housing and homelessness, inadequate child care, higher exposure to environmental toxins, such as the industrial and gas/diesel pollutants that surrounded their neighborhood, exposure to community violence, and lack of access to health care.

85. Latino families living in Southwest Phoenix experienced pervasive racism and segregation. Poverty, drugs, and crime plagued the community and destroyed dreams of a

---

[148] Declaration of Concha Villegas, Signed 2-11-06

[149] Ibid

better future.[150] With no one pointing you in the right direction, it was easy to get lost and caught up in the dangers of the neighborhood.[151] The police who patrolled Sammy's neighborhood offered little help and instead reinforced the racism and tension in this economically depressed community by terrorizing "anyone who looked poor and Mexican."[152] Community schools offered no safety from the intense racial tensions. One of Sammy's brothers stated in his school records that the "racial tension between the blacks and Chicanos at school is unbearable and that he does not feel that he can complete school there."[153]

86. The Lopez family frequently moved because of their inability to pay the rent. Once, when the family was evicted with no time to find another place to live, they found themselves out on the streets.[154] Concha described how she and her sons searched for shelter:

> I told the boys to grab our stuff, and we carried it with us, out onto the streets looking for somewhere to sleep. It broke my heart to hear my boys crying and afraid. Sammy was the most afraid. He kept asking me where we were going to sleep and what was going to happen. I didn't have any answers. We carried our stuff to a park nearby to sleep there for the night.[155]

87. The family's frequent moves disrupted Sammy's childhood development, interfered with academic performance, and made it harder for him to make friends. Poverty

---

[150] Declaration of Jose Cortez, Signed 9-12-03

[151] Declaration of Manuel Servin, Signed 4-3-04

[152] Declaration of Jose Cortez, Signed 9-12-03

[153] Esteve Lopez, Court Records, Maricopa County Juvenile Court Center Case J-75658. Probation officers' disposition summaries (1973-75) following juvenile burglary charge. Disposition Summary, 5/17/73

[154] Declaration of Concha Villegas, Signed 2-11-06

[155] Declaration of Concha Villegas, Signed 2-11-96, Page 19

influenced every aspect of their lives and one of Sammy's brothers told his juvenile court evaluator that because of his extreme poverty, he was not able to go to high school.[156] The impact of the constant moving prevented the children from building and keeping relationships. The children did not understand why they had to move so much and why they could not at least have some warning so they could say their goodbyes to their friends.[157]

88. The apartments the Lopez family could afford were ill-equipped to support them. The plumbing did not work, windows were broken or missing, and vermin were uncontrolled. Sammy's brother Jose described the housing:

> All the places were run down, cheap, and dirty. Mother did her best to clean the places up, but some places were in such bad shape it should have been illegal to rent them. They had one or two rooms each. Our parents slept in one room and my brothers and I split the other bedroom and the living room. We shared bunk beds, the couch, and sometimes the floor. There was no privacy, no quiet and no place to be alone and safe in our crowded apartments. For as long as I can remember I used to take off on my bike or skateboard to get away from all the people, to have some peace for myself.[158]

89. With little or no help from Arcadio, Concha did what she could to keep her family intact, but with so many boys and no assistance it was an impossible task.[159] Concha was forced to work two jobs so she could keep a roof over their heads. She worked almost the entire day through with just a few hours for sleep.[160] Yearly earning statements of Concha reveal just

---

[156] Esteve Lopez, Court Records, Maricopa County Superior Court Case CR 101939. State of Arizona v. Lopez, Servin & Servin 1978. Presentence Investigation.

[157] Declaration of Jose Villegas Lopez, Signed 6-15-99, Page 1

[158] Ibid, Page 2

[159] Ibid

[160] Ibid

how much the family struggled. Concha made significantly less than $10,000 a year from 1971 until 1981 when she earned just slightly more. Before 1971, Concha did not have any reported income except for the years1961 and 1963, when she earned a couple of hundred dollars.[161]

90. Concha's meager wages did not afford Sammy and his brothers any of the material things like toys and bikes that other children had.[162] The Lopez boys missed out on school and church events, and playing organized sports.[163] Birthdays were not celebrated because they had no money. Sammy's brother Jose's poignant dismissal of birthdays reveals how hopeless and isolated the children felt: ;"Birthdays are really just reminders that you come into this world alone and you go out alone."[164]

91. Concha's sister, Maria, visited Concha around 1979, when Maria and her family moved to Oakland. She described how impoverished Concha and her family were:

> [Concha] 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 wine 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. [Concha] had to get state agency help and welfare. When we visited on our way to Oakland, she and her children were living mostly on government food. My husband Rudy drove [Concha] 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 [Concha] how she knew what was in the cans, and she said she didn't. [Concha] and her kids ate whatever happened to be in the cans she opened that day. [Concha] 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

---

[161] Concha Villegas, SSI Records, Department of Health and Human Services, SSA, Yearly Earnings, 1-17-93, Page 40.

[162] Declaration of Jose Villegas Lopez, Signed 6-15-99

[163] Declaration of Jose Villegas Lopez, Signed 6-15-99

[164] Ibid

make blankets.[165]

92. Poverty and despair were constant companions of Sammy and his family. Even among Concha's family members, her impoverished living conditions stood out. Concha's sister Petra recalled that Concha's family had nothing and lived in small rundown apartments. Concha's conditions even got to her frugal mother who once bought her groceries.[166]

Infancy and Childhood

Profound Family Stress: Domestic Violence, Alcoholism, and Physical Abuse

93. The grinding poverty of Sammy's life was punctuated by the terror of Sammy's father, Arcadio's, unpredictable violence. Arcadio's alcoholism and violence disrupted Sammy's chance of normal development and placed him at risk for emotional, physical, and mental health problems. Arcadio often disappeared for days, weeks, and sometimes even months at a time and Sammy and his brothers never knew when Arcadio would come home drunk, looking for a fight.[167] Sammy could not relax like his brothers when Arcadio was gone. Instead, Sammy remained anxious and apprehensive about when Arcadio would come back.[168]

94. Arcadio suffered from severe depression and dramatic mood swings that erupted into unpredictable, except for their chronicity, and unprovoked assaults on his wife and

---

[165] Declaration of Maria Villegas Estrada, Signed 4-16-99, Page 12-13

[166] Declaration of Petra Gonzales Villegas, Signed 4-8-99

[167] Declaration of Concha Villegas, Signed 2-11-06

[168] Ibid

children. Arcadio never provided for Concha and their children.[169] Instead, he became a vicious alcoholic, and Concha was deeply ashamed of him. Concha's sister Maria reported that the meager money Arcadio was able to earn was all spent on alcohol.[170] On rare visits from her family, Concha was noticeably embarrassed by Arcadio and made it clear that she did not want to talk about him.[171]

95. Arcadio's drinking was most likely his response, or self-medication, to the severe depression that afflicted him. His depression worsened to the point that he attempted suicide numerous times. Arcadio drank from a bottle of bleach, cut his wrists, and several times he laid on the railroad tracks waiting for a train to come and end his life.[172] One of Sammy's brothers vividly recalled Arcadio slashing his wrists right in front of him.[173] In another incident, when Concha was pregnant with Sammy, Arcadio was drunk and piled all of the children in their car and drove into an irrigation ditch. Water filled the car, and neighbors had to pull the children out to save them from drowning.[174] The multiple traumatic stressors in the children's lives set the stage for profound traumatic stress.

96. With the passage of time, Arcadio's behavior became progressively more bizarre and his violent outbursts increased. Arcadio was delusional at times and accused Concha of having an affair with a milkman they did not even have.[175] Other times Arcadio suffered from

---

[169] Declaration of Angela Villegas Lopez, Signed 4-16-99

[170] Declaration of Maria Villegas Estrada, Signed 4-16-99

[171] Declaration of Angela Villegas Lopez, Signed 4-16-99

[172] Declaration of Arcadio Lopez, Signed, 6-17-99

[173] Declaration of Jimmy Lopez, Signed 2-10-06

[174] Declaration of Arcadio Lopez, Signed, 6-17-99

[175] Declaration of Concha Villegas, Signed 2-11-06

visual hallucinations; his children and wife recalled that he often "saw things that weren't there."[176] Arcadio often disappeared from the home for days at a time. When Arcadio was home, he beat Concha with his hands or fists.[177] When Arcadio hurt himself while administering his beatings, he did not try to treat his wounds but instead, "just stopped hitting us, sat there, and watched himself bleed."[178]

97. Arcadio drank until he was stupefied and unable to control his bodily functions. "Sometimes he got so drunk he peed and threw up on himself. Sometimes he even soiled his own pants."[179] Often he drank until he passed out in public in broad daylight in his own vomit and urine. Arcadio was a binge drinker, and on occasion wouldn't drink for an entire day but then went on a bender staying drunk for weeks straight.[180] One of his sons, Joe, remembered Arcadio usually smelled of alcohol and vomit.[181] Sammy's brother, Steve recalled Arcadio frequently arrived home "dirty and bloody after drinking."[182] Steve tried to say away from Arcadio when he was drinking as that was when he was most violent. But Arcadio made that nearly impossible since he was drunk most of the time.[183]

98. Concha despised Arcadio's drinking and when she found alcohol in the house she threw it out. Of course, this only angered Arcadio and increased the likelihood of a

---

[176] Declaration of Frank Villegas Lopez, Signed 2-11-06

[177] Declaration of Arcadio Lopez, Signed, 6-17-99

[178] Declaration of Concha Villegas, Signed 2-11-06

[179] Ibid

[180] Ibid

[181] Declaration of Jose Villegas Lopez, Signed 6-15-99

[182] Declaration of Esteve Lopez, Signed 6-16-99

[183] Declaration of Esteve Lopez, Signed 6-16-99

beating.[184] Arcadio began by yelling at Concha but he usually ended up attacking her.[185] Arcadio did not try and hide the fact that he beat their mother and openly beat her right "in front of" the children.[186] Many times, Arcadio came home late after drinking and began yelling at Concha, and beating her with his fists.[187]

99. Arcardio humiliated, degraded, and terrorized Concha and his children. Arcadio cheated on Concha with other women and made no effort to conceal it from her or the children.[188] When Arcadio came home in the middle of the night, he forced Concha to wake up and cook for him without any concern for the fact that she had to go to work the next morning.[189] If Concha did not respond quickly enough or made any kind of remark, Arcadio beat her.[190] Arcadio had complete control over Concha and treated her as if she was something he owned.

100. Arcadio's violence was not softened or interspersed with displays of affection, acceptance of responsibility, or concern for Sammy's development. Sammy's brother, Joe, reported that Arcardio "never loved anyone and only showed us how to live in fear and terror."[191] Arcadio rarely even spoke to his sons. Arcadio's only real contact with Sammy and his brothers was when he was beating them.[192] Steve reported that Arcadio seemed different

---

[184] Ibid

[185] Ibid

[186] Declaration of Arcadio Lopez, Signed 6-17-99

[187] Ibid

[188] Ibid

[189] Declaration of Esteve Lopez, Signed 6-16-99

[190] Declaration of Arcadio Lopez, Signed 6-17-99

[191] Declaration of Jose Villegas Lopez, Signed 6-15-99

[192] Declaration of Jose Villegas Lopez, Signed 6-15-99

than other neighborhood fathers and never once helped Steve or any of his brothers "with homework, took [them] to a park to play ball or tried to teach [them] something about cars or anything else."[193]

101. Arcadio terrorized the family and threatened to kill Concha and the boys for minor infractions. Sammy took Arcadio's threats seriously and believed that he would kill them all.[194] Arcadio beat his children with anything he could get his hands on and once attacked Sammy's brother, Steve, with a two-by-four board.[195] Arcadio intentionally hurt the children without provocation and he beat them for no reason.[196] His assaults bewildered the children who could not understand why they were beaten.[197] Concha described the time Arcadio burned his four year old son:

> One night Junior grabbed at [Arcadio's] leg while [Arcadio] was boiling some water over a fire outside. [Arcadio] didn't say a word. He just poured the boiling water on Junior. Junior had burns all over his body.[198]

102. Although Concha's family was well aware of Arcadio's assaultive behavior, they did nothing to protect her or the children. Concha's sister Venancia knew Arcadia beat her because she overheard her mother talking about it.[199] Concha's mother did nothing to intervene

---

[193] Declaration of Esteve Lopez, Signed 6-16-99

[194] Declaration of Concha Villegas, Singed 2-11-06

[195] Declaration of Esteve Lopez, Signed 6-16-99

[196] Ibid

[197] Ibid

[198] Declaration of Concha Villegas, Signed 2-11-06, Page 15

[199] Declaration of Venancia Villegas Garcia, Signed 4-8-99

and thought it was better for Concha to stay and endure the violence than leave the man who fathered her children.[200]

103. Graphic images of Arcadio's assaults on their mother were indelibly stamped on Sammy and his brother's minds. Concha was "a small woman and the image of him hurting her will be with me all my life. He pushed her down on the floor and kicked her, threw her into the wall, and hit her all over with his fists."[201] Witnessing Arcadio's life-threatening assaults on their mother compounded the children's feeling of guilt because they were too small to protect her.[202]

104. Sammy and his brothers lived in constant fear that their father would eventually kill their mother. The children learned to flee as soon as they saw their father and could not understand why their mother didn't run and hide with them.[203] After a beating from Arcadio, the children worried that she was dead if she took a long time to get up.[204] Arcadio carried a ten-inch work knife around with him and used it to initiate fear in Concha.[205] Concha learned to pay special attention to whether Arcadio was carrying his knife and was "ready to run whenever he reached for it." Usually his fists were all Arcadio needed.[206]

---

[200] Declaration of Venancia Garcia, Signed 4-8-99

[201] Declaration of Esteve Lopez, Signed 6-16-99

[202] Ibid

[203] Declaration of Jose Villegas Lopez Signed 6-15-99

[204] Ibid

[205] Declaration of Concha Villegas, Signed 2-11-06

[206] Ibid

105. Arcadio's attacks on his family were severe enough to bring the attention of neighbors and law enforcement.[207] During one particular brutal beating Arcadio, was arrested and sent to jail:

> Once while we were still living in Glendale, [Arcadio] was beating me up real badly. He kept hitting me with his fists, and he wouldn't stop. He was yelling at me, calling me names, and saying he was going to kill me. I believed him. I hit him with a stick to protect myself, and fortunately the police came and arrested him. They made a report called a Peace Bond, and then they put [Arcadio] in jail for six months. Putting [Arcadio] in jail didn't help the boys or me. Things were always the same as soon as he came back.[208]

Arcadio returned home and continued to batter and torment his family. Concha did not leave him. She had no family support and no will to overcome the power he exercised over her. Concha's personal strength had been eroded by years of abuse.

106. Arcadio often disappeared and was gone for days without informing anyone.[209] Every once in a while, Concha received a call from Arcadio telling her he was in California or Oregon and needed money.[210] The children were confused by Arcadio's stranglehold on Concha and could not comprehend why she allowed him to come back.[211] Because of the coercive control Arcadio excised over Concha, she did whatever he asked.

107. After the death of their sister Gloria, Arcadio left the family for good. He moved to California where his drinking continued to consume him. Despite all the disastrous

---

[207] Ibid

[208] Ibid, Page 16

[209] Declaration of Esteve Lopez, Signed 6-16-99

[210] Declaration of Concha Villegas, Signed 2-11-06

[211] Declaration of Esteve Lopez, Signed 6-16-99

consequences, Arcadio could not stop drinking and was picked up repeatedly for public drunkenness:

> - October 20, 1978: Arrested in Porterville for public intoxication and sent to jail for three days. His address is "transient" and he is unemployed. Served three days jail time.[212]
>
> - September 11, 1979: Arrested in Porterville, CA, for public intoxication. Marital status I "divorced in Arozona [sic]." "No address" is listed. Occupation is "N/A."[213]
>
> - January 12, 1982: Arrested on a warrant in Porterville (Tulare County), California. He served a month jail time.[214]
>
> - July 12, 1982: Arrested on a warrant (#18936) at 10:30 in the morning in Porterville (Tulare County), California for a violation of Penal Code § 647f (Public intoxication per Deering's CA Penal Codes 1982.) Arcadio is an unemployed farm laborer. His possessions at the time of his arrest are a small book, a pen, a comb and a clue vest in "poor" condition. He has lived in the county for 10 years and in California for 11 years. The

---

[212] Arcadio Verdugo Lopez, Tulare County (CA) Arrest Reports

[213] Ibid

[214] Arrest record for Arcadio Verdugo Lopez re: Porterville, CA warrant # 18936, 7-12-82

arrest record states that Arcadio has eight children and a sixth grade education. His bail is set at $150.[215]

- July 30, 1982: Arrested in Porterville, CA, for public intoxication. At the time Arcadio was living under bridges in Porterville area. Arcadio admitted to drinking wine, his attitude was "cooperative"; he was staggering and unsteady and his clothing was disarranged and soiled. Arcadio's speech was incoherent and blurred. It is noted that his breath smelled of alcohol and that he was unable to care for self. Arcadio was employed. He was released the same day.[216]

108. Concha's choice of Arcadio over her own children points to her own maladaptive upbringing as she signaled to her children, and especially Sammy, who was most sensitive to the abuse, that not only were their needs unimportant– a message that profoundly affects the development of a child's psyche – but also that the abuse they suffered was somehow deserved. Concha's inability to leave this volatile relationship is directly related to the years of abuse and coercive control she experienced. Concha became a survivor with little sense of her own will or any ability to act independently from those who exploited and controlled her. By the time Arcadio met her in the fields surrounding Phoenix, she was easy prey. Concha came to believe that neither resistance nor escape was possible when confronted with life-threatening actions and as a result, went into a state of surrender. Her system of self defense shut down entirely and she escaped from her circumstances not by action in the real world, but by altering

---

[215] Ibid

[216] Arcadio Verdugo Lopez, Tulare County (CA) Arrest Reports

her state of consciousness. This alteration of consciousness is the core of Post Traumatic Stress Disorder.

Middle Childhood

Medical and Emotional Neglect

109. Due to her own severe mental and emotional impairments, Sammy's mother was unable to understand and meet her childrearing responsibilities. She was the victim of overwhelming trauma that included chronic childhood abuse, multiple rapes by a close family friend, a stranger, and her common law husband; and physical and psychological abuse by her common law husband. She exhibited psychological reactions to the trauma she survived that included depression, insomnia, startle responses, dissociation, numbing, and intrusive thoughts. She was socially isolated, depressed, and unable to attend to daily tasks associated with protecting herself and her children from harm.

110. Sammy and his brothers not only suffered physical and emotional abuse, they also suffered profound neglect. Neglect, in particular, has some of the longest term and most destructive effects of all childhood traumas. Since children are not born with a fully developed brain, experiences can alter its development and function. Sammy did not have positive care-taking or attachment experiences that were critical for him to develop normally. Neglectful families typically do not have any routines for a child to rely on: sleeping, eating, bathing, schoolwork. These activities are not monitored and lack of monitoring can affect a child's psychological and physical well being. This lack of structure and routine is another facet of the unpredictable nature of an insecure environment that encourages chronic hypervigilance. Childhood maltreatment is thought to have more damaging effects than trauma experienced in adulthood because of the potential to severely hinder development.[217]

---

[217] Mash and Barkley (2003). Child Psychopathology. Page 632-684

111. Concha did not know how to communicate with her children and made decisions that affected their lives without telling them the underlying reasons or even giving notice about life-altering events. For example, Concha took her son Joe to Texas for what he thought was a visit. Once there, however, Concha informed Joe that she was leaving him. Joe described his bewilderment by her abandonment:

> I thought we were all going just to visit, but once we were there my mother told me it would be better if I stayed behind in Texas for a while after she and the rest of my brothers returned to Phoenix. I was hurt Mother did not tell me this before we left Phoenix. I was nervous and scared about suddenly living with people that I did not know and without any of my brothers, and I was afraid she would not come back for me. I wondered what I had done wrong to be left behind.[218]

112. Concha offered her children no explanation of major life events, such as their father's abandonment, her decision to allow another man to move into their home, or any circumstances surrounding her first child's relationship to her other children. When Joe learned he had a step- brother named Roberto at a family gathering, he later asked his mother about him. Joe described the interaction with Concha:

> I was really surprised to find out that my brothers and I have a half-brother named Roberto whom my mother never told us about. He was raised by our mother's parents in Fabens. I did not even know Roberto existed until he came up to me at the wedding party, gave me a big hug and said, "I love you, brother." Roberto was crying, and I did not know what to think. I don't know if I was more shocked by all the attention and emotion, especially by a guy, or by the fact that he was saying he was my brother. I asked Mother if it was true that Roberto is my brother and she simply said yes. She did not tell me anything more about Roberto and she never spoke of him to me ever again.[219]

Similarly, after Sammy's father, Arcadio, left the family, Concha did not mention his name again. The children knew their mother would not provide them the answers they needed so they

---

[218] Declaration of Jose Villegas Lopez, Signed 6-15-99, Page 3

[219] Ibid, Page 3-4

never asked about him.[220]

113. Concha suffered from severe depression and anxiety over the years but culture and money kept her from seeking any kind of treatment. In 1979, while at a doctor's appointment for a shoulder injury, Concha told the doctor that she had been "very nervous" lately. She began crying as she related that her son had been picked up for robbery and sexual assault.[221] Later, in 1987, when Concha was admitted to the hospital with chest pains, her records noted that she is a fifty-seven year old female with a history of "nerves."[222]

114. Years later, when Concha applied for Social Security benefits, she disclosed that in addition to her physical inability to continue work she also suffered from mental illness. She wrote that she is a sixty-one year old "woman suffering from chronic depression and nervousness. I cannot lift heavy objects. I cannot sleep or eat well. I have lost a lot of weight."[223] On another application, Concha wrote that her illness has worsened, her "nerves have been worse. I've lost a lot of weight & can't sleep. Suffer from anxiety & depression." Concha listed her additional illness, "depression – nervous condition, anxiety." Concha explained the changes that occurred in her daily activities since her original application: "Motivation gone. More depressed. Lost much weight. Always depressed. Sleep more often and longer during the day."[224] Concha was denied disability for her

---

[220] Ibid

[221] Concha Villegas, Medical Records, Maricopa General Hospital, 7-2-79

[222] Concha Villegas, Medical Records, Phoenix Memorial Hospital, 6-24-87

[223] Concha Villegas, SSI Records, Department of Health and Human Services, Request for Reconsideration, 7-15-94, Page 5

[224] Concha Villegas, SSI Records, Department of Health and Human Services, Reconsideration Disability Report, 2-15-94, Page 56-59

psychiatric issues because she was unable to provide medical records regarding her treatment. [225]

115. Sammy and his siblings were not taught how to show affection, problem-solve within the family, or communicate with one another. They were surprised by other families who had more open and expressive relationships within the family unit and could not help but wonder about their own family.[226]

116. Concha's children voice very similar descriptions of the absence of love in their household as Concha and her siblings offered about their mother Concepcion. Junior acknowledged that Concha did not show affection. "She is not the type to say 'I love you' or to hug or kiss her children."[227] Joe now realizes that families are supposed to have and show love and affection, unlike his own experience.[228] Sammy's brother Steve agreed that they "never acted like a family. Each of us boys was on his own from the time we were small until we left home. We could never count on each other for support or protection."[229]

117. Concha is an emotionally shut-down person who made it hard for others to get to know her. Her former apartment manager and friend, Margaret, stated that she had known Concha for more than twenty-five years but "still don't really know much about what's inside her head." Concha is not the type of person to open up and share her feelings; instead she is a closed, sad, and unaffectionate woman.[230] A longtime neighbor felt the same

---

[225] Concha Villegas, SSI Records, Department of Health and Human Services, Disability Determination Rationale, No reporter name, no reported dated. Page 19

[226] Declaration of Jose Villegas Lopez, Signed 6-15-99

[227] Declaration of Arcadio Lopez, Signed 6-17-99

[228] Declaration of Jose Villegas Lopez, Signed 6-15-99

[229] Declaration of Esteve Lopez, Signed 6-16-99

[230] Declaration of Margaret Escobar, Signed 4-2-04

way about Concha. After knowing Concha for many years, she could not say that she knew Concha that well. Concha is unable to process her feelings or talk to friends about things that happened to her in the past.[231]

118. Concha was too busy struggling to make ends meet to have any time to be any kind of mother to her boys, and as a result Sammy and his brothers were lost and lacking self-confidence. Sammy was affected most of all, which was why he was so starved for attention.[232] Sammy's sister-in-law, Joanna, felt that Concha did not provide her boys with the necessary skills to survive. Concha did not understand that it took more than telling your boys to stay out of trouble to keep them away from harm:

> 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 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 is true. Frank's mother did things to her sons that no normal mother would do. She scarred all the kids, especially Sammy.[233]

Sammy's Early Traumatic Responses

119. Lack of parental support and mediation of stressors leaves children to cope on their own. The younger the child is the less likely he will be able to manage by himself and the more likely he will develop maladaptive patterns of coping in response to stress. The trauma Sammy endured by witnessing the domestic violence between his mother and father, and the violence he was subjected to left him with the impossible task of mastering the trauma without

---

[231] Declaration of Donitilia Servin, Signed 4-4-04

[232] Declaration of Manuel Servin, Signed 4-3-04

[233] Declaration of Joanna Lopez, Signed 9-16-03, Page 1

any help from his mother, who was unable to provide either emotional support or explanations to Sammy. Because Sammy's mother did not buffer him from stress, he was unable to learn necessary adaptive coping mechanisms, leaving Sammy more vulnerable to future stressors and psychopathology. Sammy developed emergency-based coping mechanisms such as psychic numbing.

120. Sammy was a quiet, sad child who mostly kept to himself.[234] Sammy's maternal aunt, Petra, described him as a "shy little boy" who she witnessed "hiding behind a chair at" home.[235] On one of the rare visits Concha and her children received from Concha's family, her sister Maria observed the children. She reported their withdrawn, frightened behavior:

> 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 [Concha] called them in and then they hid behind the furniture.[236]

121. Sammy lacked self-confidence and was on the lookout to receive love and attention from anyone who could provide it. But his low self-esteem kept him from spending time at neighbors' houses like his brother did.[237] Sammy's desperate need for a place to fit in led Sammy astray. Years later, in 1979, this is illuminated when Sammy was evaluated at juvenile hall by a clinical psychologist, David Beigen. Dr. Beigen found:

> The real issues seem to be those beneath his behavioral air of bravado and masculine pseudo-adequacy. Namely, this is a boy who is very unsure of his own sense of masculinity and identity, and a boy who feels very inadequate and small. Further,

---

[234] Declaration of Margaret Escobar, Signed 4-2-04

[235] Declaration of Petra Gonzales Villegas, Signed 4-8-99

[236] Declaration of Maria Villegas Estrada, Signed 4-16-99, Page 12

[237] Declaration of Margaret Escobar, Signed 4-2-04

there is a very basic and subtle mistrust, not only of himself and his own motives, but also of others as well.

Dr. Beigen continued:

> I see Sammy as acting out emotional handicap, and while I do not see him as a delinquently-oriented youth, I see the propensity for his involvement in delinquent activities as part of his search for self-esteem from peers and their acknowledgement and approval.[238]

122. Arcadio's violence affected Sammy the most and he responded to the chronic abuse by living in a constant state of hypervigilance and hyperarousal, ever on the lookout for his father's assaults.[239] When Sammy saw Arcadio coming, he ran crying to his mother, yelling for her to run away:

> Of all my boys, Sammy was the most afraid of [Arcadio]. Sammy was always by the window looking out for [Arcadio]. He sat there waiting, even when [Arcadio] was gone for days. And when [Arcadio] came, Sammy jumped up, started crying, and told me to run. He said, "Run, mama! Go to the neighbors! The man is coming! Run now, mama!" Sammy was the only one of my boys who was so afraid like this.[240]

123. Sammy's helplessness, fear, and extreme stress led to sleepless nights filled with night terrors. Post Traumatic Stress Disorder symptoms such as night terrors are normative responses to severe stressors:

> Sammy was so afraid that he couldn't sleep like the other boys. He yelled and screamed in his sleep. Sammy sleepwalked a lot too. I tried to check him at night. A lot of times he wasn't in bed. I found him rolled up like a little ball in the corner of the kitchen, sweating, and shaking. His eyes were open, but he didn't say anything back when I talked to him. Sometimes in the middle of the night, Sammy got up and

---

[238] Sammy Lopez, Court Records, Presentence probation report by Neal Nicolay dated 11-15-85 citing psychological evaluation by Dr. David Biegen, 9-20-79

[239] Declaration of Frank Lopez, Signed 2-11-06

[240] Declaration of Concha Villegas, Signed 2-11-06, Page 13

ran out the door like someone was chasing him. His brothers had to run after him and carry him home. Sammy never remembered this the next day. None of my other boys did this. [241]

124. Sammy's brother Frank also recalled that Sammy was the most sensitive to their father's attacks and for many years was plagued with night terrors. Sammy "woke up in the middle of the night, crying, screaming, and sweating with shakes so bad you could see him twitching."[242] Sammy's brothers worried about him and tried to watch over him as he went to bed:

> When Sammy didn't wake up screaming, he sleepwalked. Sammy often got up in the middle of the night like he was going to the kitchen for a glass of water. When he didn't go back to bed, we checked on him to see what was wrong. We found him crouching down in a corner of the kitchen shaking as if he was hiding and really scared. Sometimes Sammy stayed there sweating and shivering in the corner for an hour or more. We couldn't get through to Sammy when this happened. It was like he couldn't even hear us.[243]
>
> Other times, when Sammy got up and went to the kitchen, he grabbed a table knife and gripped it really hard in his hand like he was scared and had to defend himself from someone who wasn't there. We knew Sammy wouldn't hurt us with the knife, but we were afraid he might hurt himself. He held the knife in front of him and backed himself up against a wall or a cabinet. We told him: "Sammy, put the knife down. You're sleepwalking again. Put the knife down." But Sammy didn't answer. His mind was in some other place. He just held the knife and stood there shivering in the kitchen.[244]

125. Sammy's brothers tried to comfort him and assure him that he was okay and was just sleepwalking, but Sammy remained unresponsive:

---

[241] Ibid, page 14

[242] Declaration of Frank Lopez, Signed 2-11-06

[243] Declaration of Frank Lopez, Signed 2-11-06, Page 5

[244] Ibid, Page 5

> Only my mom could get him to respond. She walked up to him slowly and took the knife away. Then she put him back to bed. If he really woke up when he was sleep walking like this, he just looked at you and started shaking and crying out loud. If you put a hand on him, you could feel his whole body shaking and sweating.[245]

126. Concha did not know what was wrong with Sammy. Not knowing where else to turn, Concha took him to a "curandera", a neighborhood healer.[246] The healer could not help Sammy and advised that Concha take Sammy to a priest and have him blessed. But after he was blessed by the priest, Sammy's nightmares continued. Concha also asked the neighborhood healer how to stop the frequent nosebleeds that afflicted Sammy. She gave Concha a cure but Sammy continued to get nosebleeds.[247]

127. Feeling powerless and helpless, Sammy adopted maladaptive coping mechanisms to deal with stress. One of the ways in which Sammy felt a sense of control was by developing certain behaviors, like keeping his belongings in perfect order. Consistent with obsessive compulsive spectrum disorder, Sammy had a certain place for his papers, book, and pens and when someone disturbed his order, Sammy immediately knew and had to put it back the way it had been.[248] It was difficult for the rest of the family to understand why this was so important to Sammy because they lived in such as small space and it wasn't practical for Sammy to spend so much time arranging his items:

> Sammy used to clean his shoes every day with water and soap and salt and a toothbrush. He couldn't stand having even a spot on his shoes. He spent a lot of

---

[245] Ibid, Page

[246] Declaration of Concha Villegas, Signed 2-11-06

[247] Ibid

[248] Ibid

> time, putting his laces in his sneakers. He couldn't stand it if a lace got twisted. The laces all had to be perfectly flat or he did them over. Sammy also had to wash and clean and iron his own clothes because no one else could do it exactly the way he wanted. I didn't care about these things. I just threw my clothes in a pile, but Sammy washed his clothes, got out every single spot, and ironed them so the creases were exactly the way he wanted them. He didn't like to fold his t-shirts or his pants because he was afraid they might get a line where they were folded. Instead he put newspapers, towels, and handkerchiefs over the wire hangers and then hung his clothes over that. To me, it was a lot of trouble just to keep the hangers from putting a crease in his clothes.[249]

128. These obsessive behaviors are consistent with Sammy's attempts to control his overwhelming anxiety secondary to his traumatic stress. When these mechanisms or his self-medicating was not successful, Sammy's affective dysregulation would take over, and chaotic behavior would ensue.

Death of Sister Gloria

129. The last child born to Concha, Gloria, brought even more sadness to the Lopez household. Gloria was a fatally malformed infant who died at ten months of age.[250] Gloria was born with a giant hemangioma (abnormal dense collections of dilated small blood vessels (capillaries) that may occur in the skin or internal organs[251]) down the right side of her body, her right arm was malformed, and she had webbed hands. The hospital referred Sammy's mother to social services for assistance with her baby Gloria and a subsequent infant home evaluation report stated that Concha's home was not prepared for the infant: "home not warm;

---

[249] Declaration of Frank Lopez, Signed 2-11-06, Page 7

[250] Gloria Villegas, Vital Records, Certificate of Death, State of Arizona, 10-14-71

[251] Retrieved from the World Wide Web on January 31, 2006 at:
http://www.nlm.nih.gov/medlineplus/ency/article/001459.htm

water froze last night."[252] Despite these significant problems, social services let Concha keep the baby in inhabitable conditions without any further follow-up.

130. During her short life, Gloria was chronically ill and required multiple hospitalizations. Gloria was hospitalized for treatment of the hemangioma as well as septicemia (blood poisoning caused by the spread of microorganisms and their toxins). Concha, who had to work, was unable to stay with her infant in the hospital, but desperately tried to spend as time with her as she could. When Concha's family heard about the badly deformed child, they made a rare visit to Concha and her family:

> In 1971, Petra, Tina, our mother and I went to visit [Concha] 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. [Concha] 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.[253]

131. Gloria was hospitalized for the last time in September of 1971. Gloria remained in the hospital until she died on October 14, 1971 from hemorrhagic shock after the hemangioma was surgically removed.[254] The death of Gloria was a profound loss to all the children in the family and to Concha. As time passed, they began to attribute their turmoil and unhappiness to her absence. One brother joined Concha in asserting that his family might have

---

[252] Gloria Villegas, Medical Records, Maricopa County General Hospital, 1970-1971.

[253] Declaration of Venancia Villegas Garcia, Signed 4-8-99, Page 10

[254] Gloria Villegas, Medical Records, Maricopa County General Hospital, 1970-1971; Gloria Villegas, Vital Records, Certificate of Death, State of Arizona, 10-14-71

been different if Gloria had lived.[255] Concha and her boys were devastated by the loss of their baby sister:

> It was a shock when Gloria died. My boys loved her so much. They just couldn't believe their little baby sister was gone. I think life might have been different for all my boys if Gloria had lived. Having her really changed all the boys, and it hurt them to lose her. That little baby girl was like magic to us. When we lost her we knew that nothing good could ever happen for us. We were never the same after Gloria died.[256]

132. Concha's depression worsened after Gloria's death. Concha became even more distant, and for a long period of time Concha barely spoke to her children.[257]

Father's Abandonment

133. Arcadio deserted the family forever after Gloria died. A measure of his cruelty is found in the total lack of regret his children and their mother expressed about his departure. Not one family member voiced any sadness over his leaving the family. With Arcadio gone, Concha had to rely on her oldest son, Arcadia Jr. (Junior) to assume adult responsibilities in the home when he was still a young teenager.

134. Even though Arcadio contributed next to nothing, Sammy's family fell even deeper into poverty without Arcadio. Concha's sisters felt sorry for her as they knew just how

---

[255] Declaration of Jose Villegas Lopez, Signed 6-15-99

[256] Declaration of Concha Villegas, Signed 2-11-99, Page 20

[257] Declaration of Jose Villegas Lopez, Signed 6-15-99

difficult it was for Concha to raise eight boys on her own.[258] She worked herself to the bone but was still unable to provide her children with economic security. [259]

135. Arcadio's disappearance also destroyed his oldest son's dream of getting an education. Junior explained how he had to give up his dream of graduating high school in order to help the family:

> Some of my brothers and I went with our father to pick cotton when I was about 10 or 12 years old. I remember being shocked by how low the pay was for each bag of cotton and how back-breaking the work was. I decided then to stay in school and make real money. I would have stayed in school, too, if our father had not deserted our family. I had to quit school after the first three months of my freshman year at Carl Hayden High School to help support our family. Our mother received ADC, but it was not enough really to feed and clothe all of us.[260]

Mother's Trauma: Stranger Rape of Concha

136. Sammy and his family were further traumatized shortly after Arcadio's departure when a stranger sexually assaulted Concha on her way home from the grocery store. After the brutal rape, Concha ran home and entered their apartment practically naked with her sons standing there wondering what happened to their mother. Concha was crying so hard it was difficult to understand her. The family didn't have a phone so Concha had to go to their neighbor's house to call the police. The neighbor took Concha to the hospital. Concha who was already suffering from depression and anxiety became even more despondent.[261]

---

[258] Declaration of Angela Villegas Lopez, Signed 4-16-99

[259] Ibid

[260] Declaration of Arcadio Lopez, Signed 6-17-99, Page 4

[261] Declaration of Jose Villegas Lopez, Signed 6-15-99

137. The witnessing of sexual assaults and abuse of loved ones can often be more devastating for children than if they were actually sexually assaulted and abused themselves. For Sammy, the consequences of seeing his mother victimized and unprotected were multiplied each time she was re-victimized by her common law husband, the stranger who raped her, and her paramour. As a child, Sammy was powerless to protect her, his siblings, or himself. Sammy's perception of the world and his role in it were forged by these traumatic, terrifying events.

Junior: Paternal Role and Abandonment

138. Abandonment by their father at a critical age in their development left the Lopez children under the care of the oldest brother, Junior, who was just a teenager and too young and immature to accept the responsibilities of parenting. Junior was forced to quit school in the ninth grade so he could help raise his younger brothers.[262] Although Junior was young, he was violent and instilled fear in Sammy and his brothers. Junior appeared bigger than life and scared the boys when he grabbed them.[263] Concha was unfazed with what tactics Junior used to make his brothers behave, and acknowledged that her sons feared him and called him "Wolf" because he was so mean.[264] Junior punished his younger brothers for normal childhood activity such as getting dirty or for minor infractions like taking too long to return home from school.

139. Although it was unrealistic to expect a child to take over the role of a parent, Concha invested in Junior the authority to punish the children as he saw fit.[265] Junior felt that

---

[262] Declaration of Angela Villegas Lopez, Signed 4-16-99

[263] Declaration of Jose Villegas Lopez, Signed 6-15-99

[264] Declaration of Concha Villegas, Signed 2-11-06

[265] Ibid

he did what he could to keep his brothers away from danger but he was "too young and inexperienced to be a substitute father."[266] Little more than a child himself, Junior did not know how to temper discipline with love, and his younger brothers remembered that he never offered any kind of praise.[267] Junior called his younger brothers names like "stupid" when they received bad grades, but said nothing if they passed a class.[268] Sammy tried to protect his younger brothers from attacks by Junior, but was too small to challenge his older brother. Joe described one such incident:

> Once when Junior grabbed me by my shirt and pushed me up against the wall with my feet dangling, Sammy tried to protect me. He told Junior to put me down. Sammy accused Junior of being as mean as our father, and Junior snapped. He dropped me and started beating Sammy. He knocked Sammy to the floor and hit him over and over in the face and head with both his fists. I think Junior even scared himself that time because he suddenly stopped and just ran out the door.[269]

140. Concha was too preoccupied and exhausted from her responsibilities as breadwinner to monitor Junior. When she saw bruises on Sammy from an assault by Junior, she simply told Sammy to stop fighting or she would send Junior to punish him.[270] Sammy and his brothers were confused by their brother's actions and desperate to make sense out of Junior's brutal attacks on them.[271]

---

[266] Declaration of Arcadio Lopez, Signed 6-17-99

[267] Declaration of Jose Villegas Lopez, Signed 6-15-99

[268] Declaration of Jose Villegas Lopez, Signed 6-15-99

[269] Ibid, Page 9

[270] Ibid

[271] Ibid

141. Concha's relationship with Junior was distorted by her years of abuse at the hands of her mother, husband, and strangers. She treated Junior like her abusive common law husband and acted as if she feared him and the oldest boys.

> Our mother seemed to be afraid of our older brothers, too. They respected that she was their mother, but they had no respect for her as a person. They didn't respect her because she had no control over them. They came and went when they wanted regardless of whether she said they could. Our mother is little and could not make them do or not do anything.[272]

142. Junior appears to be the only child in the family who has been able to hold a steady, responsible job, rear his family, and maintain a healthy relationship with his children. Junior attributes his ability to overcome many of the barriers faced by him and his brothers to the presence of a powerful and consistent force in his life, a caring male figure. Junior explained that unlike his brothers, he had a male role model in his life who became a father figure to him. Sam Ogul was able to help Junior in all sorts of ways, including getting him a job at the *Arizona Republic* where he still works today.[273]

143. Sammy and his brothers endured another devastating abandonment when Junior married and moved away. Junior left the family in worse financial straits when he stopped helping Concha with the bills.[274] In spite of Junior's cruelty, he was still the only father figure Sammy and his brothers knew. Sammy and his brothers wondered what they might have

---

[272] Ibid, Page 9

[273] Declaration of Arcadio Lopez, Signed 6-17-99

[274] Declaration of Jose Villegas Lopez, Signed 6-15-99

done to make Junior just forget about them.[275] Desperate for an explanation, the children reasoned that Junior must have been embarrassed by how poor their family was.[276]

144. After Junior started his own family, he rarely visited his mother and brothers and according to Junior, the family fell apart. With no one looking out for them, the younger boys started running into trouble.[277] Concha, prone to be reclusive and afraid to interact with others, "grew even more isolated from the community."[278] Junior was aware that his brothers were hanging around kids who took advantage of them, but did nothing to help them after he moved away. [279] Concha cried to her sister when Junior left the family as she feared her sons would be lost forever without him.[280]

Pedro: Physical Abuse, Scapegoating, and Rejection

145. Within a year after Junior left the house, another man, Pedro Santibenez moved into Sammy's home.[281] Sammy was around ten years old at the time.[282] Pedro was an undocumented worker from Mexico. He was an alcoholic, who threatened to kill the children and who denied any responsibility for the well-being of Sammy or his siblings. Life

---

[275] Ibid

[276] Ibid

[277] Declaration of Arcadio Lopez, Signed 6-17-99

[278] Ibid

[279] Ibid

[280] Declaration of Angela Villegas Lopez, Signed 4-16-99

[281] Declaration of Jimmy Lopez, Signed 2-10-06

[282] Declaration of Concha Villegas, Signed 2-11-06

became even more chaotic after Pedro moved into the Lopez home, and Concha directed what little time and attention she had to Pedro instead of her boys.[283] Again, Sammy and his brothers felt unwanted and unloved as their mother chose another abusive man over them. Joe recognized that his mother "always seemed to let people who were in worse shape" than the family move in with them, and described the impact of living with strangers:[284]

> Two of her boyfriend Pedro's children, Antonio and another boy three or four years younger than me, came to live with us for about a year on Melvin Street. A couple of times, friends of Pedro stayed with us, too. They usually came one at a time and stayed less than a year. I remember a man staying with us when we lived in a house near 11th and Roosevelt Streets and a different man staying with us when we lived on Melvin Street. They were from Mexico and looking for work. For as long as I can remember I used to take off on my bike or skateboard to get away from all the people, to have some peace for myself. [285]

146. The children viewed Pedro as an outsider who did nothing to improve the Lopez household. Pedro was a violent drunk who was difficult to get along with.[286] Pedro never tried to be a friend or a father to any of Concha's sons.[287] Pedro lacked any interest in parenting, and was more like having another child in the house than an adult who could watch over the boys. Pedro did not concern himself with any of their problems and didn't seem to care what they did or what happened to them.[288]

---

[283] Declaration of Margaret Escobar, Signed 4-2-04

[284] Declaration of Jose Villegas Lopez, Signed 6-15-99

[285] Ibid, Page 2

[286] Declaration of Jimmy Lopez, Signed 2-10-06

[287] Declaration of Jose Villegas Lopez, Signed 6-15-99

[288] Declaration of Jose Villegas Lopez, Signed 6-15-99

147. For some reason, Pedro did not like Sammy and used him as a scapegoat for all his problems.[289] Pedro terrorized Sammy with the guns Pedro kept in the home.[290] When Pedro drank, he liked to shoot the house up.[291] One time when Pedro was drunk he wrongfully accused Sammy of stealing one of his guns, and told Sammy he would shoot him if he did not give his gun back. But Sammy did not take the gun.[292] Joe remembered one particularly violent attack on Sammy:

> Sammy tried to stand up for our mother when she and Pedro were arguing and Pedro really started hitting Sammy. Sammy tried to protect himself but he was just a kid. The only reason Pedro stopped hitting Sammy is because Sammy fled the house.[293]

148. Sammy's brother Jimmy recalled a critical incident with Pedro where Concha chose Pedro over her own children:

> When I was about sixteen, I came home one day and learned that Pedro whipped Sammy, punched him in the face, and threatened to kill him. I confronted Pedro about beating Sammy up. When I did, he punched me too. I didn't want to get into a fist fight with Pedro, so I left. When I came back home, I couldn't believe what I saw: my mom had packed up all my clothes and other belongings and put them out in front of the house. I asked what was going on, and she told me she was kicking me out of the house.[294]

---

[289] Declaration of Esteve Lopez, Signed 6-16-99

[290] Ibid

[291] Declaration of Jose Villegas Lopez, Signed 6-15-99

[292] Ibid; Declaration of Esteve Lopez, Signed 6-16-99

[293] Declaration of Jose Villegas Lopez, Signed 6-15-99, Page 7-8

[294] Declaration of Jimmy Lopez, Signed 2-10-06, Page 11

Sammy's Difficulties in School

149. Neuropsychological tests reveal that Sammy has significant brain damage that no doubt contributed to his academic difficulties. His brain damage, chaotic home life, and pervasive fear of his father made it impossible for him to learn and keep pace with his peers in school, and his academic record should be considered against the backdrop of his family life. He required, but did not receive, intensive intervention for his medical, psychological, and educational needs. He tried his best to succeed in school, made a solid effort to attend all classes and followed his teacher's instructions. He was not a problem student, was not suspended, and did not harass teachers or other students. Although he was not able to learn classroom material, he was socially promoted from one class to the next because he was a well-mannered child who caused no problems.[295]

150. Throughout his childhood Sammy's intense fears that he, his brothers, or his mother would be killed by, first, his father and, then, his mother's paramour preoccupied his thoughts. Whether he was home or at school, his first thought was for safety of his family. He learned to stay alert and aroused and to be on the look out for any sign of danger or threat. This hypervigilance interfered with his ability to concentrate, pay attention, and learn in a classroom setting. Despite his best efforts, intrusive memories of traumatic events in his young life disrupted his learning academic lessons as well as basic lessons of socialization, and Sammy could not keep pace with his peers at school. At home, Sammy received no help or encouragement.

151. School was difficult for Sammy and almost all of his brothers. Joe described his frustrations with school:

> School was always hard for me and I was never able to learn my lessons like other kids. It seemed like the harder I tried, the further behind I fell. Other kids who were smarter than me hung out together and did not want to have anything to

[295] Sammy Lopez, School Records, Murphy School District, Grades 1-7, 9-12-69 to 6-8-77

do with me. I withdrew from school as soon as Mother let me.[296]

152. School records show that Sammy did not attend kindergarten and did not enroll in the first grade until he was seven years old.[297] The records provide some insight into the conditions of poverty, isolation, and inadequate medical care that Sammy and his family faced. In 1969, when Sammy was in the first grade, Concha did not list anyone to call in case of an emergency. Instead, she wrote "Just me I don[']t have no friend."[298] In April 1969, school medical exams for Sammy reveal cavities and enlarged tonsils and indicate he needs to see a dentist and surgeon.[299] Sammy did not receive the recommended medical and dental care. The same conditions persist in Sammy's April, 14th 1970 examination, along with frequent toothaches, cavities, repeat ear infections, frequent epistaxis (nosebleeds), and a punctured right ear drum.[300] His punctured ear drum could well be the result of assaults by his caretakers. Contact forms for the Lopez children repeatedly show no phone access at their home until 1973, and confirm their addresses in an impoverished section of Phoenix.[301]

153. Sammy's difficulty in school prompted teachers to recommend remedial reading classes for him in the second semester of the seventh grade. Sammy scored well below average in comprehension skills and word meanings.[302] Sammy's reading tests placed him at

---

[296] Declaration of Jose Villegas Lopez, Signed 6-15-99, Page 3-4

[297] Sammy Lopez, School Records, Murphy School District, Grades 1-7, 9-12-69 to 6-8-77

[298] Ibid

[299] Sammy Lopez, School Records, Murphy School District, Grades 1-7, 9-12-69 to 6-8-77, Health Records, 4-12-69

[300] Sammy Lopez, School Records, Murphy School District, Grades 1-7, 9-12-69 to 6-8-77, Nurses Notes, 4-14-70

[301] Ibid

[302] Sammy Lopez, School Records, Murphy School District, Grades 1-7, 9-12-69 to 6-8-77, Competency Tests, 1976

the third grade level at the beginning of the remedial course, and the teacher noted "[h]e tried very hard to do his best."[303] Sammy felt he was "behind the rest of his peers in reading" and acknowledged a desire to want to learn to read better.[304] Sammy attended tutoring sessions bi-weekly.[305] Sammy's tutor noted that Sammy was able to work independently at the third grade level, was instructional, at the fourth and fifth grade levels, meaning, with instruction from the teacher Sammy could grasp fourth and fifth grade level concepts, but frustrated at the fifth and sixth grade levels. She noted that Sammy tried hard to do his best and that he likes reading but acknowledged that he is well behind his peers.[306] Understandably, Sammy got frustrated as he watched his peers advance.[307] Sammy's tutor noted that "with a little persuasion, Sammy seemed to enjoy talking about what he read" and that Sammy needed prompting before he was able to provide direct answers.[308] Despite Sammy's desire and best effort, his reading level remained at the third grade level at the end of the semester. Sammy's lack of improvement is not surprising when understood with the fact that no one was at home to help or guide him. Neuropsychological testing documents impairment in Sammy's left temporal lobe. This area of the brain is the seat of academic accomplishment, including language skills.

---

[303] Sammy Lopez, School Records, Murphy School District, Grades 1-7, 9-12-69 to 6-8-77Final Diagnostic Report,4/16/76

[304] Ibid

[305] Sammy Lopez, School Records, Murphy School District, Grades 1-7, 9-12-69 to 6-8-77, Enrollment forms, health exams, and diagnostic reports, 1969-76, Tutor Pam Hancock

[306] Sammy Lopez, School Records, Enrollment forms, health exams, and diagnostic reports, 1969-76, Tutor Pam Hancock

[307] Sammy Lopez, School Records, Murphy School District, Grades 1-7, 9-12-69 to 6-8-77, Enrollment forms, health exams, and diagnostic reports, Tutor Pam Hancock

[308] Ibid

154. Sammy graduated from eighth grade on June 8, 1977, at age fourteen and enrolled in the ninth grade in September, 1977.[309] But before completing his first year of high school, Sammy dropped out.[310]

---

[309] Sammy Lopez, School Records, Murphy School District, Grades 1-7, 9-12-69 to 6-8-77

[310] Sammy Lopez, School Records, Carl Hayden High School, 1977

Adolescence

Siblings: Trauma and Addictive Diseases

155. In an effort to quell the anxiety and fear they faced daily, all the Lopez brothers, with the exception of Junior, began drinking and inhaling organic solvents while still children, some as early as age seven or eight. Surviving chronic childhood abuse often contributes to the presence and severity of substance abuse and/or alcoholism. Sammy's brothers who shared his exposure to chronic, life threatening trauma have a remarkably similar history of addictive disease.

156. The three youngest boys -- Sammy, George, and Joe -- started drinking before they were in their teens.[311] Sammy's brother, Joe, explained that "[d]rinking and taking drugs was the only way [they] knew to bury all the bad feelings that were too much for a kid to handle."[312]

157. The Lopez brothers' intoxication from alcohol and other substances also contributed to numerous encounters with law enforcement. One of Sammy's older brothers, Eddie, has encountered numerous problems in life due to his substance abuse and psychological issues. Eddie knocked down an Arizona Public Service light pole in 1973, during the first of his four arrests for Driving While Intoxicated (DWI) in the span of two years.[313] Eddie's boss at National Metals, where several Lopez brothers worked, noted that Eddie was "not a malicious

---

[311] Declaration of Jose Lopez, Signed 6-15-99

[312] Ibid

[313] Eddie Lopez Court Records, Presentence Investigation Report by Probation Officer Michael A. Jones. Maricopa Superior Court Case No. 87325. Arizona v. Eddie Villegas Lopez. (1975)

individual, but is not very intelligent."[314] He also stated that while Eddie was a "good worker," he knew Eddie was drunk on the weekends.[315] Joe described Eddie's alcoholism:

> My very first memory of Eddie was of Eddie in trouble for something to do with alcohol. We were out of school for the summer. He has a bad drinking problem, but he won't admit it. When Sammy and I were still in school, Eddie got four DWIs in just a couple of years. He was almost decapitated four or five years ago when he got into an accident while drinking and driving. Eddie had to live with our mother for a long time after that. The last I heard Eddie is homeless in Phoenix somewhere.[316]

Eddie left the home when "he was only in the eighth grade."[317] Sammy's brother Jimmy described Eddie's depressing situation:

> He's even been homeless. Right now, he's got a construction job and the boss lets him live in a beat up, little trailer on the job site, but every day after work, Eddie drinks until he can't even walk or talk. Eddie's mind is so messed up by all the drugs and alcohol he has used he can't even walk or talk. Eddie's mind is so messed up by all the drugs and alcohol he has used he can't even have a normal conversation anymore. The worst part is that this is the most stable Eddie has ever been. Besides keeping himself high and drunk for the last forty years, Eddie hasn't accomplished a thing in his life.[318]

158. Sammy's brother Jimmy was never in any legal trouble but according to his brother Joe, he suffered from a serious drinking problem.[319] Jimmy changes when he drinks, "he becomes much louder and more outgoing. He can be good or he can be bad, but

---

[314] Ibid

[315] Ibid)

[316] Declaration of Jose Villegas Lopez, Signed 6-15-99, Page 11

[317] Declaration of Jose Villegas Lopez, Signed 6-15-99

[318] Declaration of Jimmy Lopez, Signed 2-10-09, Page 3-4

[319] Declaration of Jose Villegas Lopez, Signed 6-15-99

he is always more open and talkative when he drinks."[320] Jimmy admitted to his own problems with alcohol and drugs:

> I've had my problems too. For several years, I couldn't get by without using cocaine and crack every day. I nearly lost my wife and daughters because of my drug problem. Luckily, I got the help I needed, went into rehab, saw a therapist, and learned how to handle my moods better. Now I just drink enough to wind down every day. If I don't drink my beers at night I'm awake until three of four in the morning.[321]

159. Joe believes that alcohol directly caused his brother, Steve, to be the first of the Lopez boys to become involved with the police: "he has the heart to do the right thing, but somehow he always messes things up."[322] Sammy's older brother, Steve, also became addicted to inhaling organic solvents, alcohol, and other illicit drugs in an effort to escape from his daily problems.[323] At age ten, Steve started stealing his father's alcohol so he could drink.[324] Steve also began sniffing paint until he passed out.[325] The effects of chronic stress and trauma were evident when Steve got into legal trouble as juvenile. A juvenile report found that Steve "probably imagines himself lost and not worth the effort which is not correct, to this officer's way of thinking. But Steve will drift for what is likely most of his life; he is not interested in family, society, or self; almost nonentity."[326] The officer concluded that "Steve does not care

---

[320] Ibid

[321] Declaration of Jimmy Lopez, Signed 2-10-06, Page 4

[322] Declaration of Jose Villegas Lopez, Signed 6-15-99

[323] Declaration of Esteve Lopez, Signed 6-16-99

[324] Declaration of Esteve Lopez, Signed 6-16-99

[325] Ibid

[326] Esteve Villegas Lopez, Maricopa County Juvenile Court Center Case J-75658. Disposition Summary, 6/27/75. page 27q.

about himself in relation to society" and that Steve's family home is "poor in resources and structure."[327]

160. In 1978, after Sammy's brother Steve was arrested for armed robbery, he was examined by Dr. Otto Bendheim (the same doctor who would later evaluate Sammy for his present crime) because his defense counsel requested the doctor answer questions regarding Steve's "capacity to make decisions of voluntariness and of informed consent" at the time of his police statements. Dr. Bendheim reported that on or about April 24, 1978, Steve said he was "quite high. We were getting high, me and my girlfriend, all night. I must have had ten joints of pot, a six pack of beer, and two pills of speed, and on the day before, a Saturday, I must have had two more pills of speed. I was so high that I don't remember much."

161. Dr. Bendheim concluded that Steve did not recall much of the arrest and that he only remembered the police interrogation vaguely.[328] Bendheim reported that Steve dropped out of school at age thirteen because of "poverty" and that "at age 14 or 15, he began to smoke pot, began to drink beer, and sniffed a little paint and took some uppers. Since that age he has taken a lot of speed, not every day, but perhaps twice a month; a lot of pot; and quite a lot of beer, the latter every weekend." [329] Bendheim concluded that Steve suffered from a "long history of drug abuse, alcohol, amphetamines, marijuana" and while he has "no history of true addiction" there is the "possibility of acute brain syndrome at time of heavy intoxication."[330] Steve told the police that although he drinks alcohol and has used

---

[327] Esteve Villegas Lopez, Maricopa County Juvenile Court Center Case J-75658. Disposition Summary, 6/27/75.

[328] Esteve Lopez, Court Records, Maricopa County Superior Court Case CR 101939. State of Arizona v. Lopez, Servin & Servin 1978. Presentence Investigation, Otto Bendheim, MD (Expert) Letter to Judge, 7-13-78. Page 1.

[329] Esteve Lopez, Court Records, Maricopa County Superior Court Case CR 101939. State of Arizona v. Lopez, Servin & Servin 1978. Presentence Investigation, Otto Bendheim, MD (Expert) Letter to Judge, 7-13-78. Page 3.

[330] Ibid

marijuana, barbiturates, amphetamines, and darvon, he did not think he had a problem with addiction. The interviewing officer believed that there was a possibility of paint sniffing in Steve's history.[331] While Steve was incarcerated in the Arizona Department of Corrections, a psychological assessment of Steve found that he endorsed "mild anxiety, depressive affect ruminating thoughts and feelings of reference. The total is one of neurotic debility."[332]

162. Sammy's brother, Frank, has also struggled with alcoholism. Frank has suffered from many personal problems including the loss of his family numerous times directly caused by his drinking:

> Frank drinks so much that he's been in trouble with the law and he's even lost his family a bunch of times. I don't know how many times his wife has divorced him. Right now, his driver's license is suspended for driving drunk and he's just barely keeping his family together.[333]

Sammy's Substance Abuse

163. Like many traumatized individuals Sammy sought relief from the isolation, rejection, and pain he felt by using drugs and alcohol. Sammy's sister-in-law Joanna noted that Sammy smoked marijuana when he was just a child, "still in grammar school."[334] Sammy's self-defeating behaviors and high risk behaviors illuminate his extremely poor judgment which frequently resulted in adverse consequences including legal and financial difficulties.[335]

---

[331] Esteve Lopez, Court Records, Maricopa County Superior Court Case CR 101939. State of Arizona v. Lopez, Servin & Servin 1978. Presentence Investigation

[332] Esteve Lopez, Medical Records, Arizona Department of Corrections, Psychological Report, 9-5-79.

[333] Declaration of Jimmy Lopez, Signed 2-10-06, Page 4

[334] Declaration of Joanna Lopez, Signed 9-16-03

[335] Declaration of Jose Villegas Lopez, Signed 6-15-99

164. Sammy was looking for a place to fit, a place where he was loved and respected, and naturally he gravitated to his older brothers and their friends. Unfortunately, Sammy's brothers were not in the position to be good role models. Like Sammy, they were severely traumatized, lost and confused and also looking for a way to ease their pain; they found it with drugs and alcohol. Sammy started running around with his older brother Steve and his friend Manuel Servin. Manuel and Steve took advantage of Sammy's age and eagerness and manipulated him into stealing things for them around the neighborhood. They used the money to get high and sniff paint. It never dawned on Steve or Manuel that they might be negatively influencing Sammy; all they knew about life was the desperate way they lived with no hope for the future.[336] Soon Sammy was getting drunk and high everyday:

> I knew that he had started drinking by the time he was about twelve, but it was shocking to see my little fifteen-year-old brother totally drunk whenever I stopped by for a visit. Sammy was also spending his time at Willow Park, a place where kids sniffed paint and did drugs. Many, many times, when I came by for a visit, I ran into Sammy on his way to or from the park, and he was completely intoxicated. He talked in slow motion, he slurred his words, and he had gold paint on his lips.[337]

165. Steve acknowledged that he gave Sammy alcohol to drink when Sammy was just nine years old and witnessed Sammy inhaling paint at age ten:[338]

> Sammy was sitting alone behind the house where we were living. I thought he was sick at first because he was slumped over and did not answer me when I called to him. I walked over to him and he looked up at me with this strange sleepy daze as though he did not recognize me. Then I saw the paint can and rag beside him, and I realized he was just passed out from the paint.[339]

---

[336] Declaration of Manuel Servin, Signed 4-3-04

[337] Declaration of Jimmy Lopez, Signed 2-10-06, Page 12

[338] Declaration of Esteve Lopez, Signed 6-16-99

[339] Declaration of Esteve Lopez, Signed 6-16-99, Page 8

166. Sammy's use quickly escalated and exceeded that of the other children. Sammy used paint so much that people called him "paint hype."[340] Sammy loved the effect sniffing paint gave him because he felt like he was somewhere else. Sammy's good friend Chapo vividly recalled to me how Sammy acted after huffing:

> 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.[341]

167. His brother Joe noted that Sammy huffed paint and sniffed glue much more than he did. Sammy taught his brother how to get the best high.[342] Joe described how they inhaled the dangerous toxins:

> We sprayed the inside of a bag with paint until it was wet, squeezed the opening almost closed and then inhaled from the opening. Sammy taught me to use a plastic bag instead of paper because the paper disintegrates too quickly from the wet paint. After I quit sniffing paint, Sammy gave up using bags all together and started using cans because they last even longer than plastic bags. Sammy also showed me that gold aerosol gives the strongest high. Ten good breaths of paint would make us out of it for 20 or 30 minutes. We could make a can of aerosol paint can [sic] last all day if we spaced out our use. Inhaling the paint made us hallucinate. I often thought I heard helicopters coming after us. One time I thought a tree was bending down to grab me with its branches. Sammy also liked to sniff the glue used for PVC pipe fittings, but he also sniffed model glue. We sniffed glue by lining the bottom of a plastic bag with some glue, putting a hole in the side of the bag and closing the bag opening tightly. The weight of the glue pulled the bottom of the bag down. We pushed the bottom of the bag up toward our faces forcing the fumes into our mouths and noses. Sammy also sniffed

---

[340] Declaration of Cipriano Chayrez, Signed 9-13-02

[341] Ibid, Page 3

[342] Declaration of Jose Villegas Lopez, Signed 6-15-99

gasoline fumes.[343]

168. Sammy continued using inhalants long after his brothers quit.[344] Intoxication from inhalants caused painful side effects, including intense headaches and even vomiting. Joe couldn't understand how Sammy could keep going given how awful the come-down was. but Sammy said "it took his mind off things."[345] Sammy was so desperate for relief from his overwhelming emotions that he accepted the consequences.

169. Sammy quickly became addicted to sniffing paint, glue, and gasoline and continued to inhale these highly toxic substances into his adulthood despite their disastrous consequences.[346] Inhalants enter the blood supply within seconds to produce intoxication. Effects of inhalants can cause an intoxicating effect resembling alcohol. The effects produce a decrease in inhibition, loss of control, mood swings, violence, speech and coordination problems, hallucinations, and delirium. The recovery time varies from user to user; some can require hours to come down, others do not come down at all.[347] The damage caused by inhaling organic solvents was only increased by Sammy's ingestion of alcohol.

170. Sammy, George, and Joe were heavy drinkers by the time they were teenagers.[348] In the beginning, Sammy only drank enough to feel good, but that quickly changed

---

[343] Declaration of Jose Villegas Lopez, Signed 6-15-99, Page 13

[344] Declaration of Jose Villegas Lopez, Signed 6-15-99

[345] Ibid

[346] Sammy Lopez, Arrest Records: 10/17/80 arrest for disorderly conduct; 5/23/84 arrest for open liquor in public park; 12/15/84 arrest for disorderly conduct; 8/24/85 arrest for inhaling toxic substances

[347] Rutgers University Center of Alcohol Studies—Online Facts: Inhalants. Retrieved from the World Wide Web on January 21, 2006 at: http://alcoholstudies.rutgers.edu/onlinefacts/inhalants.html

[348] Declaration of Jose Villegas Lopez, Signed 6-15-99

and he drank until he became so drunk that he passed out.[349] Sammy also used marijuana, PCP, and sherm.[350] Sammy and his brothers got high and drank in the nearby park and cemetery.[351]

171. When Sammy drank alcohol, it caused dramatic personality changes. Sammy's brothers noticed that drinking gave Sammy a strange surge of energy. After a few drinks, Sammy was off doing something; it was as if he had to be moving.[352] Sometimes he went to the park to play basketball; other times he started manically doing chores around the house.[353] Like his father, Sammy also experienced visual hallucinations while drinking and often saw ghosts.[354]

172. Sammy was like a completely different person when he was drunk. Sammy suffered from impaired organization when he was drinking. When Sammy was sober he was a sweet boy who could be relied upon but when Sammy was drunk, he thought nothing of his obligations.[355] Sammy did not want to be asked to do anything when he was drinking.[356]

173. Many of Sammy's brothers did not want to be around him when he was drinking, even when they were young.[357] Sammy just wanted to be left alone when he was drinking. Drinking was an escape for him, and Sammy went off into his own world and did not

---

[349] Declaration of Jose Villegas Lopez, Signed 6-15-99

[350] Ibid

[351] Ibid

[352] Declaration of Jimmy Lopez, Signed 2-10-06; Declaration of Frank Lopez, Signed 2-11-06

[353] Declaration of Frank Lopez, Signed 2-11-06

[354] Ibid

[355] Declaration of Jimmy Lopez, Signed 2-10-06

[356] Declaration of Jose Villegas Lopez, Signed 6-15-99

[357] Ibid

want to be bothered. He could not stand people joking or messing around with him when he was drunk.[358]

174. As Sammy's symptoms of trauma and depression went untreated, his alcohol, drug, and solvent addiction increased and his behavior grew more and more bizarre and paranoid. On January 3, 1980, when Sammy was almost eighteen years old, he was admitted to Memorial Hospital after he was hit in the head with a bottle while at the park. He suffered a one-inch laceration on his scalp.[359] The treating physician noted that Sammy's "[b]reath smells like model airplane glue," and that Sammy was lethargic. Sammy was unable to tell the medical personal if he had lost consciousness.[360]

175. Years later, in 1984, Sammy went to the hospital after a freak accident where he got his left hand caught in a lawnmower and sliced some of his fingers.[361] At first, Sammy was a "cooperative and compliant" patient.[362] Then suddenly, Sammy became paranoid and delusional. The nurse who attended to Sammy noted that his mood quickly changed, he "became apprehensive and got up quickly" and asked the nurse what she was doing. Sammy did not know where he was and asked the nurse if he was really in a hospital and if the nurse could prove that she was actually an employee of the hospital.[363] Sammy went on to say that "he did not 'trust' hospitals" and then began walking around the hospital. [364] The nurse asked him to

---

[358] Ibid

[359] Sammy Lopez, Hospital Records, Memorial Hospital, 1/3/80

[360] Ibid

[361] Declaration of Frank Lopez, Signed 2-11-06; Sammy Lopez, Medical Records, Memorial Hospital, 9/16/84

[362] Sammy Lopez, Medical Records, Memorial Hospital, 9/16/84

[363] Ibid

[364] Ibid

remain in his own area, but just moments later Sammy was found "wandering around again." Then Sammy completely disappeared from the emergency room.[365] This behavior is consistent with a drug-induced paranoia, particularly since he was not oriented to place. He was unclear how he got there, and eventually left the hospital entirely.

IV. YOUNG ADULTHOOD

Arrests, Employment, and Incarceration

176. Sammy's trauma-derived anxiety and depression increased significantly after he left school and was unable to find steady employment. He saw his brothers fail in their attempts to find meaningful roles in the community, and watched helplessly as they were arrested and convicted of serious offenses. Sammy's brother, Steve, was arrested for armed robbery; he reported "that the reason he did it was because he was intoxicated and in need of money."[366] Records indicate that Steve was arrested for between ten and fifteen burglaries as a juvenile.[367] The Lopez brothers' criminal history must be understood within the context of their extreme poverty, neglect, and severe traumatic stress.

177. Uneducated, cognitively impaired, and unskilled, Sammy was left on his own. With no one to watch over him, and with Pedro at home terrorizing him, Sammy took to the streets. On March 21, 1979, at age seventeen, Sammy was arrested for the first time. He was charged with two counts of curfew violation and placed on probation.[368] Just nine days later,

---

[365] Ibid

[366] Esteve Lopez, Court Records, Maricopa County Superior Court Case CR 101939, State of Arizona v. Lopez, Servin & Servin 1978.

[367] Ibid

[368] Sammy Lopez, Probation Records, 4-12-90 Presentence probation report by David Wilcox citing Robert Cherkos 5-20-87 Report citing Maricopa County Juvenile Court Center records; Offense dated 5-21-79

Sammy was arrested again for three counts of running away.[369] Just weeks after that, Sammy was arrested yet again for curfew violation. He was released with a warning.[370]

178. Sammy eventually held a series of jobs as a manual laborer for metal recycling shops near his home and also returned to agricultural work as a farm laborer.[371] Finally, in late 1980, Sammy found what could have proved to be steady minimum wage work as a laborer at National Metals Company in the metals department. But Sammy's drinking and drug use got in the way and Sammy was fired for "excessive absenteeism -- absent more than 3 days in a row without notification" on December 3, 1980.[372] Sammy was re-hired three days later only to be terminated again for "excessive absenteeism" on January 8, 1981.[373] During his employment with National Metals, Sammy was exposed daily to toxic fumes from melting, scraping, cleaning, and stacking metals. Sammy's brother Steve described the excessive exposure they faced each day of work:

> I was the first from our family to work at National Metals, a metal recycling plant in the neighborhood where our family lived for many years. I sorted and separated metal pieces. I also melted aluminum with a torch and poured it into star molds, the trademark of National Metals. I melted zinc with acid. It is important that aluminum and zinc are not mixed because they react to another and can explode. I also used chemicals to clean out containers used to melt and pour metals. I was laid off because of a work slow down. Eddie later got a job at National Metals, and eventually Sammy did, too. Sammy worked with metals at

---

[369] Sammy Lopez, Probation Records, 4-12-90 Presentence probation report by David Wilcox citing Robert Cherkos 5-20-87 Report citing Maricopa County Juvenile Court Center records; Offense dated 5-30-79

[370] Sammy Lopez, Probation Records, 4-12-90 Presentence probation report by David Wilcox citing Robert Cherkos 5-20-87 Report citing Maricopa County Juvenile Court Center records; Offense dated 6-18-79

[371] Sammy Lopez, Employment Records, National Metals Company, Job application, 9-4-80

[372] Sammy Lopez, Employment Records, National Metals Company, Employment History Record 9-4-80 through 1-8-81

[373] Ibid

the company.[374]

179. Within a few weeks of losing his job at National Metals Company, Sammy was arrested and later indicted for five residential burglaries. He pleaded guilty to the offenses and was sentenced to 3.75 years in the Arizona Department of Corrections (ADOC). On November 16, 1981, Sammy was received at Arizona State Prison.[375] Probation officer Amanda C. Newman in her presentence investigation noted that Sammy came "from a less than stable family environment, has interrupted his educational experience, and appears to have been drifting with his life."[376] Sammy stated that he committed the burglaries because he was unemployed, could not find a job and "needed money." [377] Officer Newman contacted a police officer who knew Sammy to gather more information. Office C. Gregory relayed that "he has known the defendant for many years through community relations for offenses involving police." He felt that Sammy "succumbed to peer pressure and has aligned himself with negative influences" and was "manipulated by Anthony Randolph." Officer Gregory concluded that while he felt Sammy should receive some kind of punishment, a prison term was not needed.[378]

Years before Arrest: Homelessness, Joblessness, Decompensation

180. Sammy was released from prison on December, 8, 1983, and returned to his

---

[374] Declaration of Esteve Lopez, Signed 6-16-99, Page 8-9

[375] Sammy Lopez, Prison Records, ADOC-File I, through 6-8-84, Admission receipt; also 6-18-84 Arizona Department of Corrections Parole Report of Correctional Program Officer Robert J. Stout

[376] Sammy Lopez, Prison Records, Probation Department Presentence Report by Amanda C. Newman, 11-2-81, Case No. 121406

[377] Ibid

[378] Sammy Lopez, Prison Records, Probation Department Presentence Report by Amanda C. Newman, 11-2-81, Case No. 121406

mother's home for a short stay.[379] Less than a week after Sammy's release, Sammy's parole officer noted that Sammy was unable to find any kind of steady work and his mother was already sick of supporting him.[380] Without work or support from his family, Sammy became homeless and lived in a nearby park, a cemetery, stayed at friends' homes when he could, and slept in the car of a friend, Chapo.

181. After Sammy's sister-in-law, Joanna, learned that Sammy and his two younger brothers, Joe and George, had been kicked out of the house by their mother, she found them sleeping in a big graveyard in the neighborhood. Joanna was shocked to see the state Sammy and his two brothers were in:

> 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.[381]

182. Unable to stop his drug use, Sammy was arrested and jailed on a paint sniffing and resisting arrest charge on August 24, 1985.[382] In October, 1985, while Sammy was in the county jail awaiting sentencing, his two closest brothers, George and Joe were arrested for murder.[383] On November, 27, 1985, Sammy was sentenced to 1.5 years and sent to prison

---

[379] Sammy Lopez, Prison Records, ADOC -File I. Through 6-8-84, Departure and Arrival Report

[380] Sammy Lopez, Prison Records, ADOC-File I. Parole Report, 9-18-86, Parole Officer Larry Spurgeon

[381] Declaration of Joanna Lopez, Signed 9-16-03, Page 5

[382] Sammy Lopez, Prison Records, Presentence probation report by Neal Nicolay, 11-15-85

[383] Sammy Lopez Prison Records, 4-12-90 resentencing recommendation and probation report by David Wilcox, both summarizing Phoenix Police Department, Maricopa County Sheriff's Office, Arizona Department of Corrections, Arizona Adult Probation Department, FBI and "standard LEJIS" records

for a second time.[384] Sammy never fully recovered from the devastating loss of his brothers. He cried all the time, and confided in his brother Frank that he felt completely unwanted. Sammy was profoundly lost and depressed and wondered who he was without his brothers.[385] Sammy felt that he let his brothers down because he was not there for them.[386]

183. Sammy's good friend, Chapo, also noticed the drastic change in Sammy after he was released from prison on May 27, 1986.[387] Without his two younger brothers, Sammy was a different person, vulnerable and confused.[388] Chapo felt sorry for his sad friend and offered to let Sammy sleep in his car that was parked outside of his house.[389] At night, Sammy slept in the back of Chapo's car and in the morning, he washed up in the park.[390] Just months before Sammy's arrest, Sammy's brother Frank saw Sammy at the park, in a disoriented state:

> In the months before he was arrested the last time, Sammy was so lost it broke my heart. He was sleeping in Willow Park. I told him to come and stay with me and my wife and my son. I also offered to talk to my mom so she would let Sammy move back in with her. But Sammy said he didn't want to be a problem. He came to my house a lot, but never stayed for more than a day. I didn't know how to help him, but I knew that he needed help. Sammy was so lost that you could feel it just by sitting next to him. I told him I wanted him to stay and that he could live with us until he got his head straight. I just wanted him to get better and decide what he wanted to

---

[384] Sammy Lopez, Prison Records, Arizona Department of Corrections, Date Received, 11-27-85

[385] Declaration of Frank Lopez, Signed 2-11-06

[386] Declaration of Jimmy Lopez, Signed 2-10-06

[387] Sammy Lopez, Prison Records, Arizona Department of Corrections, Departure and Arrival Report, 5-27-86

[388] Declaration of Cipriano Chayrez, Signed 9-13-02

[389] Sammy Lopez, Police Records, Phoenix Police Department Reports, 1981 & 1986, DR# 86-144-475, Interview with Cipriano Chayrez

[390] Declaration of Cipriano Chayrez, Signed 9-13-02

do with his life, but Sammy was so messed up that he couldn't make a plan to change his life. [391]

184. Once preoccupied with obsessive neatness and order, Sammy no longer cared about they way he dressed or looked, and the breakdown of his obsessive symptoms lent themselves to his cognitive disorganization. He had completely given up trying to take care of himself and became disheveled and unkempt. Sammy's sister-in-law, Joanna was shocked at how horrible Sammy looked just weeks before he was arrested:

> 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 actually ate like he hadn't had 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."[392]

185. After Sammy was released in 1986, Chapo recalled that he spent just about every day "partying" with Sammy in the park. They smoked marijuana, drank until they didn't have any more money, and Sammy sniffed paint. Chapo acknowledged that he partied too much back in those days, but still his partying was nowhere near the level of Sammy's:

> 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.[393]

---

[391] Declaration of Frank Lopez, Signed 2-11-06, Page 10-11.

[392] Declaration of Joanna Lopez, Signed 9-16-03, Page 7

[393] Declaration of Cipriano Chayrez, Signed 9-13-02, Page 5

Arrest for Estefana Holmes Murder

186. On November 3, 1986, Sammy was arrested for the murder of Estefana Holmes that occurred on October 29, 1986. When the officers arrived at Ms. Holmes's residence they found the front door unlocked and the window by the front door broken. Ms. Holmes's body was found on a sofa bed on the living room. She was lying on her back with multiple stab wounds to her upper left chest area. A white cloth was stuffed in her mouth and her pajama bottoms had been tied around her eyes.[394]

187. Although little is known about the events on the night of the murder, witnesses told police and later testified that they saw Sammy acting bizarre and believed that he was high. Pauline Rodriquez, who knew Sammy from the neighborhood, told the police that when she saw Sammy on the night of the murder he "was high or drunk and tried to push his way into her apartment."[395] In a police statement, Raymond Hernandez said that he also saw Sammy trying to get into his wife Pauline's apartment. Mr. Hernandez concluded that Sammy was drunk: when "Sammy is drunk, he is a very mean guy. When he is not drinking, he is mild and meek and won't even talk to you."[396]

188. At Sammy's 1987 trial, Yodilia Sabori testified that she lived with Pauline Rodriguez at the time of the murder and knew Sammy from the neighborhood. The night of the murder Yodilia saw Sammy at Willow Park. Sammy bought some beer and they hung out at the park for a few hours. After Yodilia went home, Sammy and another man, Angel, appeared at her door. Sammy told Yodilia that he and Angel had been drinking and Sammy appeared drunk. Sammy offered to get Yodilia high. When Yodilia refused, Sammy went around the corner by

---

[394] Sammy Lopez, Police Records, Phoenix Police Department Reports, 1986, DR# 86-144475

[395] Sammy Lopez, Police Records, Phoenix Police Department Reports, DR# 86-144475, Det. J. Thomas, 11-8-86

[396] Sammy Lopez, Police Records, Phoenix Police Department Reports, DR# 86-144475, Det. Butler, 11-12-86

himself and returned within five minutes. When Sammy returned, "he was different, he was shaking, like shaking, and he was – he acted like he was mad, like everything bothered him. He just couldn't stand still. He was just – he had to hold himself on the wall, stand on the wall, just stand on the pole."[397] Yodilia also noticed that Sammy's hands were shaking.[398] Pauline Rodriguez testified that she also saw Sammy that night and although she didn't know for sure if he was drunk, she knew that "he was not himself."[399] Pauline knew what Sammy was like when he was sober and he was definitely not sober, "I can't say it was beers but he was loaded on something...He was acting strange, he was in a real bad mood."[400]

V. NEUROPSYCHOLOGICAL TESTING

189. Dr. Dale Watson conducted a battery of neuropsychological tests on Sammy during on January 4th and January 5th, 2006. One of the first tests administered was the Test of Memory Malingering of the TOMM. The results illustrated a straightforward testing approach by Sammy, with no evidence of malingering.

190. Dr. Watson's tests revealed significant neurological impairments including frontal lobe impairments. The frontal lobe of the brain controls executive functioning. Executive functions include the inhibition of movement and behavior, planning, judgment, weighing and deliberating options and consequences, sequencing behaviors, decision-making,

---

[397] Sammy Lopez, State v. Lopez, No. CR 163419, Maricopa County Superior Court, 1987 Trial, Yodilia Sabori testimony: R.T. 4-21-87, pp. 74

[398] Ibid, pp. 65-78

[399] Sammy Lopez, State v. Lopez, No. CR 163419, Maricopa County Superior Court, 1987 Trial, Pauline Rodriguez testimony: R.T. 4-21-87, pp. 79-88

[400] Ibid

language processing, as well as intentionality. Executive functions are the ways in which a person understands and interacts with the world.

191. Sammy's frontal lobe impairment results in his inability to understand or explain abstract consequences, think logically, incorporate new information (and adjust his thinking based on this new information), or understand the consequences of his actions. Additionally, Sammy's frontal lobe deficits impaired his ability to shift mental states. This leads to his preservation, a condition in which a person repeatedly and inappropriately returns to a single idea or theme despite evidence or information that would typically cause an unimpaired person to move to another idea.

192. Sammy also manifested impairments in his temporal lobes, the seat of academic prowess. These temporal lobe findings were consistent with Sammy's history of academic underachievement.

193. Most prominent in Dr. Watson's testing was Sammy's impaired cognitive ability to inhibit his behavior once that behavior has started as well as his inability to effectively weigh and deliberate, particularly in a fast changing, chaotic environment.

194. Sammy's IQ was in the low average range. His neuropsychological impairments were greater than one would infer from his IQ scores. Sammy's brain impairment creates a vulnerability to atypical drug responses.

195. Sammy's impaired cognitive functioning means that he is unable to appropriately comprehend the fast flow of information, has a diminished ability to understand and process information, to communicate, to learn from experience, to engage in logical reasoning and to understand the reactions of others around him. Sammy does not have a wealth

of commonly understood information about the world to rely upon and is easily led to conclusions which an unimpaired person could easily see as inaccurate when weighed against other information.

196. Sammy's impaired cognitive functioning ensures that he will struggle with language tasks. The testing shows that he is unable to effectively translate what he hears into thought or action leaving him unable to effectively use language to solve problems. Sammy's cognitive impairments are manifested by his inability to organize. He acts impulsively, has mental inflexibility (concrete thinking), and perseverates. Sammy's inability to organize only augments his overwhelming traumatic-induced stress. It is important to understand Sammy's cognitive impairment and frontal lobe deficits are also compounded by his serious psychiatric illness.

VI. CONCLUSION

197. Sammy Lopez lived much of his live as a feral child. Born with cognitive impairments in language, ability to effectively organize, plan, and implement, Sammy's neurological deficits were augmented by bone-and soul-crushing beatings, paranoia, poverty, neglect, and, finally, self-medication with mind-destroying drugs. The chaos of the crime scene is consistent with a poorly planned, chaotic event with scores of knife wounds that reveal a lack of planning rather than a well thought-out act. To this day, Sammy does not remember the event, consistent with a dulling of his cognition. His level of intoxication at the time of the offense, in my professional opinion, impaired even his ability to weigh and deliberate, sequence his

behavior, and change mental direction even more greatly than could have been predicted from his cognitive deficits.

198. Sammy's family reflects the impact of profound alcoholism, cultural deprivation, extreme trauma, and severe neglect. Sammy's mother was so traumatized by her own family experiences that she was unable to provide the nurturing her children needed for healthy neural development. Neither parent could provide or protect from the abuse and neglect Sammy suffered. One parent could not provide what the other was lacking and in the end, Sammy and his brothers received nothing. Concha was unable to make sense of Arcadio's abuse of Sammy and comfort him. Sammy grew up a sterile and traumatized child, unable to form any healthy ego boundaries.

199. Sammy suffered a childhood of life-threatening trauma, first at the hands of his father, then under the fist of his older brother, and finally under the threats to kill, repeated physical assaults, degradation, and humiliation by his mother's paramour. Traumatic events obliterate the internal and external coping mechanisms that give people a sense of control, connection and meaning. The beatings, neglect, isolation, and fear disrupted his normal development and prevented him from learning vital lessons of life that are, ostensibly, taught by parents to their children. Sammy responded to the trauma in a manner seen only in children who have faced daily annihilation at the hands of their caretakers. He became hypervigilant, ever alert to minimal or unpredictable danger, and stayed in a constant state of arousal. He became despondent and depressed, and believed he was helpless to change his circumstances. Intrusive thoughts and memories of his abuse, and the abuse of his siblings and mother overwhelmed him, and he learned to use drugs, alcohol, and organic solvents to quell these frightening emotions. The constellations of symptoms, seeing his mother beaten regularly,

being beaten regularly himself, not knowing where he was to eat or sleep, extreme paranoia, intrusive nightmares, hypervigilance, and chronic, destructive self-medication Sammy displayed in response to childhood trauma is diagnostic of Post Traumatic Stress Disorder.

200. Sammy and his brothers, modeled by their parents, were taught that everyone in the family was left on their own and each sibling had to fend for himself. The older Lopez brothers got out as soon as they could, leaving the younger brothers to suffer on their own. Sammy had no one to model safe, loving, protective behavior for him within his home and no outside environmental supports. Sammy's profound cognitive impairments left him effectively limited in his ability to weigh or deliberate choices early on in his life. Sammy was rendered helpless and hopeless because he was unable to develop problem solving strategies. Sammy's neglect and abuse also left him vulnerable and unable to modulate his emotions.

201. Sammy long-standing mental disorder is characterized by paranoia, confusion, suspiciousness, loss of contact with reality and disordered thinking. Sammy is cognitively concrete and measures his interactions with others against his paranoidbelief system that others will harm him. He holds onto this belief regardless of evidence to the contrary. This disorder affects all aspects of his life, including written and verbal communications with others, the safety of meals he is provided, special meanings of words that only he understands, and strict, but secret, rules that must be followed in interpersonal relationships. Sammy displayed signs of a thought disturbance at times present in his speech patterns. He perseverates, displays impoverished speech, and has a limited range of affect.

202. Sammy's neurological deficits augment problems associated with Post Traumatic Stress Disorder. His impairments are the result of the interplay of a brain damage and the early onset of drug and alcohol abuse. Sammy has significant neurological impairments that

could be the result of blows to his head and central nervous system, congenital factors such as his mother's malnutrition and lack of medical care during her pregnancy with him, exposure to neurotoxins in substandard housing in a heavily industrialized neighborhood, or ingestion of brain-damaging agents, such as organic solvents (glue, paint, gasoline), alcohol, and illicit drugs during his critical developmental years. Although it is impossible to know with certainty the precise etiology of Sammy's brain damage, its severity and effect on his cognitive functioning has been established through the results of a battery of tests that are consistent with his behavior and functioning over time.

203. Sammy began using organic solvents, alcohol, and drugs as a child in an effort to self- medicate the overwhelming emotional responses he experienced as a result of life threatening trauma and became addicted to these substances by the time he reached his teen years. The likelihood of Sammy's addiction increased dramatically because of his family's economic conditions, cultural traditions, formal and informal social controls, and the companionship, approval and encouragement of other drug, alcohol, and organic solvent users. Drugs, alcohol, and organic solvents were made available to him at an early age in sufficient amounts to cause addiction by those who should have protected him from harm.

204. Sammy's use of and dependency on organic solvents continued into his adulthood. Sammy's chronic use of organic solvents acted synergistically to increase his brain impairments. Organic solvents are powerful neurotoxins that destroy brain tissue and lining, permanently altering brain function. Sammy's chronic inhalation of nearly fatal quantities of florescent paint caused long-lasting changes in his brain, found in Dr. Watson's testing that contributed to and exacerbated the effects of alcohol and other drugs. His repeated use of organic

solvents, alcohol, and drugs changed the structure and activity of his brain cells in pervasive and persistent ways.

205. Intoxication by alcohol and other mind altering substances such as organic solvents has a particularly disinhibiting effect on Sammy's behavior and increases his sense of threat and perception of danger. He has demonstrated a history of irrational behavior during periods of intoxication that is greater than his base line state of suspicion and paranoia. His history of irrational and pathologic behavior during intoxication is similar to that demonstrated by multi-generations of his family members, including his father, uncles, siblings, and cousins.

206. Unfortunately for Sammy, there was no one there to intervene in his stressful, traumatic, and disordered family situation. As a result his symptoms of mental illness and clear patterns of disturbed behavior went undetected and therefore untreated.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and was executed on April 5, 2006.

George W. Woods, Jr., M.D.

Appendix

1. Raymond Hernandez Police Interview
2. Transcript of Dr. Otto Bendheim Deposition
3. Declaration of Dr. George Woods
4. Report Regarding Cecelia Rodriguez
5. Birth Certificate Concha Villegas
6. Declaration of Angela Villegas Lopez
7. Declaration of Luis Gonzales Villegas
8. Declaration of Maria Villegas Estrada
9. Declaration of Venancia Garcia
10. Declaration of Petra Villegas
11. Declaration of Concha Villegas
12. Declaration of Concepcion Villegas
13. Declaration of Arcadio Lopez
14. Coroner's Autopsy Report Re: Arcadio Verdugo Lopez
15. Birth Certificate Robert Villegas
16. Birth Certificate Sammy Lopez
17. Eddie Lopez National Metals Employment Records
18. Declaration of Frank Lopez
19. Birth Certificate Esteve Villegas Lopez
20. Declaration of Jimmy Lopez
21. Birth Certificate Jose Lopez
22. George Lopez Brith Certificate
23. Birth Certificate Gloria Villegas
24. Declaration of Jose Cortez
25. Declaration of Manuel Servin
26. Esteve Lopez Court Records, Maricopa County Juvenile Court, J-75658
27. Esteve Lopez Court Records Maricopa County Superior Court, CR101939, Presentence Investigation
28. Concha Villegas, SSI Records, Department of Health and Human Services, SSA, Yearly Earnings
29. Arcadio Verdugo Lopez, Tulare County Arrest Records
30. Arcadio Verdugo Lopez Arrest Record, Porterville CA Warrant #18936
31. Concha Villegas, Medical Records, Maricopa General Hospital
32. Concha Villegas, Medical Records, Phoenix Memorial Hospital
33. Declaration of Margaret Escobar
34. Declaration of Donitilia Servin
35. Declaration of Joanna Lopez
36. Sammy Lopez, Court Records, Presentence Probation Report by Neal Nicolay
37. Gloria Villegas, Certificate of Death
38. Gloria Villegas Medical Records, Maricopa County General Hospital
39. Sammy Lopez School Records, Murphy School District Grades 1-7
40. Sammy Lopez School Records, Murphy School District Grades 1-7, Health Records
41. Sammy Lopez, School Records, Murphy School District Grades 1-7, Nurse Notes

42. Sammy Lopez, School Records, Murphy School District, Grades 1-7, Competency Tests
43. Sammy Lopez, School Records, Murphy School District, Grades 1-7, Final Diagnostic Report
44. Sammy Lopez, School Records, Murphy School District, Grades 1-7, Enrollment Forms, health exams, and diagnostic reports
45. Sammy Lopez, School Records, Carl Hayden High School
46. Eddie Lopez, Court Records, Presentence Investigation Report by Probation Officer Michael A. Jones, Maricopa Superior Court, 97325
47. Esteve Lopez, Court Records, Maricopa County Superior Court, CR 101939, Presentence Investigation Otto Bendheim, MD Letter to Judge
48. Esteve Lopez, Medical Records, Arizona Department of Corrections, Psychological Report
49. Declaration of Cipriano Chayrez
50. Sammy Lopez, Arrest Records
51. Sammy Lopez, Hospital Records, Memorial Hospital, 1/3/80
52. Sammy Lopez, Hospital Records, Memorial Hospital, 9/16/84
53. Sammy Lopez, Probation Records, Presentence Probation Report by David Wilcox
54. Sammy Lopez, Employment Records, National Metals Company Job Application
55. Sammy Lopez, Employment Records, National Metals Company Employment History
56. Sammy Lopez, Prison Records, ADOC-File I
57. Sammy Lopez, Prison Records, Probation Department Presentence Report by Amanda C. Newman Case No. 121406
58. Sammy Lopez, Prison Records, Arizona Department of Corrections, Departure and Arrival Report
59. Sammy Lopez, Police Records, Phoenix Police Department Reports, DR#86-144-475, Interview with Cipriano Chayrez
60. Sammy Lopez, State v. Lopez No. CR 163419

G
WW GEORGE W. WOODS, JR., M.D.
A PROFESSIONAL CORPORATION
DIPLOMATE OF THE AMERICAN BOARD OF PSYCHIATRY AND NEUROLOGY

CURRICULUM VITA
GEORGE W. WOODS, Jr., M.D.

EDUCATION:

Westminster College, Salt Lake City, Utah
Graduated 1969

University of Utah, 50 North Medical Drive,
Salt Lake City, Utah
Graduated 1977

Internship - Medical/Surgical, Highland Hospital, Oakland, California, July 1977 to June 1978

Residency - Psychiatric - Pacific Medical Center
San Francisco, California, 1981
Chairman: Allen Enelow, M.D.

Fellowship - APA/NIMH Fellowship Pacific Medical Center, San Francisco, California, 1981 to 1982
Chairman: Jeanne Spurlock, M.D.

LICENSES, CERTIFICATIONS, AND DIRECTORSHIPS:

Licensed Physician in California, 1979

Interim License, Zanzibar Revolutionary Government, 2004-2005

Certified by the American Board of Psychiatry and Neurology, 1992

Fellow: American Psychiatric Association, 2004

International Board of Directors, International Academy of Law and Mental Health, 2003

Advisory Board, Health Law Institute, DePaul University College of Law, 2004

Advisory Board, Human Dignity and Humiliation Studies, University of Oslo, Norway, 2004

Board of Directors, The Center for African Peace and Conflict Resolution, College of Health and Human Services, California State University, Sacramento, May 2004

CLINICAL PROFESSIONAL EXPERIENCE:

Clinical Consultant, Kidongo Chekundu Mental Hospital, Zanzibar, Tanzania, December 2004

Scientific Committee, International Academy of Law and Mental Health, June 2004

Advisor to the Jomo Kenyatta National Hospital, PTSD Project, Nairobi, Kenya, May 27, 1999 to 2003

Consultant to the Board of Directors, Crestwood Behavioral Health Systems, Stockton, California, 1998 to 2004

Technical Advisor, Documentation Committee, Operation Recovery, Kenya Medical Association, August 1998 to 2004

Technical Advisor to Recovery Services, Ministry of Health, United Republic of Tanzania, August 1998 to 2003

Individual Private Practice, Oakland, California, 1996 to Present

Individual Private Practice, San Francisco, California, 1996

Individual Private Practice, Pinole, California, 1988 to 1996

Consultant, Insomnia Division of the Sleep Disorders Center, Doctors Hospital, Pinole, California, 1990 to 1995

Senior Consulting Addictionologist, New Beginnings Programs, San Ramon and Pinole, California, 1994 to 1996

Chemical Dependency Consultant, Physicians' Advisory Committee, Alameda Contra Costa Medical Association, 1994 to 1995

Clinical Director, New Beginnings Chemical Dependency Program, Doctors Hospital, Pinole, California, December 1989 to 1994

Medical Director, Pain Management Program, Doctors Hospital, Pinole, California, 1990-1994

Coordinator, Insomnia Division of the Sleep Disorders Center, Doctors Hospital, Pinole, California, 1990 to 1994

Qualified Medical Examiner, Industrial Medical Council, State of California, 1992 to 1994

Psychiatric/Pharmacologic Consultant, Triumph Over Pain (TOP Program), Kentfield Rehabilitation Hospital, Kentfield, California, 1991 to 1994

Private Practice, Comprehensive Psychiatric Services, Walnut Creek, 1988 to 1993

Psychiatric Consultation, NeuroCare Corporation, Concord, California, 1991 to 1993

Staff Psychiatrist, Crestwood Manor, Vallejo, California, 1983 to 1990

Medical Director, Westside Geriatric Services of Family Service Agency of San Francisco, 1982 to 1983

Staff Psychiatrist - Villa Fairmont Psychiatric Facility, 15400 Foothill Lane, San Leandro, California, 1982 to 1983

Assistant Director of the Inpatient Center, Director of Geriatric Services, Pacific Medical Center, 2121 Clay Street, San Francisco, California, 1981 to 1982

Medical Director, Clinica De La Raza, Blythe, California, 1980 to 1981

Emergency Room Physician, Medical Emergency Services, Fairmont Hospital, San Leandro, California, 1979 to 1981

Emergency Room Physician, Psychiatric Emergency Services, Highland General Hospital, Oakland, California, 1979 to 1981

Faculty and Professional Appointments:

Adjunct Professor, California State University, Sacramento, Department of Educational Leadership and Public Policy, Sacramento, California, January 1, 2003 to present

Adjunct Professor, Morehouse College School of Medicine, Atlanta, Georgia, March 01, 2002 to present

Affiliate Professor, University of Washington, Bothell Campus, Interdisciplinary Arts and Sciences, 1999 to 2004

Adjunct Professor, University of California, Davis, Department of Psychiatry, Forensic Fellowship, 1996 to June 24, 2000

Adjunct Professor, University of Nebraska, Omaha, College of Public Affairs, 1986 to 2002

Summer Faculty, North Central Educational Research Laboratory, Northeastern University, 1992

Professional Lectures:

Medical Diseases with Psychiatric Manifestations: Morrison and Foerster, LLP, February 8, 2005

Diagnosis and Treatment of malaria-induced altered mental states: Kidongo Chekundo Mental Hospital, Zanzibar, Tanzania, December 12, 2004

Law, Mental Health, and Popular Culture: University of San Francisco College of Law, November 4, 2003

Accomodating Mental Illness in the Workplace: 28th International Conference, International Academy of Law and Mental Illness, October 3, 2003

Cultural and Psycho-biological Factors In the Assessment and Treatment of Trauma: Don't Believe Everything You Think, Traumatology 1003, The Trauma Recovery Institute, Morgantown, West Virginia, February 3, 2002

Trauma, Recovery and Resiliency, University of Washington, Bothell Campus, October 10, 2001

Understanding the Relationship Between Neuroimaging, Neuropsychology, and Behavior, National Medical Association 2001 Annual Convention and Scientific Assembly, Nashville, Tennessee, August 07, 2001

The Thrill Is Gone, Keynote Address, African American History Month, Loras College, Dubuque, Iowa, February 28, 2001

Disparate Access to Healthcare, University of Washington, Bothell Campus Nursing Program, February 19, 2001

Anger Management, West Contra Costa Stroke and Aphasia Support Group, Doctors Hospital, San Pablo, California, November 2, 2000

Race, Culture and Bio-ethics, American Society for Bio-ethics Annual Conference, Panel Discussion, Salt Lake City, Utah, October 28, 2000

Globalization and Postmodernism, International Congress on Law and Mental Health, Siena, Italy, July 13th, 2000

Globalization and Neuropsychiatry: Answers that Transcend Culture? International Congress on Law and Mental Health, Siena, Italy, July 13th, 2000

Managed Care in the Kenyan Medical Environment, Kenyan Medical Association, Aga Khan Hospital, Nairobi, Kenya, September 07, 1998

The Relationship Between Holidays and Mood Disorders - Doctors Hospital, Pinole, California, November 22, 1994

The Role of the Mental Health Expert as a Liaison Between Chemical Dependency and Pain Management Programs - American Academy Of Pain Management, Vancouver, Canada, August 18-21, 1994

Chemical Dependency: Selected Topics - Critical Care Conference, Doctors Hospital, Pinole, California, March 21, 1994

Detox: The First Step to Recovery - National Medical Enterprises Management Services Division Annual Conference, Colorado Springs, Colorado, October 13, 1993

Substance Use and Substance Induced Organic Mental Disorders - National Medical Enterprises Management Services Division Annual Conference, Colorado Springs, Colorado, October 12, 1993

Dual Diagnosis in the Inpatient Setting - Professional Seminar, Doctors Hospital, Pinole, California, September 27, 1993

Depression and Strokes - Brookside Hospital, San Pablo, California, March 03, 1993

Drug Interactions in the ICU - Clinical Care Rounds, Doctors Hospital, Pinole, California, March 1992

Overview of Sleep Disorders - Grand Rounds, Doctors Hospital, Pinole, California, January 1992

Benzodiazepines: Uses and Abuses - Grand Rounds, Brookside Hospital, San Pablo, California, May 1991

Sleep Disorders in Schizophrenia - Quarterly Medical Staff Meeting, East Bay Hospital, March 1990

Afro-Centricity in Psychology - Grand Rounds, San Francisco General Hospital, San Francisco, California, 1987

Geriatric Psychiatry - University of Southern California, 1982

Professional Affiliations:

California Medical Association

Northern California Psychiatric Society

American Society of Addiction Medicine

American Psychiatric Association

Black Psychiatrists of America

American Neuropsychiatric Association

American Psychological Association

Clinical Professional Activities:

Scientific Committee, International Academy of Law and Mental Health, June, 2004

Physicians' Advisory Committee, Alameda Contra Costa Medical Association, Oakland, California, 1993 to 1995

Physicians' Advisory Committee, Doctors Hospital, Pinole, California, 1991 to 1996; Chairman, 1994 to 1995

Medical Privileges Committee, Doctors Hospital, Pinole, California, 1993 to 1996

Board of Directors, Solano Park Hospital, Fairfield, California, 1993 to 1994

Board of Directors, East Bay Hospital, Richmond, California, 1992 to 1993
Chief of Staff, East Bay Hospital, Richmond, California, 1992

Chairman, Medical Executive Committee, East Bay Hospital, Richmond, California, 1992
Allied Health Committee, Doctors Hospital, Pinole, California, 1992

Pharmacy & Therapeutics Committee, Doctors Hospital, Pinole, California, 1992

Professional Activities Committee, East Bay Hospital, Richmond, California, 1991

Psychiatry Committee, Chairman, East Bay Hospital, Richmond, California, 1990

Honors:

Outstanding Professor Award, Goodrich Program, Department of Public Policy, University of Nebraska at Omaha, 1993

National Medical Enterprises' Outstanding Medical Director for Psychiatric, Rehabilitation and Recovery Hospitals, 1992

Chief of Staff Award for Outstanding Service, East Bay Hospital, Richmond, California, 1992

Publications:

Abueg, Woods, Watson: *Disaster Trauma;* **Cognitive-Behavioral Strategies in Crisis Intervention**: Second Edition, Guilford Press, New York and London; pages 273-290

FORENSIC PRACTICE:

Consultant to the Victims' Assistance Program, State Board of Control, State of California, Sacramento, California, 1994 to 2001

Medical Examiners Panel, San Francisco County, Marin County and Contra Costa County Superior Courts, 1983 to Present

Psychiatric Consultant to Civil, Criminal and Appellate Judicial Proceedings Nationally, 1981 to Present

Professional Lectures:

Demystifying Emotional Damages Claims, Paul, Hastings, Janofsky & Walker, San Francisco, California, January 15, 2002

An Introduction To Multi-Axial Assessment and DSM-IV, Second National Seminar on Mental Illness and the Criminal Law, Miyako Hotel, San Francisco, California, September 7 - 10, 2000

Psychiatric Manifestations of Medical Disorders, Second National Seminar on Mental Illness and the Criminal Law, Miyako Hotel, San Francisco, California, September 7 - 10, 2000

An Introduction To Multi-Axial Assessment and DSM-IV, First National Seminar on Mental Illness and the Criminal Law, Radisson Hotel, Washington, D. C., August 6 - 9, 1999

Psychiatric Manifestations of Medical Disorders, First National Seminar on Mental Illness and the Criminal Law, Radisson Hotel, Washington, D. C., August 6 - 9, 1999

The Kenya/Tanzania Embassy Bombings: When Forensic Science, Politics, And Cultures Collide - International Academy On Law and Mental Health, Toronto, Quebec, Canada, June 17, 1999

Research Collaboration Between East Africa and the United States, World Psychiatric Association/Kenya Psychiatric Association, First Annual Conference, Nairobi, Kenya, May 24, 1999

Trauma/Resiliency In East Africa Workshop, World Psychiatric Association/Kenya Psychiatric Association, First Annual Conference, Nairobi, Kenya, May 23, 1999

Mental Health Litigation and The Workplace, Sponsored by: University of California Davis Health System, Division of Forensic Psychiatry, Department Of Psychiatry, and Continuing Medical Education, Silverado Country Club, Napa, California, March 6-7, 1998

Psychological Disabilities: Charting A Course Under The ADA and Other Statutes, Yosemite Labor and Employment Conference, Yosemite, California, February 21, 1998

Current Trends in Psychiatry and the Law: Developing A Forensic Neuro-Psychiatric Team CLE, Federal Public Defenders For The District Of Oregon, Portland, Oregon, January 23, 1998

The Changing Picture of Habeas Litigation, The National Habeas Training Conference, New Orleans, Louisiana, August 21-24, 1997

Accommodating Mental Illness In The Workplace, Employment Law Briefing, Orange County, July 31, 1997

Accommodating Mental Illness In The Workplace, Employment Law Briefing, Palo Alto, California, July 15, 1997

Accommodating Mental Illness In The Workplace, Employment Law Briefing, Morrison & Foerster, San Francisco, June 20, 1997

Psychiatric Evaluations in the Appellate Process - Emory University, Department of Psychiatry, Forensic Fellowship, Atlanta, Georgia, May 9, 1997

So You Wait Until Discovery Is Over to Consult with a Psychiatrist? Can You Tell Me More About That? - Morrison and Foerster Labor Law College, Los Angeles, California, April 19, 1997

The Changing Cultural Perspectives in Forensic Psychiatry - San Francisco General Hospital Grand Rounds, San Francisco, California, February 13, 1997

Evaluation of an Elementary School Child: Criminal Competency and Criminal Responsibility - Stanford University School of Medicine, Department of Psychiatry and Behavioral Sciences, Division of Child Psychiatry and Child Development, Grand Rounds, Palo Alto,

California, December 11, 1996
Forensic Psychiatry: Cultural Factors in Criminal Behavior, Malingering, and Expert Testimony - The Black Psychiatrists of America Transcultural Conference, Dakar, Senegal, West Africa, November 13, 1996

Dangerousness: Evaluation for Risk Assessment - Grand Rounds, Department of Psychiatry, University of California at Davis, June 05, 1996

Violence In The Workplace: A Psychiatric Perspective Of Its Causes and Remedies - The Combined Claims Conference of Northern California, Sacramento, California, October 05, 1995

Experts: New Ways to Assess Competency - Neurology and Psychopharmacology - Santa Clara University Death Penalty College, Santa Clara, California, August 07, 1995

Multiple Diagnostic Categories in Children Who Kill: Psychological and Neurological Testing and Forensic Evaluation - The American College of Forensic Psychiatry 13th Annual Symposium, San Francisco, California, April 27, 1995

Mock Trial: Client Competence in a Criminal Case: Testing the Limits of Expertise-The Psychiatrist's Opinion as Scientific, the Expert's Foundation As Sufficient - The American College of Forensic Psychiatry 13th Annual Symposium, San Francisco, California, April 28, 1995

The Use of Psychologists In Judicial Proceedings - The California Attorneys for Criminal Justice/California Public Defenders Association Capital Case Seminar, Monterey, California, February 18, 1995

Commonly Seen Mental Disorders in Death Row Populations - The California Appellate Project, Training Session for Legal Fellows and Thurgood Marshall Investigative Interns, San Francisco, California, September 30, 1994

Anatomy of a Trial - Mock Trial Participant, The California State Bar Annual Convention, Anaheim, California, September 24, 1994

Developing a Forensic Neuropsychiatric Team - The American College of Forensic Psychiatry 12th

Annual Symposium In Forensic Psychiatry, Montreal, Quebec, May 06, 1994

Responsibility in Forensic Psychiatry - Department of Criminology Faculty Seminar, University of Nebraska at Omaha, April 16, 1994

Attorney/Investigator Workshop: Brain Function - The 1994 California Attorneys for Criminal Justice/California Public Defenders Association Capital Case Seminar, Long Beach, California, February 20, 1994

Appellate and Habeas Attorney/Investigator Workshop: Evaluating Mental Health Issues in Post-Conviction Litigation - The 1994 California Attorneys for Criminal Justice/California Public Defenders Association Capital Case Defense Seminar, Long Beach, California, February 19, 1994

Psychological Issues in Police Misconduct - Police Misconduct Litigation, National Lawyers Guild, San Francisco, November 13, 1993

Neuropsychiatry, Neuropsychology and Criminal Law - Maricopa County Office of the Public Defender, Seminar on Investigation for Mitigation and Capital Cases, Phoenix, Arizona, June 02, 1993

Working With Experts - California Appellate Project, San Francisco, California, December 05, 1993

Forensic Psychiatry and Ethnicity - Black District Attorneys Association, National Convention, 1991

In Association With The National Institute of Trial Advocacy Training, Notre Dame University, South Bend, Indiana:

New York University Law School, New York City, June 14 - 17, 2001

University of North Carolina Law School, Chapel Hill, North Carolina, January 17 - 20, 2001

University of Houston Law School, Houston, Texas January 19 - 24, 2000

University of Tennessee Law School
Knoxville, Tennessee, January 14 - 16, 1999

Atlanta, Georgia, August 27-30, 1998

University of Texas Law School, Austin, Texas, June 25-28, 1998

Temple University School of Law, Philadelphia, Pennsylvania, January 29 - February 1, 1998

Professional Forensic Publications

"Psychiatry and Criminal Law", *Contra Costa Lawyer*, Volume II, No. 8, August 1998

Mock Trial: Client Competence in a Criminal Case: Testing the Limits of Expertise - The Psychiatrist's Opinion as Scientific, The Expert's Foundation As Sufficient - April 1995, Available from The American College Of Forensic Psychiatry on Audiotape

Multiple Diagnostic Categories in Children Who Kill: Psychological and Neurological Testing and Forensic Evaluation - April 1995, Available from The American College of Forensic Psychiatry on Audiotape

Developing a Forensic Neuropsychiatric Team - May, 1994, Available from The American College of Forensic Psychiatry on Audiotape

Anatomy of a Trial - September, 1994, Available from The California State Bar Association on Audiotape

Professional Affiliations:

American College of Forensic Psychiatry

American Academy of Psychiatry and The Law

The American College of Forensic Examiners

International Academy of Law and Mental Health

EDUCATIONAL, BUSINESS, & PROFESSIONAL DEVELOPMENT:

Consultant, Corporate Structure, Tostan, Non Governmental Organization, Theis, Senegal, March 2004

Consultant to Vulcan Industries, Seattle, Washington, December 21, 2001 to March 2003

Educational/Corporate Presentations

Toward Effective Retention Efforts: The use of narratives in understanding the experiences of racially diverse college students. Narrative Matters 2004, Fredericton, New Brunswick, Canada, May 21, 2004

In Association with the Council on Education in Management, Charlotte, North Carolina

Accommodating Psychiatric Disabilities: Avoiding the Legal Pitfalls of the ADA. H.R. Conference, Palm Springs, California, March 28th, 2003

In Association with Matthew Bender Legal Publishing, New York:

Psychiatric Disabilities and California Workplace Requirements, With the Bar Association of San Francisco, San Francisco, April 30, 1999

Psychiatric Disabilities Under the Americans With Disabilities Act: Without Pretrial Strategy, Atlanta, Georgia, November 12, 1998

Psychiatric Disabilities Under the Americans With Disabilities Act: Pretrial Strategy, Los Angeles, California, May 28, 1998

Cognitive Assessment and Curriculum, Department of Educational Policy, Urban Leadership Program, Graduate School of Educational Leadership, California State University at Sacramento, September 27, 2002

THE CRITICAL MOMENTS GROUP

"Part I - Responding Creatively to Cultural Diversity through Case Stories" and "Part II - Strategies and Challenges for a Campus-wide Diversity Project: Models of Integrating Critical

Moments", 14th Annual Conference on Race and Ethnicity in American Higher Education, Seattle, Washington, June 2, 2001

"Teaching Complex Case Stories," Faculty Development, Loras College, Dubuque, Iowa, February 28, 2001

"Critical Moments: Creating a Diversity Leadership Learning Community", 13th Annual National Conference on Race and Ethnicity in American Higher Education (sponsored by the University of Oklahoma's Southwestern Center for Human Relations Studies), Santa Fe, New Mexico, June 3, 2000

"Critical Moments: Practicum on Teaching Diversity Through Case Stories," 13th Annual National Conference on Race and Ethnicity in American Higher Education(sponsored by the University of Oklahoma's Southwestern Center for Human Relations Studies), Santa Fe, New Mexico, June 3, 2000

"Improving Undergraduate Education: Teaching and Learning in the Context of Cultural Differences," The Washington Centers for Improving the Quality of Undergraduate Education, 13th Annual Conference, Seattle, Washington, February 25, 2000

"Critical Moments: Deepening Our Understanding of Cultural Diversity through Critical Analysis, Effective Interviewing, Case Writing, and Case Teaching," The Washington Center, Evergreen State College, Olympia, Washington, November 11-12, 1999

"Teaching Complex Issues with Case Studies: A Workshop for Faculty and Graduate Teaching Assistants," University of Nebraska at Lincoln's Teaching and Learning Center and Critical Moments Project, September 7, 1999

"Critical Moments: Writing the Stories of Diverse Students," Washington Center for Improving the Quality of Undergraduate Education Workshop for College and University Faculty, Administrators, Staff and Students, Evergreen State College, Bothell, Washington, August 23 - 27, 1999

"Critical Moments: A Case Study Approach for Easing the Cultural Isolation of Under-represented College Students," Presented at "Transforming Campuses Through Learning Communities," National Learning Communities Conference, Seattle, Washington, May 20 - 23, 1999

Contextualism and Multi-cultural Psychology - Graduate Seminar University of Nebraska, Omaha, Nebraska, April 01, 1993

Curriculum and Developmental Stages - North Central Educational Research Lab, Northwestern University, July 1992

PUBLICATIONS:

Critical Moments: Responding Creatively to Cultural Diversity Through Case Stories; Third Edition, Diane Gillespie, Ph.D. and George Woods, Jr., M.D., 2000

Offices:

Oakland, Atlanta, Seattle, San Antonio

1-866-646-0509

gwwoods@comcast.net, gwwoods@concentric.net

This Curriculum Vita Updated February 14, 2005