

Report of the Attorney General on the February 2 and 3, 1980 Riot at the Penitentiary of New Mexico

PART I The Penitentiary The Riot The Aftermath

*Report Mandated By
Section 9, Chapter 24, Laws of 1980*



STATE OF NEW MEXICO
OFFICE OF THE ATTORNEY GENERAL

JEFF BINGAMAN
ATTORNEY GENERAL

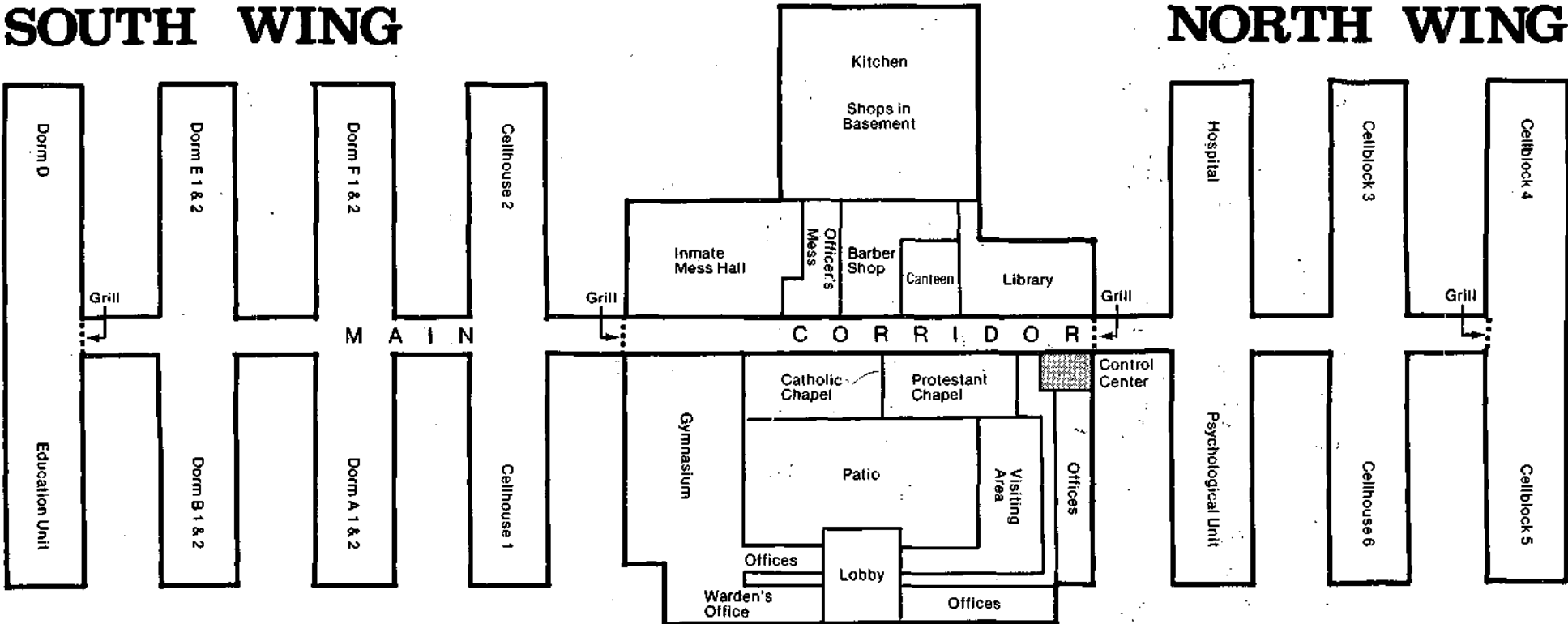
Issued June 1980

72933
Box 1047
B753

ADMIN AREA

SOUTH WING

NORTH WING



THE PENITENTIARY OF NEW MEXICO
MAIN FLOOR PLAN
PRISON DIAGRAM

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on the February 2 and 3, 1980 Riot
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**PART I
The Penitentiary
The Riot
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ACQUISITIONS

STATE OF NEW MEXICO
OFFICE OF THE ATTORNEY GENERAL

JEFF BINGAMAN
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STATE OF NEW MEXICO

Office of the Attorney General

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JEFF BINGAMAN
ATTORNEY GENERAL

June 5, 1980

TO: Governor Bruce King and Members of the New Mexico Legislature

FROM: Jeff Bingaman, Attorney General

RE: Part I -- Report of the Attorney General on the February 2-3 1980, Riot of the Penitentiary of New Mexico.

Part I of our Report describes the events that occurred just prior to, during, and in the aftermath of the February 2 and 3, 1980 Riot at the New Mexico State Penitentiary. The Report is a factual narrative of those events, and is intended only to report facts. It therefore purposely does not draw any conclusions or make any recommendations.

The Attorney General's investigation will continue. Part II of this Report, which will be completed in the Fall of 1980, will address the overall conditions at the Penitentiary and its satellite institutions. That report will make specific recommendations for changes and improvements in correctional administration, policies and facilities.

During the investigation which resulted in Part I, our office took extreme care to exclude all information which could possibly affect the criminal cases resulting from the Riot. As you know, this office has no role in those prosecutions, or in the defense of any civil cases which may be brought as a result of the Riot.

To accomplish the purpose of Part I of this Report, our initial investigation was aimed at establishing facts to give state officials and the public a clear picture and understanding of how the riot occurred. To obtain that information, we pledged that our sources would remain confidential. Appendix B details the steps we have taken to insure both the objectivity of the Report, as well as the confidentiality of our sources.

The following members of my staff deserve the credit for the research and preparation of this Report: Reese Fullerton, Tim Orwig, Manny Aragon, David Brentlinger, Mark Colvin, Tess Fiddes, Michael Francke,

Ray Gallagher, Ken Richards, Carol Wantuchowicz, Patrick Whelan, and Jim Wilson. Special note is given to Patrick Von Barga of the Silverbridge Firm and Jerrie Herrera of the Attorney General's Support Staff. We also acknowledge with gratitude the Citizens Advisory Panel for monitoring our investigation and reviewing this Report.

We deliver Part I of our Report in the hope that, by clarifying the facts and events which occurred at the Penitentiary on February 2 and 3, 1980, it will prompt all of us to ask the right questions. Those questions, in turn, if correctly analyzed and answered, should lead to lasting solutions to the underlying problems which the Riot brought to light.

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INTRODUCTION

Shortly before 2:00 a.m., Saturday, February 2, 1980, inmates at the Penitentiary of New Mexico near Santa Fe overpowered four correctional officers during a routine inspection in a medium security dormitory. The inmates rushed through the open dormitory door and, within minutes, captured four more officers. Using keys taken from the officers, inmates freed fellow prisoners of the southwest wing, then moved through an open grill gate to the administrative area of the institution, smashing their way into the main control center. With the seizure of the control center, the inmates gained access to every part of the main penitentiary building, where 1,157 male inmates were residing under the custody and care of 25 correctional employees.

In the 36 hours that followed, 12 officers were held hostage, some of them beaten, stabbed and sodomized. Thirty-three inmates died at the hands of their fellow prisoners, some of the victims tortured and their bodies mutilated. At least 90 other inmates were seriously injured in the riot, suffering from drug overdoses or from beatings, stabbings and rapes inflicted by other convicts. The majority of inmates had escaped to the outside of the walls by the time the riot was over. (See Appendix A, Chronology of Events.)

Prison officials communicated with inmates throughout the weekend in an effort to negotiate the release of the hostage officers and the surrender of the inmates. By 1:30 p.m., Sunday, February 3, 1980, the violence had spent itself; police and National Guardsmen retook the penitentiary without resistance. The State went about the business of identifying the dead and the living, providing temporary housing for the inmates, rebuilding the burned out prison, preparing to prosecute criminal cases, defend civil suits and, if possible, learn what had gone wrong. (See Appendix B: Procedures Followed in the Investigation.)

THE PENITENTIARY

An understanding of the events at the Penitentiary of New Mexico on February 2 and 3, 1980, requires a basic familiarity with the institution, and its physical characteristics. The following is a narrative "tour" intended to acquaint the reader with the prison as it was on February 1, 1980. Diagrams on the inside cover and on pages 3, 5, 7, 9, 12, 17, and photographs on pages 50a-h help the reader understand the text.

The penitentiary reservation is approximately 10 miles south of Santa Fe, New Mexico, on State Road 14. A visitor arriving at the institution must first stop at a traffic control checkpoint at the road entrance and obtain clearance to proceed. After approval of the checkpoint officer, the visitor travels west for approximately a quarter mile to the main penitentiary compound, passing the residences of the warden and other administrative officials to the south, and a mobile home complex to the north, where some corrections employees live.

At the gatehouse near Tower 1, (see Diagram 1) the visitor must signal to the gatehouse officer by way of a radio posted in the parking lot. The officer gives parking instructions and clearance to proceed to the gatehouse, where the visitor must obtain further clearance to enter the penitentiary. Beyond the gatehouse and the double perimeter fence of chain link and concertina barbed wire is the penitentiary. Built in 1956 in the "telephone pole" style the institution is divided into three main sections: A South Wing, a central Administrative Area, and a North Wing. (See Prison Diagram on inside of front cover and Photograph 1 on p. 50a).

The prison was designed for 1,058 inmates on February 1, 1980, but the population that day was 1157. (See Appendix C, Inmate Population; note federal court opinion of January, 1979 that prison was designed for approximately 900 inmates.)

At the gatehouse, the visitor might take a brief look at Tower 1, the most important of the four watch towers placed around the perimeter of the compound. Entering the tower from a door at the base, the visitor can observe stairs leading to the upper observation platform. On the ground level of the tower is an armory intended for the storage of guns, ammunition, riot control equipment and keys to the exit doors of the penitentiary. On February 1, 1980, and for quite some time before, the set of keys to the prison's exit doors was not complete.

After climbing the stairs, the visitor reaches the observation platform of Tower 1. To one side, closest to the gatehouse, is a control panel which controls the electronic gates leading to and from the holding area. (See Prison Diagram.) It is the responsibility of the Tower 1 officer to open and shut the main gate at all times, and to operate the side gate from 4:30 p.m., to 7:30 a.m., when the gatehouse is unmanned.

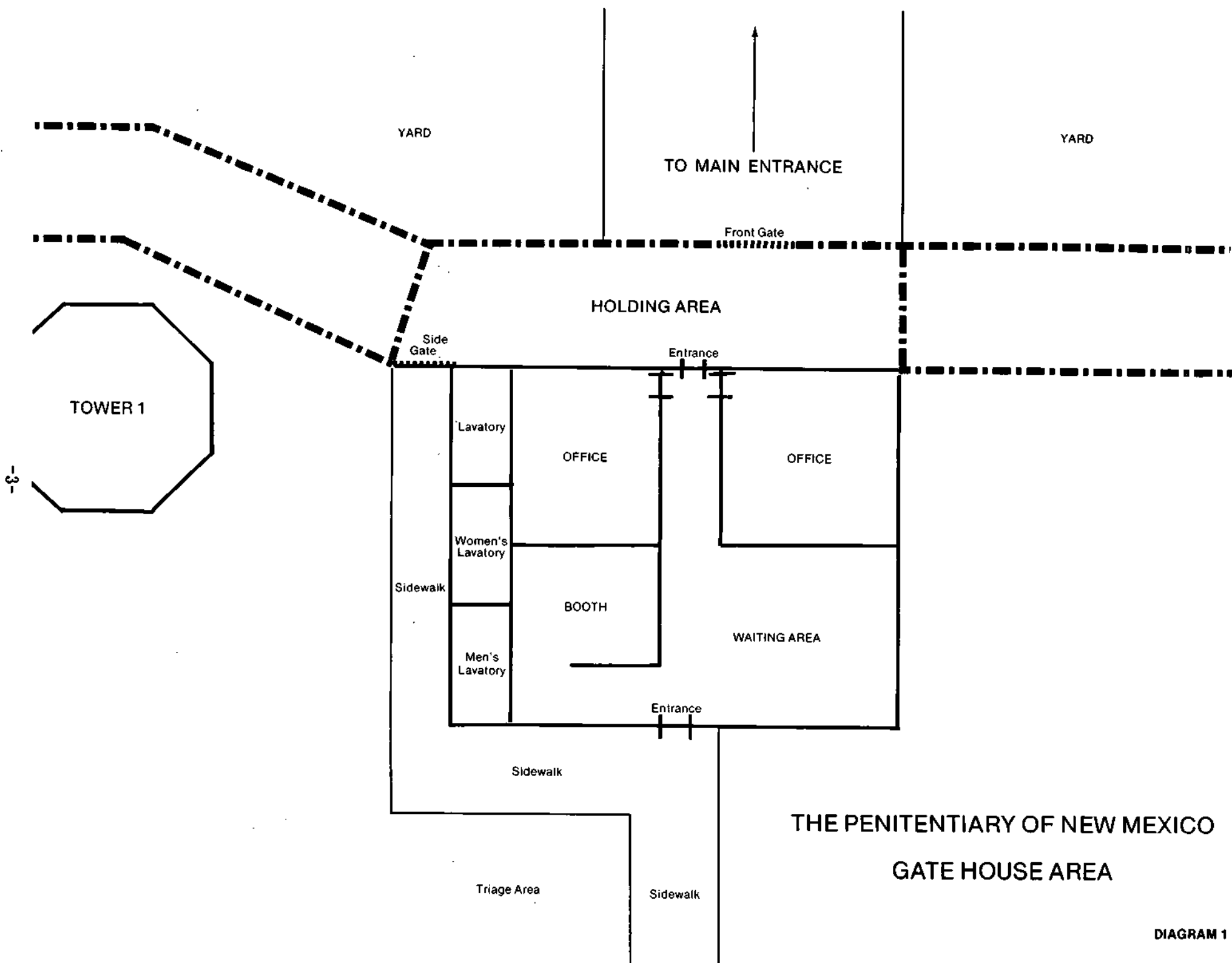


DIAGRAM 1

The tower is equipped with a spotlight on a turret, enabling the officer to sweep a beam of light across the yard and the exterior of the institution. A catwalk on the outside of the tower nearest the prison enables the officer to step beyond the observation platform and observe the area along the ground near the inside perimeter fence. Coils of concertina barbed wire along the top of the perimeter fence make it impossible to see much of the fence line from inside the tower. The blind spot was discovered during an investigation of the December 9, 1979, escape of eleven inmates from the institution. The catwalk was installed to remedy the problem.

After receiving clearance at the gatehouse, the visitor walks through a holding area (see Prison Diagram) to the main gate, which must be electronically opened by the officer stationed in Tower 1. It is a 30-yard walk from the gate to the front entrance. The visitor enters the lobby, which looks out to an open patio in the center of the compound. To the left are administrative offices, including the warden's. To the right, through a barred grill gate and down a corridor, the visitor passes more administrative offices on the right and visiting rooms on the left. (See Prison Diagram and Appendix D, which explains in detail who filled these positions on February 1, the job descriptions for each, and recent changes in the organizational structure of the prison administration.) The visitor turns left, passes through another barred grill gate, and continues down the corridor, to the Control Center. (See Prison Diagram.)

The Control Center. The Control Center is the central security area inside the prison. It is the point from which five grill gates may be electronically opened, and where keys to every area of the institution are kept. The Control Center faces out into the main corridor through a bay window with five large, unobstructed panes of 1 3/16 inch "bullet-resistant" mirrored glass. (See Photograph 2, p. 50b.) The glass was installed in early January 1980, to provide better visibility than the steel-encased 6" x 9" window panes it replaced. (See in Diagram 2 the location of the tear gas, riot control gear, key board and the control panels from which five grills may be electronically opened.)

Moving from the Control Center through a series of grill gates and a vestibule, the visitor enters the main corridor. The corridor extends the length of the penitentiary north and south, and provides the "telephone pole" of the building's design; the living units intersect the "pole" as "crossarms." (See Prison Diagram.)

The physical security system of a modern prison is designed to contain any threatening incident at its point of origin and prevent its spread to other sectors of the facility. At the penitentiary this system consists of the placement of barred doors -- "riot control grills" -- which would seal off each dormitory unit, cellblock or cellhouse from access to the main corridor of each wing and seal each floor from others. In addition, there are grills in each corridor

MAIN CORRIDOR

North
corridor
grill
(sliding)

WINDOWS

Control
Panel

Key Board

CONTROL
CENTER

Control
Panel

Vestibule

THE PENITENTIARY
OF NEW MEXICO

CONTROL CENTER AREA

Storage
(tear gas,
riot gear)

Lavatory

gate
grill

gate
grill

gate
grill

gate
grill

Stairs

Deputy
Warden's
Office

Administrative
Corridor

-5-

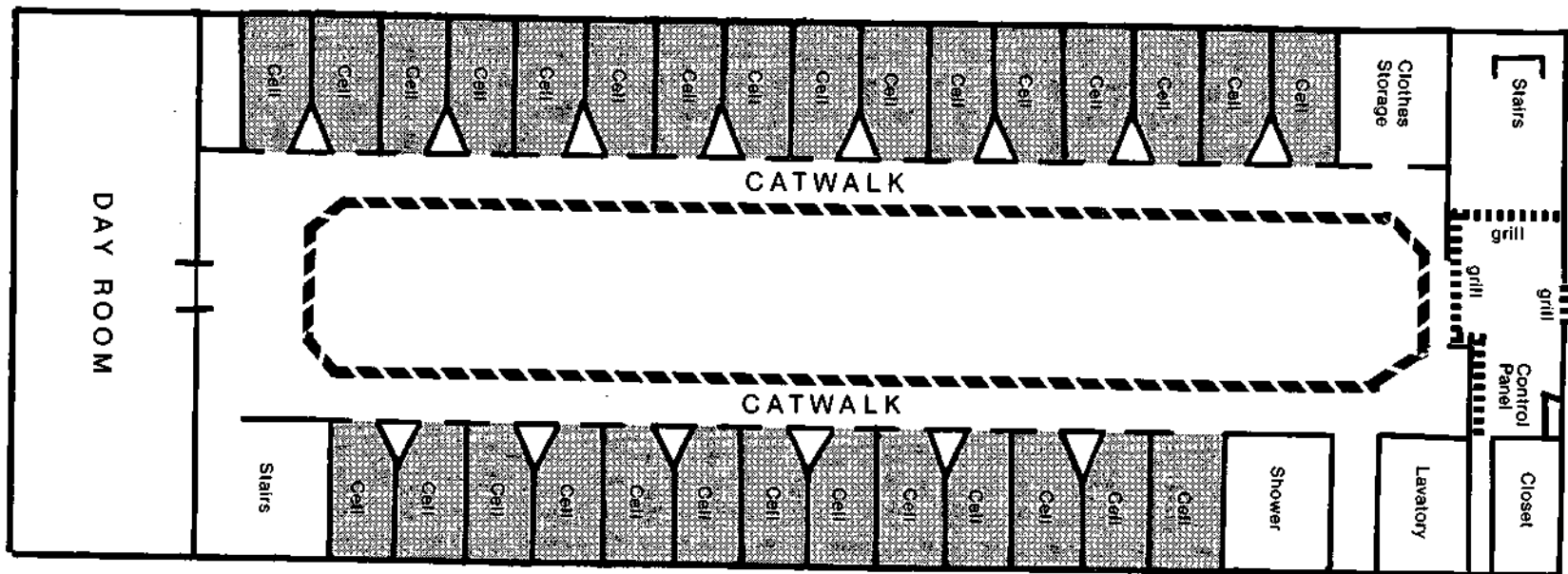
to seal each wing from the main Administrative Area. There are also locked doors located at other key security points.

Corridor Grills. Just north of the Control Center, a corridor grill gate separates the administrative area from the North Wing. (See Prison Diagram.) The grill can only be unlocked electronically from the Control Center. Someone wishing to pass through the gate must signal the Control Center officer by two-way radio, by a button switch buzzer on the wall near the grill, or visually through the windows. Once the Control Center has unlocked the grill, one of the two laterally-sliding gates must be opened manually, and they snap lock when closed. It is a penitentiary procedure that this grill, and a similar grill gate which separates the Administrative Area from the South Wing (see Prison Diagram), be kept locked during the evening and morning watches (4:30 p.m. to 7:30 a.m.) daily. But according to several shift supervisors and duty officers these two corridor grills were frequently left open.

North Wing. Having entered the North Wing, the visitor proceeding northward down the corridor passes the Psychological Unit on the right and the Hospital, including a pharmacy, on the left. Part of the second floor of the Psychological Unit has been converted into Dormitory C-1 for the penitentiary's older inmates.

Cellhouses. Proceeding northward down the main corridor, the visitor comes to Cellhouse 6, on the right, and Cellblock 3, on the left. (See Prison Diagram.) Entering Cellhouse 6 through a barred riot-control grill that separates the unit from the main corridor, the visitor stands in a gallery or vestibule, which is separated from the housing unit by another barred grill. (See Diagram 3.) To the left is a stairwell leading to the second tier. The housing unit consists of a central corridor flanked by individual cells along the outside walls. It is the outer cell arrangement that distinguishes a medium security cellhouse from the maximum security cellblocks, which feature an interior cell design. In each cell of the cellhouse is a wash basin, toilet, bunk and a window on the outside wall of the building. No full ceiling separates the first and second tier; catwalks run in front of the cells on the second level. Cellhouse 6 differs from Cellhouses 1 and 2 in the placement of its day room. The day room is on the second level at the extreme west end of the unit, nearest the main corridor. The room is furnished with tables, chairs and a television set. Leaving the unit through the vestibule, the visitor may notice that officers open each cell individually in the cellhouses.

Cellblocks. Across the corridor is Cellblock 3, one of the penitentiary's three maximum security units. Cellblock 3 is used to house disciplinary segregation inmates, those who have violated regulations or are suspected of having committed crimes while in prison. The population of Cellblock 3 is considered by staff to include the most dangerous, troublesome and incorrigible prisoners in



TYPICAL EXTERIOR CELL WING
 Cellhouse 1, 2 & 6
 Total 186 Cells

the institution. A visitor to Cellblock 3, entering the vestibule through the riot-control grill, will notice a grill on either side of the unit. The grills open onto catwalks that front two rows of cells aligned back to back in the middle of the unit. The rows are separated by a maintenance corridor. (See Diagram 4.) Entering the left side of the unit, the visitor can see to the right a stairwell and shower stalls. The stairs lead to an upper tier of cells identical to the middle level, or to the basement where the lower level cells include 11 Maximum Detention Units (MDU's), the most secure cells in the penitentiary.

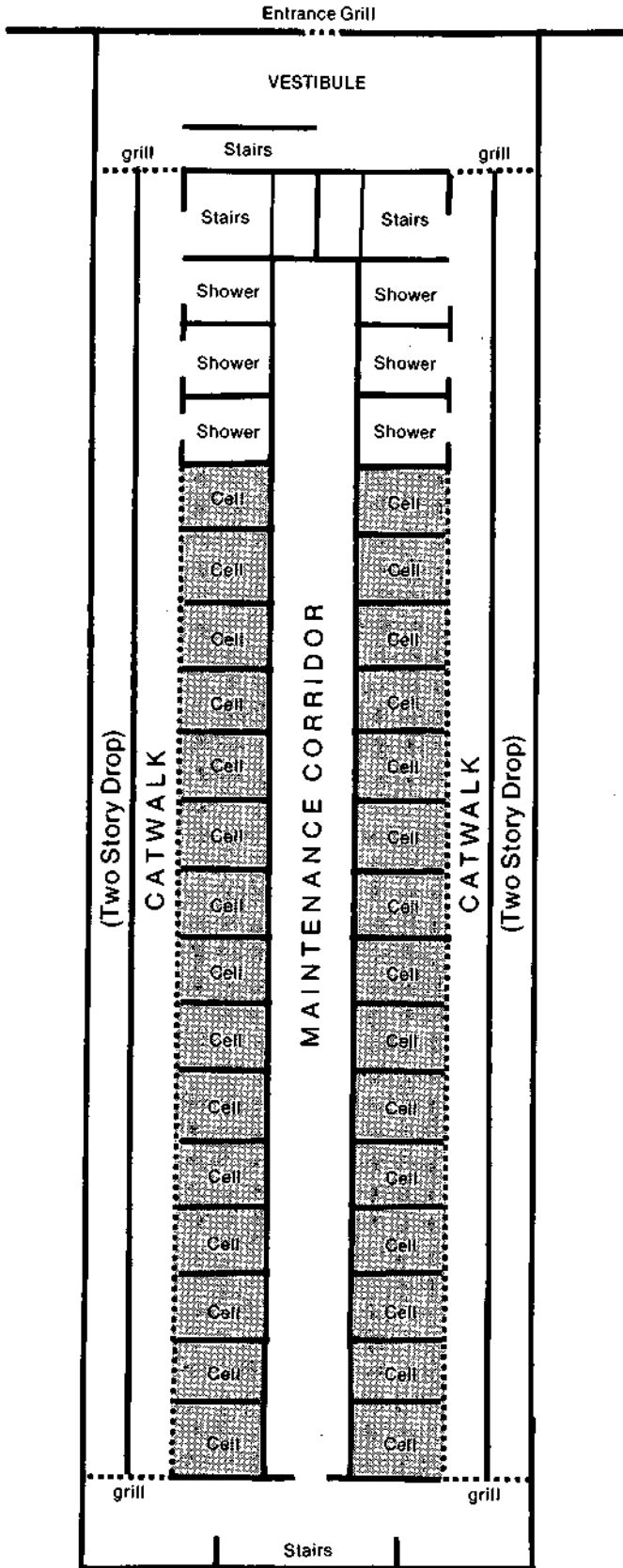
Walking along the catwalk, the visitor can see that in each cell is a bunk, a wash basin and a toilet. The cell is the world of the Cellblock 3 inmate while he is segregated. Except to shower, and to exercise by walking the catwalks a few hours a day, segregated inmates remain in their cells. They are not permitted to participate in educational or work programs; they cannot associate with other inmates; they are fed their meals in their cells. Inmates in general population are allowed three hours of exercise in the gymnasium or, from late March to September, in the recreation yard. On February 1, 1980, Cellblock 3 was filled to its capacity of 86.

The space between the catwalks of the middle and upper tiers and the outside walls of the unit is open from the floor of the basement to the ceiling of the upper tier. The catwalks are fenced on the outside with chainlink wire. At the end of the catwalk, the visitor will see another stairwell and a short corridor by which he can reach the other row of cells on the north side of the tier. He returns to the vestibule down the north side catwalk and exits the unit as he entered, through the vestibule. (See Diagram 4.)

In the main corridor, the visitor turns left and walks north to the corridor grill gate that separates Cellblocks 4 and 5 from the rest of the institution. A corrections officer must unlock the grill gate manually to allow the visitor to proceed to the extreme north end of the penitentiary. On the left, the visitor can see Cellblock 4; on his right is Cellblock 5. (See Prison Diagram.)

Cellblock 4 is similar in construction to Cellblock 3. One difference is that the catwalks of the middle and upper tiers were not fenced on February 1, 1980. Only a handrail separated the catwalks from the three-story open space between the cellblock and the outer walls of the unit. Cellblock 4, like Cellblock 3, is a maximum security unit, but is used for protective segregation. Residents of the cellblock are those inmates whose lives would be in danger if they were to mingle in the prison's general population. Protection cases include inmates who are considered informants or "snitches," those who are known or suspected to be child killers or child molesters, and weak or passive inmates who are subject to homosexual attack by other inmates. Inmates in transit to other institutions are sometimes housed temporarily in Cellblock 4. Ninety-six prisoners were in Cellblock 4 on February 1, 1980, six more than the unit's capacity.

MAIN CORRIDOR



TYPICAL INTERIOR CELL WING
Cellblocks 3, 4 & 5
Total 236 Interior Cells
(in three cellblocks)

Cellblock 5 resembles the other two cellblocks, but has only two tiers of cells, one on the ground floor and another on an upper story. On February 1, 1980, Cellblock 5 was vacant due to renovation to the device that opens, closes, and locks the cells. A visitor could have seen workmen from an outside construction firm (not inmates) working with steel rods and acetylene cutting torches in the vacant unit. The work crew routinely left their tools, including the torches, locked in the cellblock during the night and over the weekend. In the basement beneath Cellblock 5, is a mechanical equipment room, the gas chamber and witness room, and crawl spaces between the basement and the main floor of the institution.

Cellblock 5 is a maximum security unit generally used to house those inmates classified as high security risks, violent, escape-prone, or troublesome prisoners. But the inmates assigned to Cellblock 5 were moved out when renovation began in November 1979. Most were reassigned to Dormitory E-2, a medium security unit in the South Wing of the penitentiary.

The visitor, having finished a cursory tour of the North Wing, returns to the Control Center the way he came, passing a corridor grill, Cellblock 3 and Cellhouse 6, the Hospital and the Psychological Unit, and the corridor grill which separates the North Wing from the administrative area.

Administrative Area. From the Control Center, he walks south down the main corridor toward the South Wing, passing the Protestant and Catholic chapels and the gymnasium, the captain's office on the left, and on the right, the library, barber shop, canteen, officers' mess hall and inmates' mess hall before reaching the south corridor grill gate that separates the Administrative Area from the South Wing. (See Diagram 2 and Photo 3.) In the basement of the west side of the Administrative Area are the prison plumbing shop, carpentry shop, shoe repair shop, paint and glass shop, clothing issue and laundry. A visitor to the basement may see inmates working in the shops as part of the Prison Industries program. He would also see that, while some inmates work or participate in educational programs at the prison, more than a third of the inmates are idle all day; many more are occupied for only a few hours a day. "We actually don't have enough hard labor to keep a man busy for at least eight hours a day," a corrections division head remarked. (See Appendix F for more information on inmate activity.) Note also that a large Prison Industries building and a vocational education building are separately located on the west side of the prison. (See Photograph 1, p. 50a.)

The south corridor grill gate opens in the same manner as the north corridor grill nearest the Control Center. (See Prison Diagram.) It must be unlocked electronically from the Control Center, then manually slid open and closed and snap-locked. As is the case with the north corridor grill, this grill was supposed to be kept closed and locked during the evening and morning watches (4:30 p.m. to 7:30 a.m.) every day.

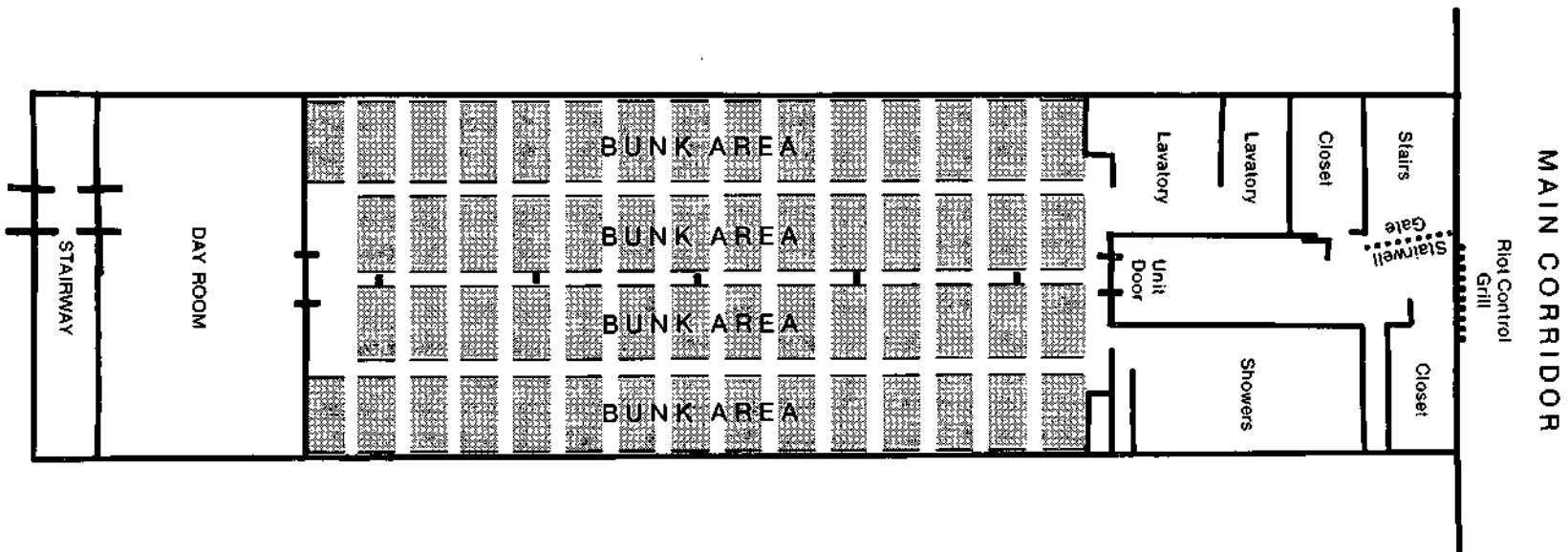
South Wing. Passing through the corridor grill, the visitor enters the South Wing and proceeds southward down the main corridor to Cellhouses 1 and 2, to the left and right, respectively. (See Prison Diagram.) Except for the placement of the day room, as previously discussed, Cellhouses 1 and 2 resemble Cellhouse 6 in their construction. (See Diagram 4.) Cellhouse 1, an honor unit for long-term, well-behaved inmates, does not have sinks and toilets in each individual cells, leaving more space for inmates' personal effects. The cells are not kept locked under normal circumstances, allowing inmates to move freely within the cellhouse.

Dormitories. South of Cellhouses 1 and 2, are Dormitories A (on the left) and F (on the right). (See Prison Diagram.) Dormitories are the least secure of the three types of living units in the prison. Each double-storied dormitory is designed to house 120 inmates on two 60-man floors. (See Diagram 5.) The visitor may enter the vestibule of Dormitory A from the main corridor without opening the riot-control grill. For on February 1, 1980, the riot control grills, which were designed to isolate the individual living units from the main corridor, had been installed but were not in use in the South Wing. The grills were operational and routinely used in the North Wing, however.

In the vestibule of Dormitory A, the visitor can see a staircase to the right leading to A-2 upstairs. A gate at the bottom of the staircase separates A-2 from A-1 and the main corridor; prison procedure requires that the gate remain locked at all times. Dormitory A-1, the ground level floor, is separated from the vestibule by a steel entrance door. The door unlocks by key and opens outward into the vestibule. The door features a snap-lock which is secured, without the use of a key, when the door is closed. Although these doors remain closed and locked at all times except for entry and exit of guards and inmates, guards handled them inconsistently, and sometimes left the doors open while another officer walked through the dorm.

Inside the dormitory, the visitor can see four rows of bunk beds extending the length of the living unit. There is a row along both outer walls, and two more rows along the center of the room. (See Diagram 5 and Photograph 4, p. 50c.) Some of the bunks are doubled, with an upper and lower bed. At the near end of the dormitory, flanking the corridor that leads to the vestibule, are showers and lavatory. At the far end of the unit is a day room furnished with tables, chairs and a television set. At the east end of the day room is a door which, if unlocked, would open into a stairwell hallway and an outside exit. Keys to the exit doors of the penitentiary are not kept in the institution, but are supposed to be stored in Tower 1.

Returning to the main corridor, the visitor can glance briefly into Dormitory F and see that it is the symmetrical opposite of Dormitory A. Dormitories B and E are laid out in the same manner. (See Prison Diagram.)



TYPICAL DORMITORY WING
 Dormitories A, B, F & E
 Total 460 Beds
 (in four dormitories)

Continuing southward, the visitor walks to a corridor grill that separates the Educational Unit and Dormitory D from the rest of the institution. (See Prison Diagram.) The grill is unlocked manually by key. The Educational Unit to the left appears to be what it is: a school, with classrooms, book storage areas and teachers' offices. The classrooms occupy both floors of the Education Unit, as well as the second floor of Dormitory D, across the corridor. The first floor of the dormitory is known as the Admissions and Orientation (A&O) Unit, or Dormitory D-1. This is where new arrivals to the penitentiary and inmates on short-term diagnostic sentences are housed.

Having completed his brief inspection of the South Wing, the visitor returns to the Control Center the way he came, passing a corridor grill gate, Dormitories E, B, A and F, Cellhouses 1 and 2, and the south wing corridor grill. (See Prison Diagram.) Retracing his steps, the visitor then walks down the main corridor, turns right through a locked grill just south of the Control Center, then down through a series of grills to the administrative corridor to the lobby and exits the building through the east entrance.

THE RIOT

FOREWARNINGS OF THE RIOT

In the clarity of hindsight, memos, information and rumors of incidents take on added significance. The following indicators surfaced the month before the riot.

The first indication of a possible hostage seizure came in a memorandum regarding Dormitory E-2 from Dr. Marc Orner, a prison psychologist, to Superintendent of Correctional Security Manuel Koroneos on January 11, 1980. Orner relayed intelligence that inmates were planning to take hostages, and that ammunition and homemade firearms to be used in a takeover were being hidden in Dormitory E-2. The administration responded to this intelligence by conducting a shakedown inspection in the dormitory; but they found no weapons, hooch (alcohol), or ammunition.

A January 23, 1980 memo from Deputy Warden Montoya to Warden Griffin discussed the possibility of a hostage-taking by inmates in Cellblock 3. This hostage seizure was to take place after the evening count. Montoya further states in the memo that a confidential informant had stated that inmates in Cellblock 2 were making knives and then distributing them to other inmates to use in the takeover. In response to the memo, Koroneos recommended the protection inmates in Cellblock 3 be transferred out of the unit for their safety.

Even though at least one shift captain mentioned to his staff that he had received information about a takeover, he suggested no increased security, according to several members of his staff. The intelligence report did prompt a shakedown of the cellblock (no contraband was found) and the assignment of a lieutenant to "monitor and supervise the Cellblock 3 operation" during the day watch on weekends.

There was an increase in the number of requests for transfers out of Dormitory E-2 during the weeks prior to the takeover.

Rumors of impending trouble were reported on the rise just prior to the riot, prompting acting Intelligence Officer Larry Flood to request an intelligence-sharing meeting on January 31, 1980. Present at the meeting were: Flood, Deputy Secretary Rodriguez, Warden Griffin, Deputy Warden Montoya, central office Security Advisor Eugene Long, Deputy Warden Lujan, Associate Warden Martinez, Superintendent of Correctional Security Koroneos, Chief Classification Officer Dillon, State Police Intelligence Officer Fred Encinias and State Police Agent Robert Ortiz, and Attorney General's staff members Manuel Aragon and Pete Dinelli. The participants discussed the possibility of a hostage seizure, potential escape attempts, the smuggling of weapons into the institution, and racial unrest in the prison. Koroneos reported having received intelligence that a white supremacy group within the prison was planning a disturbance -- possibly a hostage seizure in Dormitory E-2 -- in the spring. Associate Warden

Martinez reported that an inmate, mentioned in the January 11, 1980 Orner memo, had requested a transfer out of Dormitory E-2 because "E-2 is getting hot." Larry Flood reported during the January 31 meeting that the mood of the inmates was "quite ugly." A department director reported inmates were acting differently in several ways.

During the week preceding the riot, Warden Griffin ordered staff supervisors to review the penitentiary Riot Control Plan.

The plan itself provides that copies be available in the Captain's Office, and that each corrections employee be required to read the plan. But only two staff members were able to obtain copies of the plan prior to February 2. The Riot Plan lists trouble signs and details responses. Some signs of unrest noted in the Plan include: increases in transfer requests from a particular unit, undue tension among the inmate population and changes in contact between inmates and staff. All three signs were reported prior to the riot.

Friday, February 1, an inmate dropped out of the college program and later told a staff member that he dropped school because he thought a hostage-taking would take place in the school area. One woman employee was reportedly told by an inmate the week of the riot. "When I come and tell you not to come to work the next day, don't come to work." He never warned her, and she didn't report the incident to anyone until after the riot. One guard noted an unusually large congregation of inmates in the corridor on the afternoon before the riot. And the secretary for the Intelligence Officer called in sick the Friday, February 1, before the riot because she feared a disturbance of some kind was imminent, though she had no specific knowledge.

During the week preceding the riot, correctional officers were briefed to remain alert and "keep on your toes" for any possible incidents. No specific procedures were given to correctional officers in these briefings. Penitentiary officials maintained that most inmates suspected of planning a takeover were placed in segregation. Computer records show that only three inmates in Cellblock 3 on the night of the riot had been transferred from Dormitory E-2. None of the three inmates was suspected of planning a takeover.

At least two inmates whom prison officials did suspect of instigating the possible takeover were in E-2 at the time of the riot. One was mentioned in the "Orner memo" and is believed to have taken an active part in the takeover. Neither E-2 caseworkers nor Captain Roybal, supervisor on the morning shift on February 2, 1980, received copies of the "Orner memo" nor were they informed about a possible incident in E-2.

TAKEOVER (FRIDAY, FEB. 1, SATURDAY, FEB. 2)

On Friday, February 1, 1980, 25 correctional employees, including a captain, a lieutenant, a civilian medical technician and 22 corrections officers reported for duty on the morning shift at the Penitentiary of New Mexico. They were charged with the custody, care and control of 1,157 inmates. The same personnel had been on the morning watch for two months. (See Appendix A Chronology of Events and Diagram 6.)

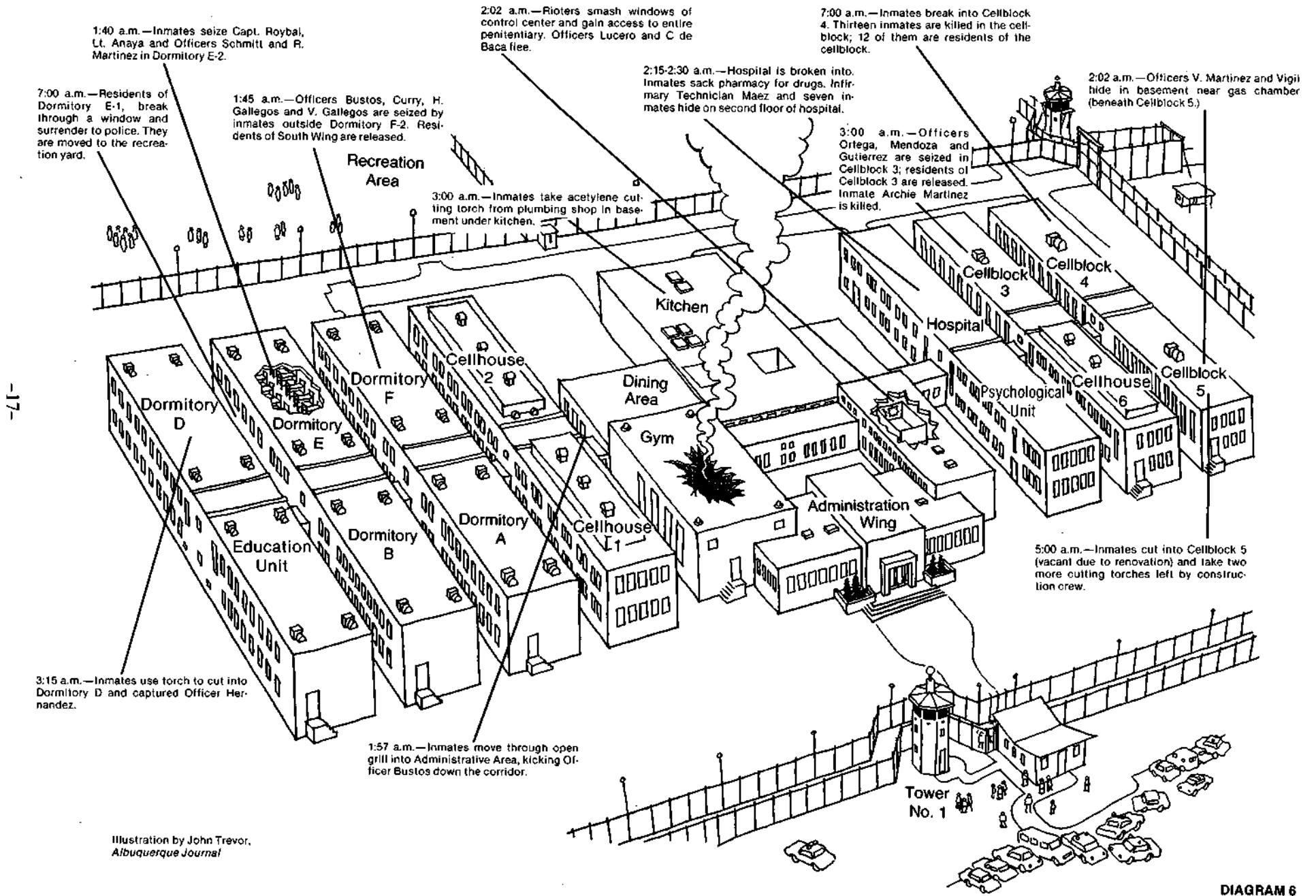
At 11:45 p.m., the morning watch attended a routine shift briefing conducted by Captain Joe D. Baca, shift commander of the evening watch that was just about to end at midnight. Baca made no reference to a potential incident at his briefing. Captain Greg Roybal, commander of the morning shift, made his post assignments for the on-coming crew. Fifteen officers and one civilian were assigned duties inside the penitentiary, housing 1,157 inmates. The remaining nine employees were posted outside the main building. There were two female corrections officers assigned to supervise the 13 female inmates housed in the Trustees' Annex outside the main perimeter fence. The women officers were not under Roybal's direct command.

Assignments. Assignments for the morning watch were as follows: Roybal, shift commander; Lt. Jose Anaya, assistant shift commander; C.O. Lawrence Lucero, Control Center; C.O. Victor Gallegos, south corridor foot patrol; C.O. Elton Curry, Cellhouses 1 and 2; C.O. Juan Bustos, Dormitories A and F; C.O. Michael Hernandez, Dormitory D-1; C.O. Ronnie Martinez, Dormitories E and B; C.O. Michael Schmitt, Dormitory E-1; C.O. Herman Gallegos, work release; Infirmary Tech, Ross Maez, Hospital; C.O. Valentin Martinez, Cellblock 4; C.O. Antonio Vigil, Cellhouse 6; C.O. Larry Mendoza, Cellblock 3; C.O. Edward Ortega, Cellblock 3; C.O. Ramon Gutierrez, north corridor foot patrol; C.O. Louis C de Baca and C.O. Michael Martinez, outside foot patrol; C.O. Gerald Hoch, Tower 1; C.O. Robert Valencia, Tower 2; C.O. Peter J. Richards, Tower 3; C.O. Raymond Sanchez, Tower 4; C.O. Kim Keithley, modular unit; C.O. Roy D. Atchinson, north vehicle patrol; and, C.O. Duane B. Toombs, south vehicle patrol.

Thirty percent of the Corrections staff had received formal classroom training. In addition to the classroom training, new officers received a basic orientation during their first week. During this program, the officer is supposed to spend some time at each post. But some officers reported that the program consisted of little more than a tour of the penitentiary. According to one officer, "If you're lucky, a fellow officer will show you what you have to do if he has time." It is unclear what the content of the basic classroom training program was. Officers described it as "your basic do's and dont's" of law enforcement, and that it had little to do with the realities they encountered on the post.

The duties, backgrounds, and training of two of the officers of the morning watch on February 2, 1980; Ronnie Martinez and Lt. Jose Anaya, typify the staffing problem the penitentiary has experienced.

TAKEOVER



1:40 a.m.—Inmates seize Capt. Roybal, Lt. Anaya and Officers Schmitt and R. Martinez in Dormitory E-2.

7:00 a.m.—Residents of Dormitory E-1, break through a window and surrender to police. They are moved to the recreation yard.

1:45 a.m.—Officers Bustos, Curry, H. Gallegos and V. Gallegos are seized by inmates outside Dormitory F-2. Residents of South Wing are released.

3:00 a.m.—Inmates take acetylene cutting torch from plumbing shop in basement under kitchen.

2:02 a.m.—Rioters smash windows of control center and gain access to entire penitentiary. Officers Lucero and C de Baca flee.

2:15-2:30 a.m.—Hospital is broken into. Inmates sack pharmacy for drugs. Infirmary Technician Maez and seven inmates hide on second floor of hospital.

7:00 a.m.—Inmates break into Cellblock 4. Thirteen inmates are killed in the cellblock; 12 of them are residents of the cellblock.

3:00 a.m.—Officers Ortega, Mendoza and Gutierrez are seized in Cellblock 3; residents of Cellblock 3 are released. Inmate Archie Martinez is killed.

2:02 a.m.—Officers V. Martinez and Vigil hide in basement near gas chamber (beneath Cellblock 5.)

5:00 a.m.—Inmates cut into Cellblock 5 (vacant due to renovation) and take two more cutting torches left by construction crew.

3:15 a.m.—Inmates use torch to cut into Dormitory D and captured Officer Hernandez.

1:57 a.m.—Inmates move through open grill into Administrative Area, kicking Officer Bustos down the corridor.

Illustration by John Trevor, Albuquerque Journal

DIAGRAM 6

Ronnie Martinez alone was responsible for the care, custody, and control of all of the 233 inmates in three separate dormitories: B-1, B-2, and E-2. His starting salary was \$765.00 per month, and he had been working at the prison for four months. In fact, almost 60% of those on duty inside the prison on February 2 had worked for the prison for less than three years. The correctional staff at the prison had a turnover of 80% in 1978, and 76% in 1979. Ronnie Martinez was among the 29% of prison correctional staff to receive formal classroom training. In fact, he had received both basic types of training available for correctional officers.

Lt. Jose Anaya was the assistant shift commander on February 2. He was 52 years old, and had been working at the penitentiary for 25 years. Anaya was one officer of the 35% on duty who had worked for the prison for more than 20 years. (Only one officer, or 5% of the staff on duty, had worked more than 3 but less than 20 years.) There is no written record that Lt. Anaya has received any formal training at all. (See Appendix G for more detail on training programs and staffing for correctional officers.)

Around midnight, the officers of the evening and morning watches had completed an official census count of the inmate population. Captain Roybal, satisfied that the actual body count corresponded with official records, relieved the evening watch. The morning watch began.

Roybal went to the officers' mess hall at approximately 12:20 a.m., to inspect the preparation of the morning meal. He was met there by Lt. Anaya. At approximately 1:09 a.m., Commanding Officer Roybal and Anaya walked to the south wing of the penitentiary to secure the living units -- do a final check of the dorms and cellhouses, and close down their day rooms. On weekends, the inmates are allowed to stay up and watch television until 1:30 a.m.

En route to the living units on the south end of the institution, the two officers passed through a corridor grill which separates the South Wing from the Administrative Area of the prison. The grill was open, clearly contrary to penitentiary policy, and neither officer closed the grill as he walked through.

Following customary procedures, Roybal went to Dormitories B and E to help Schmitt and Ronnie Martinez secure the units. Officers Curry, Bustos and Victor Gallegos began to close down Cellhouses 1 and 2 and Dormitories A and F. They were later joined by Officer Herman Gallegos, who was at the penitentiary between duties as work release officer. Captain Roybal, Lt. Anaya, Schmitt and Ronnie Martinez secured units B-1 without incident. Anaya went to Dormitory D-1 to help Hernandez close down.

Guards Seized In E-2. The procedure for securing dormitories including Dormitory E-2 was well-established. Three correctional

staff persons, including one of the shift supervisors, usually closed the day room, although it is occasionally done by only two officers and sometimes by four, including both shift supervisors. The staff members gather at the door to the dormitory and give any institutional keys they have to the officer who is to man the door. That officer then unlocks the door, opens it and allows the other officers to enter the dormitory. The officer at the door then shuts it so that it locks. Some inmates say that the officer manning the door does not always close it after the others enter, but holds it open about 6-8 inches and observes through a large window until his fellow officers return.

The officers inside the dorm walk down both the aisles to the day room at the other end checking for anything unusual on the way. They enter the day room, move the inmates out, and lock the room. They then return to the door, each officer returning by the aisle which he did not take en route to the day room. Once the officers have reassembled at the door, the officer manning the door unlocks and opens it to permit their exit and then closes it again so that it locks.

But on February 2, 1980, this routine occurred under circumstances in Dormitory E-2 which made it far from routine. The lights in the dormitory and the day room were turned out when the day room was closed. There were a few, small, blue night lights in the ceiling above the right aisle, but they were often out of order. They had not been working in E-2 for over a month before the riot. One of the officers had written a memo about a month before the riot requesting that they be repaired, but there had been no response. The only illumination was supplied by the lights from the lavatory and by the lights on the perimeter fence outside the building. It was so dark in the dormitory that it was impossible for the officer at the door to distinguish the officers from the inmates when the officers were near the day room. All he could see was forms.

The large number of beds in Dormitory E-2 further diminished the poor visibility at night. Although there were only 62 inmates in E-2 on the night of the riot, there were 90 beds. This number required that the row of beds against each wall be double-bunked and the beds be placed perpendicular to the wall. This arrangement made it possible for an inmate to hide between sets of bunks in order to attack an officer walking down the aisle. The thirty bunks created twenty-eight such potential hiding places. The large number of beds also made it necessary to begin the two rows of single beds in the center of the dormitory very near the dormitory door. The proximity of the beds to the door created an opportunity for inmates in these beds to attack the door if they wish to do so. Discussing these conditions, one correctional officer who regularly worked the dormitories said that every time he reported for night duty he wondered whether he would leave the penitentiary alive.

But the most dangerous of the working conditions in E-2 were the inmates themselves. Many of these men were considered dangerous

enough to require assignment to Cellblock 5, a maximum security cellblock, but renovation of that cellblock forced their removal. Prison officials say that it is customary to isolate and disperse dangerous individuals throughout the medium security living units when maximum security units are not available. But most of the inmates in Cellblock 5 were transferred to Dormitory E-2.

In mid-January, several of these inmates smuggled yeast and raisins from the kitchen to their dormitory. They mixed these in plastic garbage bags placed in boxes to ferment an intoxicating "home brew." At about 8:30 p.m., on Friday, February 1, just after the early evening count, a group of these inmates began drinking the brew.

By 10:30 p.m., they were drunk and angry and talking loudly about taking over the place. The men finally agreed that two of them would position themselves in the two single beds nearest the door and attack it when the officers opened it for the closing of the day room.

At about 1:30 a.m., February 2, Captain Roybal and Officers Schmitt and Martinez prepared to close the day room in Dormitory E-2. Schmitt gave Martinez his keys -- Roybal had none -- and Martinez unlocked and opened the door. Martinez opened the door, stepping back, and Roybal and Schmitt entered. Roybal went down the right aisle, Schmitt the left. It is uncertain whether Officer Martinez locked the unit door after the two officers entered. Lt. Anaya entered the unit shortly after Schmitt and Roybal were inside.

When the officers entered, the two inmates who were to attack the door were already in the two beds five feet from the door. When Roybal was over halfway down the right aisle, Schmitt was in the day room, and Anaya was 4 or 5 bunks into the dormitory, one inmate leaped from the bed and hit the still open door. His partner followed and attempted to knock the door wide open. They were quickly joined by other inmates. Roybal, Schmitt and Anaya were jumped at the same time -- Roybal as he was standing in the right aisle about two-thirds of the way to the day room, and Schmitt just after he had heard the door hit, had left the day room and had started up the left aisle.

The guards were quickly overpowered. Martinez struggled to force the door shut, but was unable to do so. Roybal and Anaya are both short, middle aged men of only average physical fitness for their age. The inmates were not only much younger and quicker but many of them lift weights regularly. Only Schmitt had both the youth and size to offer a challenge and he, like the others, was simply overwhelmed by numbers. He was taken to the day room where he managed to throw his own car keys and the day room key out the window. All four officers Martinez, Roybal, Anaya and Schmitt -- were then stripped, bound and blindfolded.

Four More Hostages Taken. An inmate dressed in Roybal's uniform then led other inmates down the stairs between E-2 and E-1, and through the unlocked gate at the bottom of the stairs. They then ran out of the vestibule through the open, unused riot control grill. They ran north along the corridor and then up the stairs to Dormitory F-2. There they attacked Officers Curry, Bustos, Victor Gallegos, and Herman Gallegos, who had just secured Dormitory A-2 and were outside F-2 preparing to secure it. Curry offered resistance, but the inmates stabbed, beat and finally subdued him. They took Curry and Victor Gallegos to the E-2 day room and held them with the other hostages. In the confusion of the attack, Herman Gallegos ran into the day room of F-2 where he was protected by sympathetic inmates.

Some inmates then took the keys from the guards, and unlocked the doors to other dormitories to release other inmates. At least 125 inmates were free in the main corridor in the South Wing almost immediately, and within minutes, more than 500 had free access to the corridor from dorms A-1, A-2, F-1, F-2, B-1, B-2, and E-2. The inmates in E-1, a semi-protective custody dormitory, barricaded themselves in their unit.

Other inmates stripped, bound and blindfolded Bustos in the day room, and then dragged him downstairs to the main corridor by a belt looped around his neck. The crowd of inmates now roaming the corridor began to push and kick him northward down the hallway toward the Control Center.

At approximately 1:57 a.m., Officer Lucero was manning the Control Center when he heard an inmate's voice on the two-way radio saying the shift captain had been taken hostage. The voice demanded a meeting with the Governor, representatives of the news media, and Deputy Corrections Secretary Felix Rodriguez, a former warden. Within moments, Lucero received a telephone call from Officer Mike Hernandez in D-1, saying inmates were on the loose on the south side. Hernandez had locked himself in the educational wing delaying his eventual capture. Lucero telephoned North Wing Officer Valentin Martinez and told him to close and lock the far north corridor grill. He then called Koroneos at approximately 2:00 a.m., and informed him that a riot was developing. Koroneos immediately called Deputy Warden Robert Montoya, who in turn alerted Warden Jerry Griffin.

Corrections Officer Larry Mendoza and Antonio Vigil were in the officers' mess hall shortly before 2:00 a.m. Mendoza had just finished his morning meal, and Vigil was just beginning to eat when they heard a disturbance in the South Wing. From the door of the mess hall the officers observed a group of inmates kicking a naked man in the corridor near Dormitories A and F. Mendoza saw that the south corridor grill, which was about midway between the mess hall and the inmates, was open. He gauged that there was insufficient time in which to secure the grill before the inmates reached it. Vigil and

Mendoza ran north up the corridor and pounded on the Control Center window, telling Officer Lawrence Lucero to unlock the north corridor grill. Lucero unlocked the grill electronically, they went through the grill gates and then locked themselves in the North Wing.

Vigil remained in the corridor behind the grill and observed the inmates. Mendoza went to Cellblock 3 and telephoned Superintendent of Correctional Security Manuel Koroneos' residence on the penitentiary reservation. He learned that Koroneos had already been alerted, and had left for the penitentiary. Mendoza then telephoned Officer Hoch in Tower 1, and told him to alert the other tower officers of a riot in progress, and to instruct them to shoot anyone attempting to escape.

Control Center Entry. Corrections Officer Louis C de Baca, who was walking outside on foot patrol, heard of the takeover on his two-way radio. He entered the penitentiary to aid Lucero in the Control Center, knowing that renovation then in progress made it difficult to exit the Control Center. The renovation plans called for several modifications in the Control Center. Most notable were the installation of a large expanse of safety glass replacing bars and small panes of glass, and an electronic locking device to control access to the Control Center. The locking device in the grill door to the Control Center had not been completed. The one-sided lock faced the outside, and therefore could only be opened from the inside by reaching through the bars with key in hand and blindly attempting to key the lock. This was a difficult task under routine conditions and an even more difficult one in light of the developing riot.

From inside the Control Center, Lucero and C de Baca could see a group of 75-100 inmates gather in front of the glass windows in the main corridor. One of the inmates in the front of the crowd demanded that Lucero open the grills adjacent to the Control Center, allowing the inmates access to the front offices of the institution. Lucero refused. The inmates then began to beat the naked hostage -- Bustos -- with steel rods and pipes, telling the Control Center officer he could expect the same treatment if he did not cooperate. Bustos, whom Lucero did not recognize, was knocked unconscious, and Lucero thought he had been killed. The inmates dragged the hostage southward down the corridor.

The inmates began to beat on the Control Center windows with pipes and a cannister-type fire extinguisher, several of which were routinely placed throughout the institution for emergencies. Officers Mendoza and Vigil watching from behind the north corridor grill some 15 feet away saw the fire extinguisher bounce off the glass doing no harm to the Control Center window. Inmates were also trying to break the window with bars and pipes. They heaved the fire extinguisher against the window a second time, and it just bounced off again. On the third throw, however, the window began cracking. Only seconds

later, inmates were in the Control Center of the penitentiary. Their break-in into the Control Center was accomplished in 3-5 minutes.

Believing the windows would not break, Lucero and C de Baca stood in the Control Center and watched the assault on the glass. When bits of glass began falling from the panes with the first blows of the fire extinguisher, the officers realized the Control Center was vulnerable. Fearing imminent capture, the two fled. In their haste to escape, the officers did not secure any keys on the key board, or attempt to use the tear gas stored in the Control Center. (There were three baseball-type gas grenades, as well as a tear gas launcher and 11 gas grenades in the Control Center at the time of the takeover. Other riot control equipment there included two helmets and 24 batons.)

Reaching the main entrance, the two officers doubled back to the administrative corridor to observe the progress of the rioters. They saw inmates in the corridor near the visitors' area. They ran back to the entrance and reached Tower 1 at 2:05 a.m. They were the first corrections officers to escape the riot.

In 22 minutes the inmates had gained control of the institution. In the North Wing, Mendoza had returned from the telephone to the main corridor, where he saw the group of inmates breaking into the Control Center. Fearing they would soon gain access to the North Wing, Mendoza returned to Cellblock 3 and again called Tower 1. He spoke with Koroneos, who had arrived at the front entrance, telling him the Control Center had been seized, and that if help did not arrive within minutes, the institution would be within the complete control of the inmates. Koroneos told Mendoza, "We're doing all we can."

As it became apparent to North Wing officers that the rioting inmates had seized the Control Center, they began to seek refuge. Vigil telephoned Richards in Tower 3 and informed him that he and Valentin Martinez would be hiding in the basement crawl space near the gas chamber. He told Richards not to transmit their hiding place over the radio for fear that the inmates would pick up the information. So Richards relayed the information by throwing a note to State Police officers standing near the fence. The police then gave the note to Warden Griffin.

Infirmiry technician Ross Maez locked himself into the upstairs hospital with seven inmate patients. Officers Mendoza, Gutierrez and Ortega locked themselves in the basement area of Cellblock 3. Mendoza realized he had left the main key to the cellblock in a small box in the vestibule on the middle level of the cellblock. He crawled to the box, which is used to transfer keys from the main entrance of the cellblock to a security cage on the third tier, and retrieved the key. Although Mendoza was not detected by the inmates, he was able to observe a number of inmates in the corridor. "That's when I began to get very frightened," he said. Mendoza returned to the basement of

Cellblock 3, where he, Ortega and Gutierrez locked themselves in an area used to store bedding in the northwest corner of the unit.

Around 2:00 a.m., Officer Hoch phoned Susan Watts, one of the two correctional employees at the Women's Annex, to tell her that the inmates were rioting. She then phoned the State Police and asked them to call Capt. Benavidez to notify the Penitentiary SWAT team. Watts had the State Police call Gilbert Naranjo of Chimayo (who is in charge of the Women's Annex), Joanne Brown (assistant to Deputy Secretary Rodriguez and in charge of the other women's unit in Radium Springs), and Gene Long.

Release of Maximum Security Convicts. Having broken into the Control Center and electronically unlocked the corridor grill to the North Wing, the inmates rushed into the North Wing main corridor toward Cellblock 3. Some inmates fumbled through a bunch of keys which had been brought from the Control Center to open Cellblock 3. In their haste, they apparently had ignored markings on the key board which identified the keys to various units. Officer Mendoza, who had returned again to the main floor, was ordered to unlock the unit or he'd be killed. He refused and returned to the basement. Between 2:15 a.m., and 2:30 a.m., the inmates moved Captain Roybal from the E-2 day room to Cellblock 3. Roybal's captors attempted to persuade the Cellblock 3 officers in the basement to open the unit by threatening the captain's life. In accordance with prison policy, the officers still refused to respond.

The inmates eventually found the right key to unlock the unit grill. The officers who had locked themselves in the basement ignored the inmates' further demands to open the grill to the basement. They had tried to double (dead) lock this grill but the dead lock would not work. The inmates finally found the appropriate key and unlocked the basement grill as well as individual cells. The officers then ran back behind another grill and refused to open it even though Captain Roybal was being threatened. This refusal to open the grill was again consistent with prison riot policy.

Mendoza, Ortega, and Gutierrez surrendered to the inmates when they came through the grills with the keys. The inmates ordered the guards to strip and told them to remain in a locked basement area.

The inmates had already begun to release the residents of Cellblock 3. Entry to the two upper tiers of the cellblock was controlled by a panel which proved difficult for the inmates to operate. Captain Roybal was forced to assist with the release of the Cellblock 3 inmates by demonstrating the operation of the control mechanism. Roybal was locked in a cell in Cellblock 3. Most Cellblock 3 residents were free by 3:00 a.m.

Access to Drugs and "Sniff." Inmates broke into the hospital and pharmacy at about the same time others were entering Cellblock 3. A

variety of drugs, mostly barbiturates, anti-depressants, anti-psychotics, and sedatives, were available to all comers in massive doses. The large quantity of drugs on hand was due to the State's purchasing policy requiring bulk purchases. Medical experts have observed that the type of drugs at the penitentiary pharmacy would not generally induce violent behavior, rather, they would make inmates drowsy and inactive.

Paint, paint thinner and glue located in the paint shop and the shoe repair shop down in the basement beneath the kitchen were also immediately accessible to the rioting inmates in large quantities. Many inmates commonly inhaled the fumes of these substances as an intoxicant. The availability of large doses of "sniff" contributed to the riot, as the substances are known to induce violent behavior.

Cutting Torches Obtained. Inmates, with the help of keys from the Control Center, obtained a heavy duty acetylene cutting torch stored in the plumbing shop in the basement under the kitchen. They used this torch to cut through the manually operated corridor grill separating the Educational Wing and Dormitory D-1 from the rest of the institution. Officer Michael Hernandez, who had locked himself in the unit, was taken hostage. The opening of Dormitory D-1 released 86 additional inmates. The inmates then used the torch to break into Cellblock 5, which was under renovation. There they grabbed the two more torches that the construction crews had left in the cellblock.

Entry Into Cellblock 4. A jammed grill at the entrance of Cellblock 4, the protection unit, delayed for several hours rioting inmates' entry in the Cellblock.

Any inmate housed in Cellblock 4 was labeled by most other inmates as an informant or "snitch," whether or not that inmate was actually placed in Cellblock 4 for other protective reasons. Inmates associated with the "snitch game" were risking danger. The "snitch game" is a system that uses the threat of disciplinary action to obtain information. In the words of one prison department director, sometimes inmates "have to buy protection by informing." While most staff members used informants and protected their anonymity, there were staff members and supervisors who did not use snitch information confidentially. In fact, several staff members stated that the conduct of investigations within the penitentiary often made it obvious exactly who had informed on whom.

Prisoners in the Cellblock 4 had listened and waited for hours as the inmates from whom they were being isolated freed themselves and stormed through the prison. The residents on the south side of Cellblock 4, which housed 96 inmates, were able to see through barred windows and across a short expanse of yard into Cellblock 3, where men were being let out of their cells. Some said later they expected penitentiary officials to quell the riot quickly, and therefore, were not initially alarmed. However, many of the "protected" inmates

barricaded themselves in their cells with metal bunks, or tied their grills shut with towels and blankets.

They also tried to summon help from officials. "And, you know, we started calling for guards. There weren't any guards there...we were flashing SOS's with our lights trying to get those cops to come in and they wouldn't come in." One inmate commented. This inmate questioned his interviewer, "I mean all the state troopers that were parked all up and down the fence, man...why didn't (they) come in? The back door was right there." Officials stated that they received no such reports. Until inmates began escaping around sunrise, officials assumed that the entire building was in the hands of rioters. The Riot Control Plan of the penitentiary did provide that emergency keys be available to gain entry into any part of the institution at all times. But the emergency set of keys in Tower 1 was not complete. Even though there was a key to the back door of Cellblock 4, the set did not include a key to the grill which allows entry into the cell area. One corrections employee said, "When they told me that the people in Cellblock 3 were free, I said, 'There's death.'"

Just after dawn, rampaging inmates, shouting "Kill the snitches," finally cut through the Cellblock 4 grill with an acetylene torch and gained access to the protective custody inmates. Those cutting into the cellblock shouted the names of their intended victims waiting inside. When individual cells were opened, some of the Cellblock 4 residents masked themselves with strips of torn blankets and were able to disguise themselves, deny their identities, and save their lives. Groups of violent inmates, described later as "execution squads," went from cell to cell in the protection unit, designating their victims while waiting for a cutting crew to torch open the panel used to unlock the cells. Some impatient killers threw flammable liquids into locked cells and onto inmates marked for destruction, and then ignited them. When the cells were opened, the rampaging inmates dragged many of their Cellblock 4 victims out and stabbed, tortured, bludgeoned, burned, hanged and hacked them apart. Victims were thrown from upstairs tiers to the basement floor, where many of the bodies were found.

Takeover Completed. Less than two hours after the guards were jumped in Dormitory E-2, the inmates held 12 hostages, had released inmates from the maximum security cellblock, controlled eight two-way radio units, and were equipped to gain access to all areas of the institution's main building. And within five hours after the takeover of E-2, the rioting inmates controlled the entire penitentiary and had begun to mutilate and kill fellow inmates. Three employees were able to remain hidden in the penitentiary throughout the 36-hour ordeal that followed. (See Appendix H: Employees Inside the Prison at the Time of the Riot.)

SECURITY LAPSES

Post Orders. The written post orders which officers are supposed to receive detail the security equipment operation and security procedures for each area of the prison. Post orders allow an officer assigned to a post to familiarize himself with the duties and responsibilities of the post assignment. Post orders are a major instrument for translating general security policies into actual practice on post. The current versions of most post orders for the penitentiary were written in 1976 and 1977.

But the post orders do not spell out many security procedures and therefore leave much to the discretion of individual shift supervisors. In the words of a correctional expert who has closely observed the penitentiary, "You have captains in charge sixteen hours a day and they have made a lot of accommodations. So you have inconsistency." The information gathered during the investigation confirmed this observation.

Copies of written post orders were non-existent in dorms, cellhouses and cellblocks according to correctional supervisors and staff. The post orders that did exist in the institution were described by correctional officers as being outdated and inadequate, torn, written on, and often did not relate to the realities of the post. New employees were without written orders describing post duties nor did they consistently receive verbal instructions.

The Takeover In E-2. Some of the inmates who took over Dormitory E-2 had been previously housed in Cellblock 5. In November, renovation of the locking system in Cellblock 5 required the transfer of inmates to other units. Cellblock 5 is designed to house high security risk individuals. A few of the inmates from Cellblock 5 went to other cellblocks and cellhouses. But the majority of these individuals were transferred to Dormitory E-2, and a small number of these inmates were identified before the riot as suspects in planning the takeover.

Penitentiary officials maintain that lack of space required the housing of these inmates in E-2. Computer printouts from the day prior to the riot show that seven vacancies were available in cellhouses. Inmates in cellhouses are locked down at night.

Two Supervisors in One Wing. According to prison officials, the presence of both shift supervisors in one side of the prison or in the unit, is a violation of security. This practice leaves a major part of the institution without supervisory direction. Neither post orders nor any written policy forbid this practice. Captain Roybal and Lt. Anaya were both taken hostage in E-2.

Key Handling. The officer covering the units always kept the keys to the unit. The night of the riot, Officer Ronnie Martinez had the keys to Dormitory E-2, B-1 and B-2, the floors under his

supervision, and Officer Mike Schmitt had the keys to Dormitory E-1. Schmitt gave his keys to Martinez upon entering Dormitory E-2. The key handling procedure for all dorms allowed dormitory keys at all times to be in the possession of an officer at a dormitory door. Since officers were covering more than one floor, they had keys to more than one floor. Thus, keys to all dorms were in the South Wing of the institution when the guards were jumped in E-2.

Inconsistent Door Handling. Penitentiary procedures require that one officer close and lock the door behind other officers entering a dormitory floor. The officer securing the door is to watch for any unusual activity. If an incident occurs, the officer at the door keeps the door closed and locked and reports the incident to a supervisor or to the Control Center. The inmates in E-2 were able to capture the guard at the door because he failed to shut the door. Inmates report that the dormitory entrance door was handled inconsistently; sometimes it was closed and locked while at other times it was left open while officers walked through a unit.

Riot-Control Grills Unused. The sliding riot-control grills separate the dormitory vestibule area from the main corridor. The riot-control grills when in operation double lock a dormitory unit from the main corridor.

The riot-control grills were not in use the night of the riot. In fact the grills had not been used for at least six months prior to the riot due to incomplete renovation causing the routine manual operation of the grills to be "cumbersome." Renovation was to allow electronic operation from the Control Center so that with a touch of a few buttons, the living units could be quickly locked down in the event of an incident. In emergencies, officers could use a key to lock or unlock the grills for manual operation. According to a correctional expert familiar with the penitentiary, the administration felt no sense of urgency or priority about completing the renovation of these grills. Several days of work could have completed the renovation on the riot-control grills at any time during the six months before the riot. The failure to use riot-control grills gave inmates immediate access to the main corridor and to the entrance doors, inmates, and guards in dormitories B-1, B-2, A-1, A-2, F-1 and F-2.

South Corridor Grill. After inmates gained access to the main corridor, their progress could have been impeded by the corridor grill that separated the South Wing from the rest of the institution. The south corridor grill locks by being pulled closed manually. (See Photo 3, p. 50c.) It can only be unlocked from the Control Center.

Administrators of the prison and corrections department, from the Superintendent of Correctional Security to the Deputy Secretary, stated that the corridor grills were supposed to be closed and locked at all times after daily activities were completed at 4:30 p.m., and

remain closed and locked until 7:30 a.m. Written post orders or policies failed to mention this procedure. Several staff members, including shift supervisors and duty officers, report that the two corridor grills nearest the Control Center were routinely left open at all times. Other staff members report that these corridor grills were secured at night only on occasion, depending on who the shift captain was. Superintendent of Correctional Security, Manuel Koroneos, had not made a spot inspection of these grills on the morning watch for a long time prior to the riot.

The South Wing corridor grill was neither closed nor locked on the night of the riot; and this allowed rioting inmates access to the corridor area adjacent to the Control Center.

Control Center Glass. The decision to place glass in the Control Center was made over three years ago in response to a recommendation in the 1977 W.C. Kruger & Associates Report requested by the 1976 Legislature. The Kruger Report specified a 1-3/16 inch bullet resistant reflecting glass. The glass was installed to provide better vision into the corridor for Control Center officers. (See Appendix E.)

According to the architect involved, the manufacturers of the glass only guaranteed that the glass passed federal inspection for bullet resistance. "I don't think that anybody ever said that any glass is not breakable." There are indications that corrections officials were concerned about the breakability of the glass. Felix Rodriguez tested a type of security glass with a sledge hammer prior to the installation of the glass and found it virtually unbreakable. The glass Rodriguez tested was not the same type as that installed in the Control Center. After the glass was installed on January 15, correctional officers expressed their concern on the vulnerability of the glass to their supervisors, who in turn expressed their concern to Deputy Warden for Operations Lujan and Warden Griffin. Lujan sent a memo dated January 17, 1980, to the architect overseeing the renovation requesting that a section of the glass be framed for testing. Warden Griffin discussed the possibility of placing steel reinforcement behind the glass and installing port holes so that tear gas could be injected into the main corridor. The administration had not yet taken action on either of the officials' suggestions at the time of the riot. (See Photo 2.a, p. 50b.)

Comments about the vulnerability of the glass continued up until the day of the riot. Inmates joked about the glass to correctional officers including one inmate who thanked an officer the day the glass was installed for giving the institution away.

With three blows of a fire extinguisher, rioting inmates broke through the glass in minutes. With these blows, the inmates held keys to all parts of the institution, to an ambulance and to cars outside the prison. They controlled the grills leading to the administrative

area in the front of the institution. They had access to a cache of riot control equipment. They controlled all communication systems within the prison. They also had access to drugs in the pharmacy; paint, paint thinner, and construction tools. (See Photo 2b, p. 50b.)

Access to Blow Torches and Other Tools. The keys in the Control Center gave the inmates access to the basement where the institution's tools and welding equipment were stored. The inmates used a blow torch from the plumbing shop in the basement to enter Cellblock 5, where they picked up two additional cutting torches. These blow torches belonged to contractors completing the renovation of Cellblock 5. The contractors routinely left their tools locked in Cellblock 5 during off work hours. Two corrections officers reported that two weeks after the escape in December, 1979, they gave a memo to the Superintendent of Correctional Security, Manuel Koroneos, suggesting that contractor's tools, including hack saws and blow torches, be removed from the penitentiary each day. Koroneos said he did not see the memo.

With one of the blow torches, the rioting inmates cut through the far south corridor grill to enter the Education Complex and Dormitory D-1. Then they used blow torches to enter Cellblock 4. They used the same torches to burn into the individual cells within Cellblock 4. Finally, they used the three acetylene torches to torture other inmates.

RESPONSE: EVENTS OF THE RIOT AND NEGOTIATIONS (SATURDAY, FEB. 2)

Deputy Warden Robert Montoya and Superintendent of Correctional Security Manuel Koroneos were the first officials outside the penitentiary to be notified of the riot. Montoya telephoned Warden Jerry Griffin at 2:02 a.m., telling him of the uprising. Koroneos arranged for his wife to notify state and local police. Montoya and Koroneos lived on the penitentiary reservation and arrived at the main gatehouse near Tower 1 minutes after learning of the riot. Griffin, who had been warden since April, 1979, the fifth warden in as many years (see Appendix I, Turnover of Department Secretaries & Penitentiary Wardens), also lived on the reservation. He arrived at the gatehouse shortly after Montoya and Koroneos.

From the gatehouse, inmates could be seen through the windows running up and down the main corridor. The debriefing of Officers Lucero and C de Baca, who had just escaped the building as Griffin arrived, led the officials to the immediate conclusion that the institution was under the complete control of the inmates. Koroneos armed the tower officers with riot guns from the armory beneath Tower 1, and instructed them to fire on anyone attempting to breach the perimeter fence from within the compound.

Griffin tried unsuccessfully to reach Deputy Corrections Secretary Felix Rodriguez by telephone. He then telephoned the State Police and requested the assistance of as many patrol units as were available. The State Police had been alerted to the riot by Mrs. Koroneos and Susan Watts, a female corrections employee stationed at the Annex, just prior to Griffin's call. Santa Fe City Police were notified at the same time.

Initial Inmate Demands. A 2:30 a.m., radio transmission from the inmates informed Griffin, Montoya and Koroneos that Captain Roybal and some of his officers had been taken hostage, and that if officials tried to rush the institution, the inmates would kill the hostages. Roybal reiterated this demand. The inmates made it clear that they would not try to escape. They demanded to meet with Governor Bruce King and members of the news media.

Negotiation Strategy. After a brief conference, Montoya, Griffin and Koroneos agreed that they should try to negotiate the release of the hostages, rather than attempt an immediate assault to retake the penitentiary. Griffin agreed that Montoya, who had been Deputy Warden for five years, should be the person to negotiate with the inmates. Montoya had recently attended a law enforcement course in Crisis Intervention. His initial strategy was to insulate the rioters from decision-makers such as the Warden and the Governor, and thus reduce the likelihood of being forced into a quick response to inmate demands. The deputy warden used the two-way radio unit in his car, and later moved into the gatehouse and used a hand-set radio to talk with the inmates.

Securing the Perimeter. State Police began to arrive at the penitentiary around 2:15 a.m., with Captain Bob Carroll assuming command of all State Policemen on the scene. Thirteen State Policemen arrived by 2:40 a.m., and assisted Captain Gene Tow in making sure that no one could escape the perimeter of the prison grounds. The perimeter was secure by 3:00 a.m. Carroll became one of the advisors to the corrections officials and concurred with the decision not to attempt an early retaking. State Police District Headquarters alerted the eleven-man Northern Zone SWAT team of the New Mexico State Police Tactical Unit, and the team arrived at the penitentiary at 6:00 a.m.

Santa Fe County Sheriff Eddie Escudero and 15 members of his department arrived at the penitentiary around 2:30 a.m. The deputies were deployed around the perimeter, while Escudero and Undersheriff Eddie Armijo joined Montoya and Koroneos in the gatehouse near Tower 1, which had become the command center for the corrections officials.

At 2:35 a.m., State Police Chief Martin Vigil telephoned Governor Bruce King and told him that a riot was underway. Shortly after he was notified, the Governor called National Guard General Franklin Miles who mobilized the National Guard.

Within 30 minutes, National Guard commanders called up two Santa Fe units, the 515th Maintenance Battalion and the 3631st Maintenance Company with a combined strength of 250. Two units from Albuquerque were put on alert and the 717th Medical Detachment was alerted. In all, 500 Guardsmen were called up or alerted. Fifty National Guardsmen had reported for duty at the prison by 7:30 a.m.

Santa Fe City Police began arriving at 2:15 a.m. Detective Joe Tapia of the Santa Fe Police Department arrived shortly after 3:00 a.m., along with other members of the city police SWAT team. Tapia, who had also had training in hostage negotiations, joined Montoya and served as a sounding board and consultant to the deputy warden during the early hours of Saturday morning. Mounted Patrol officers arrived between 3:45 and 4:45 a.m. They were assigned to help with perimeter security during the riot, particularly in the west and southwest part of the fence.

At approximately 2:45 a.m., Saturday, Kiki Goodwin of the Turquoise Trail Volunteer Fire Department received a fire alarm from the penitentiary. The volunteer unit had been placed on stand-by fire duty at the penitentiary for several weeks because the prison's fire truck was being repaired. Members of the Turquoise Trail Department had responded to a number of fires at the penitentiary during their stand-by term, and they did not regard the call Saturday morning as extraordinary. Ms. Goodwin and Phil Fitter, Turquoise Trail Fire Marshall, drove a pumper truck to the prison entrance gate on Highway 14, where they were joined by other Turquoise Trail firefighters with another truck and a rescue unit. They were told that a major riot was in progress at the penitentiary.

The volunteers waited outside the gate on Highway 14 for about an hour, as law enforcement units began arriving at the scene. Because the volunteer unit had responded with its entire complement of vehicles, the Santa Fe Fire Department was called to send one of its pumper trucks to allow Turquoise Trail to return one of its vehicles to stand-by duty in the volunteer department's district. The city pumper and an ambulance soon arrived at the institution, along with Santa Fe Fire Chief Tom Broome and a team of his firefighters.

Early Negotiations. The early radio negotiations were hampered because as many as eight inmates had walkie-talkie radio sets, and all were trying to talk at once. Similarly, Sheriff's officers were also talking with inmates over the radio, until Montoya asked them to stop. Messages were lost or garbled in the confusion, and even clear transmissions were often contradictory as inmates vied for the role of spokesman.

But some demands from inside were consistent. First, the prison was not to be rushed or the hostages would be killed. Second, the inmates wanted to talk with Governor King, Warden Griffin, Deputy Secretary Rodriguez, (who was a former warden), and members of the news media. Third, the convicts wanted a public forum in which to air their general complaints of poor food, overcrowding, mismanagement at the penitentiary, and inadequate recreation. And during the early talks, inmates demanded the resignation of Deputy Warden Robert Montoya, Associate Warden Adelaido Martinez, Superintendent of Correctional Security Manuel Koroneos and Lieutenant Benito Gonzales and Captain Daniel Benavidez. Despite these demands, State officials concentrated their efforts on one issue: the safe release of the hostage officers.

Once Montoya had established communications with the inmates, Griffin returned to his residence and manned the telephone as calls from the Governor and other state officials began to stream in. The Warden's house became the penitentiary communications link with the outside world. Griffin himself became the chief liaison with the press and public, conducting news briefings to the crowd that quickly gathered at the entrance gate on State Road 14. (See Photo 7, p. 50e.)

Reporters and Families Arrive. Before dawn on Saturday, many reporters had gathered at the highway entrance. Friends and relatives of inmates joined the journalists in the roadside vigil. The only source of information about the events inside the penitentiary was from radio scanner monitors which picked up the negotiations. Several of the reporters had scanners in their automobiles. Shortly before dawn, Warden Griffin briefed those at the gate, but was able to tell them little more than they had already learned from the radio monitors. Griffin intentionally declined to comment on the number or identities of the hostage officers because he had learned that three of the officers were hiding inside and did not want to tip off rioters to that fact through the media. Griffin told the reporters at the road that he would brief them every three hours. But the news briefings did not regularly occur, causing reporters and the families

of inmates to scramble for facts, mobbing any official who came or left through the entrance.

The first journalist on the scene was Santa Fe radio commentator Ernie Mills, a veteran political reporter. Mills was alerted to the riot by another reporter around 3:15 a.m., Saturday. He drove to the State Police District Headquarters, was briefed by Chief Martin Vigil, his long time friend, and then rode with a State Police officer to the Warden's residence around 5:45 a.m. Mills stayed at the residence and monitored the radio negotiations between Montoya and some of the rioters. At approximately 9:00 a.m., Mills rode to the gatehouse with a Corrections Department employee. He observed the negotiations, conferred with Rodriguez and Montoya, and then, as a response to the inmates' constant demand for access to news media, joined in the talks with inmates late in the afternoon. Mills insisted he was there to assist the officials and not to cover the event. "As soon as I went in, I was no longer a reporter," he said.

Around 3:00 a.m., Griffin spoke with Governor King by telephone, advising him that it would be best to refrain from any attempt to retake the institution by force, and that negotiations with the inmates were in progress. King indicated he would rely on the collective wisdom of the penitentiary officials at the scene and instructed Griffin to keep him fully informed of developments.

Griffin made several more attempts to contact Rodriguez, but was unsuccessful. Joanne Brown, Rodriguez' administrative assistant, arrived at the penitentiary by 3:30 a.m. She, too, tried without success to notify Rodriguez. She began to arrange for the transfer of 13 female inmates from the Annex to the Santa Fe County jail to make room for some of the male inmates who were expected to be displaced by the riot. She cleared the women's annex of female inmates by 2:30 p.m., Saturday.

Rodriguez Arrives at Prison. Rodriguez was finally contacted by telephone at his home at 4:15 a.m. Rodriguez' initial word of the insurrection came from Corrections employee Santos Quintana who had called for verification of the uprising. Rodriguez had no explanation for not receiving the earlier attempted calls. He said he had been sleeping at his home all night, and should have heard the many prior telephone calls.

Rodriguez arrived at the penitentiary around 5:00 a.m. He was first briefed by Warden Griffin. Rodriguez concurred with the consensus that an assault on the penitentiary at the time would be ill-advised, and that to negotiate for the release of the hostages was the only sane approach. He then joined Deputy Warden Montoya at the gatehouse.

With the arrival of Rodriguez, Warden Griffin relinquished his command of the operation. Griffin said official confirmation of the change in command came when Rodriguez told him that the Governor had

placed him, Rodriguez, in charge. Rodriguez was the Deputy Secretary of the Corrections Department, and at the time of the riot the State had no Secretary in office. The Deputy Secretary was reluctant to concede later that he assumed leadership of the operations at the penitentiary. It is clear, however, that law enforcement and corrections officials in decision-making positions deferred to Rodriguez when he expressed an opinion. Most observers at the scene considered the Deputy Secretary to be in charge.

On the other hand, Deputy Warden Montoya considered Griffin in ultimate control. But an examination of the events on February 2 and 3, indicates that he was not. Decisions affecting negotiations, although discussed among several persons present at the gatehouse, were largely the product of Montoya's and Rodriguez' collective judgment. Although Captain Carroll of the State Police had been authorized to take command of the law enforcement functions at the prison, there were no other clearly defined lines of authority; no one person took command and delegated areas of responsibility. Griffin, whose rank would logically place him in authority, was insufficiently informed of the progress of the negotiations and developments of the riot. Although the prison's official spokesman to the public and press, Griffin was the furthest removed of the decision-makers.

Early Fires. While officials gathered at the gatehouse, discussed strategies, and talked with inmates by walkie-talkies, the inmates had set fires in the Psychological Unit, the records section of the Administrative Area, and in the Warden's Office by 4:30 a.m. (See photo 6, p. 50d.) As the flames spread, inmates radioed for fire hoses to combat the fires. A hose was dragged to the main entrance and the inmates pulled it inside, but they did not use the hose effectively; the burning continued.

First Hostage Escapes. At about 5:25 a.m., Officer Herman Gallegos was the first hostage to leave the penitentiary. Gallegos, aided by sympathetic inmates, managed to sneak undetected past rioting convicts out of Dormitory F and escape through the main entrance. Gallegos proceeded toward the front gate near Tower 1 about the same time an injured inmate, Ray Vallejos, was being taken out on a stretcher.

Associate Warden Adelaido Martinez spotted Gallegos heading toward the open gate and told the officer to "wait a minute," and "go back." Martinez recognized Officer Gallegos, but told him to wait until the injured inmate had been taken out the gate. Martinez knew that Deputy Warden Montoya had been conferring with inmates about the release of hostages, but Martinez was not sure whether Gallegos' release had been negotiated. Felix Rodriguez quickly countered Martinez' command and shouted for Gallegos to come out of the compound. The officer rushed through the gate ahead of pursuing inmates.

Gallegos was then debriefed by State Police. Eleven hostages remained in the hands of the rioters.

At 5:30 a.m., Saturday, National Guard commanders and State Police established an Emergency Operations Center at State Police Headquarters. At the same time, National Guard commanders were setting up a Forward Command Post to the east of the penitentiary fences in the north part of the parking lot. The National Guard commanders set up staging areas for troop arrivals and communication networks with the State Police.

Second Hostage Released. At 7:02 a.m., just before dawn, some inmates dragged Officer Elton Curry, who had been stabbed, beaten and kicked, out the main entrance on a mattress; he was turned over to authorities for medical attention. It was the first deliberate release of a hostage. Officials speculated that inmates released Curry because they feared he would die while in their custody. Ten officers remained captive.

Hostage Safety. Several radio transmissions from Captain Roybal and the corrections officers in the North Wing confirmed to officials outside that at least some of the remaining hostages were alive. Inmates had also assured officials that the hostages were alive. Although Officer Lucero thought that a Correctional Officer had been killed in front of the Control Center, information from debriefed inmates, and the fact that the beaten man Lucero saw was never verified as a guard hostage, all convinced officials that no guard hostage had been killed. The hostages were consistent in their pleas that the penitentiary not be rushed. Montoya just as consistently assured his officers that their well-being was his utmost consideration. "At this moment our lives are in your hands," Officer Mendoza radioed Montoya. "What else can I say?"

Third Hostage Released. At 7:07 a.m., inmates informed Montoya that Officer Hernandez was injured and in need of medical attention. The inmates had brought Hernandez from the South Wing to Cellblock 3, in the hope that Officers Ortega, Gutierrez and Mendoza could care for him. But after more than an hour of radio negotiating, they carried Hernandez outside and turned him over to medics at 8:20 a.m. Nine hostages remained inside.

Penitentiary Ambulance. The penitentiary ambulance was parked near the gatehouse, but the ignition keys were kept in the control center which had been seized by the inmates. Prison employees attempted to "hot-wire" start the ambulance and burned out the vehicle's starter in the process. The penitentiary relied entirely on outside assistance for medical support during the riot.

By 9:00 a.m., the emergency room at St. Vincent had been fully mobilized to contend with the prison disaster. The Public Health Service, or Indian Hospital, in Santa Fe was staffed and ready to treat riot casualties by 8:30 p.m., Saturday.

National Guard Arrives. At 7:30 a.m., Saturday, the first contingent of 50 National Guardsmen arrived at the penitentiary. Guardsmen continued to arrive throughout Saturday morning. Commanders inspected arriving Guardsmen for proper uniform and equipment which included face shield, helmet, flak vest, M-16, bayonet, gloves, field jacket, gas mask and baton. Guardsmen were positioned in standard riot control formation, and at this point they were briefed on prison riot control tactics.

Inmate Conversation With Governor. The confusion of too many radios prompted one of the chief inmate negotiators, who had adopted the code name of "Chopper One," to ask for a field telephone for one-on-one communications with the outside officials. The rioters had destroyed telephones inside the penitentiary early on. On Saturday morning, prison officials placed the phone near the main entrance.

Inmates used the phone to call State Police District 1 Headquarters and demanded to speak to the Governor. King arrived at the headquarters shortly after 8:30 a.m., while the convicts were still on the line, and agreed to talk with them. The inmates said the riot was initiated "just to get somebody's attention," and complained of being treated "like a bunch of kids." They demanded the opportunity to discuss their grievances with King, Montoya, and Rodriguez in the presence of the news media. King promised that a table for such a conference would be set up in the prison yard within one hour. One of the inmates assured the Governor that no one was going to be hurt, and that the inmates would give up the guards and the prison by "three or four o'clock" that afternoon. King promised that the institution would not be stormed by police.

At 9:23 a.m., an inmate negotiator radioed to Montoya, "I talked to Bruce (King) a while ago and he said he was going to come down here and I would appreciate it if you didn't come down here with him." At 9:25 a.m., inmates on the radio complained that "you've got fucking uncles, you've got brothers, and you've got cousins all working in here and that is bad."

At about the same time inmate runners gave the first list of inmate demands to Felix Rodriguez. They were:

1. Reduce overcrowding
2. Comply with all court orders
3. No charges to be filed against inmates
4. Due process in classification procedures
5. 10 gas masks
6. 2 new walkie talkies.

The inmates were given 10 gas masks a short time later at 9:31 a.m.

Inmates Begin Escaping the Riot and Surrendering to Officials.

While some of the inmates were bargaining with officials and some were killing fellow inmates, others were breaking out of the institution and surrendering to police. The residents of Dormitory E-1, a medium security protection unit, had barricaded the entrance to their unit with bunks soon after hearing the initial takeover in Dormitory E-2 directly overhead. Rioting inmates outside E-1 tried to lure the residents out of the unit, but the E-1 inmates, fearing for their lives, refused to join the riot. Then the rioters attempted to force the residents out of the dormitory by setting fire to mattresses at the entrance and throwing tear gas into the unit. The residents fanned the smoke and gas back out into the corridor, turning back the attackers.

Using a 3-foot long wrench which had been brought into the unit by an inmate from another living unit, 84 residents of Dormitory E-1 knocked out a barred window and escaped around 7:00 a.m. They surrendered to officers near Tower 2, at the south end of the prison compound.

Around 8:30 a.m., a group of about 20 inmates used a torch to cut through a metal door at the east end of Cellblock 5, and surrendered to police. Most of the inmates had been residents of Cellblock 4, and told officers of killings they had witnessed in the protection unit. From interviews, police were able to compile a list of 14 dead inmates. Police then gave this list to corrections negotiators and to Governor King, shortly after his arrival at the penitentiary around 9:15 a.m. The surrendering inmates who required medical treatment were transferred to St. Vincent Hospital in Santa Fe. The 717th and 744th National Guard Medical Detachment provided medical evacuation by helicopter and ambulance. Others were taken to the Santa Fe County jail, the Annex, and State Police District Headquarters to be privately interviewed.

Inmates continued to break out of the prison through any open holes not guarded by rioting inmates. They came out singly and in groups, often fighting other inmates to escape. About 30 more inmates escaped from dorm E-1 at 1:10 p.m., on Saturday. Another 20 surrendered around 1:35. Twenty more followed at 3:10 and up to 60 more ten minutes later. By 5:15 p.m., over 350 inmates had fled the penitentiary. At 5:00 p.m., Saturday, a National Guard helicopter dropped tents, blankets and jackets to 300 inmates in the recreation yard. (See Photos 9 and 10, p. 50f.) The exodus continued throughout the riot; by Sunday afternoon barely 100 inmates remained inside the prison.

Hostage in Need of Medical Care. There were early and consistent radio reports from the inmates that Lt. Anaya needed immediate medical attention. The inmates said Anaya had heart trouble, a broken rib,

and a concussion. Inmates suggested that the lieutenant be released in exchange for another hostage, preferably Montoya or a medical doctor. Montoya rejected the plan to switch hostages, but offered to open up communications between inmates and the news media if Anaya were sent out.

By late Saturday morning, the gatehouse at Tower 1, which had become the command post for penitentiary officials, was clogged with policemen, National Guardsmen, correctional officers, and various others who had managed to enter the reservation. Access to the gatehouse was not controlled in any systematic way, despite orders from Rodriguez for someone to "get all these people the hell out of here." Rodriguez could not recall to whom he gave the order. Nevertheless, the command center remained crowded throughout the ordeal. Anyone who pushed his way into the gatehouse or near the fence was likely to be privy to the negotiations. However there were several occasions when everyone but essential participants in the negotiations were ordered outside.

Those permanent occupants of the tiny gatehouse included: Deputy Warden Montoya and Deputy Secretary Rodriguez, who were conducting the negotiations; corrections employees Santos Quintana and Ben Gallegos, who were making a taperecording of the radio communications; Deputy District Attorney Richard Baker, and Assistant, Joe Shattuck, who were recording their own log and offering legal advice, from around 11:30 a.m., Saturday onward; prison psychologist Marc Orner and State Police Captain Bob Carroll, who were assisting in debriefing hostages and inmates. State Senator Manny Aragon and Lt. Governor Roberto Mondragon were present after 6:00 p.m., on Saturday. The state senator talked to inmates during the negotiations and assisted in shaking down escaping inmates and handcuffing them as they left the prison. Corrections Secretary-designate Adolph Saenz joined the group on Sunday morning after his arrival from Washington D.C. Saenz was appointed to the position on January 31, 1980. Adolph Saenz had only recently been appointed the fifth department secretary in as many years. (See Appendix I on Turnover of Department Secretaries and Penitentiary Wardens.)

Governor Arrives at Prison. Back at the highway entrance, the crowd swelled to hundreds. When Governor King arrived at the penitentiary at 9:15 a.m., Saturday he was surrounded by anxious journalists and inmate relatives. King was able to give them little news. John Ramming, an administrative assistant in the Department of Corrections, served as a news liaison on several occasions throughout the weekend. Ramming was known among local reporters as a spokesman for the department and he was one of the officials sought out for information. Jim Baca, Director of the State Alcoholic Beverage Control Division and a former press aide to Governor King arrived at the penitentiary late Saturday morning and assisted with the preparation of news releases. Governor King's press secretary, Jill Marron, was out of town when the riot started and did not arrive at the prison until Sunday, when she assumed the role of news liaison.

Brian Sanderoff, another administrative aide, arrived with the Governor, and he stayed throughout the riot to keep the Governor informed of events at the penitentiary.

The briefings that were held at the highway entrance had reporters and broadcast technicians from around the country jostling for answers. Reporters said later that questions from family and friends of inmates often ended the sessions. The information most sought after by journalists and families alike was, "Who is dead?" and "How many?" The status of the hostages was also a question of the press and public. But officials did not have names or numbers throughout Saturday to release. Rumors that as many as 80 had been killed were not effectively squelched for days after the prison had been re-secured. Little consistent information was gleaned from the official briefings. Consequently, reporters tried to stop and interview anyone leaving the reservation. One ambulance attendant said the crowd at the road seriously hampered evacuation of the wounded.

At 9:12 a.m., Deputy Warden Montoya and Deputy Secretary Rodriguez entered into a face-to-face parlay with inmate Don Stout and one other prisoner mid-way between the gatehouse and the main entrance to the institution. The negotiators later returned to radio communications as well as face-to-face negotiations.

Inmates and, on one occasion, Captain Roybal asked that prison officials send a doctor or medical technician inside to care for the injured. Montoya insisted that the wounded be brought outside for treatment. Convict negotiators also requested fire-fighting equipment and crews be sent into the compound to combat the smoke and flames that were spreading through the institution. But when fire fighters went inside the perimeter to put out fires in the Administrative Area at 11:30 a.m., inmates threw debris at them and drove them back.

Information and Threats of Violence Against Inmates. Surrendering inmates were describing a scene of murder and torture inside the penitentiary. And during radio conversations, one inmate threatened to kill the protection cases, or "snitches," housed in Cellblock 4, if demands were not met. "All them guys in Cellblock 4 that you've been using, well, I've got some of them in the sack just in case you don't cooperate," the inmate said. "Eyewitnesses that you call the snitches over here...they are going to start getting shanked."

As the day progressed, reports of inmate deaths increased. At 10:42 a.m., Montoya received a report by radio that two persons were dead in Cellblock 3. Although at 10:50 a.m., Officer Ortega radioed Montoya that he and the other two hostages in Cellblock 3 were unhurt, he did not verify whether any inmates in the cellblock had been killed.

Leaders of Violence. At 11:47 a.m., Dr. Marc Orner, the penitentiary psychologist who had arrived at the prison at around 6:40

a.m., and who had been debriefing surrendering inmates in the gatehouse, identified suspected leaders of a group of 15 to 20 inmates thought to be conducting a systematic killing campaign inside. Radio reports from inside seemed to support the accounts. "There (are) a couple of groups of lunatics running around that just want to get into violence," one convict said over the radio. "It has been creating some problems." By 12:13 p.m., Dr. Orner had compiled a list of 10 "death squad" members said to be roaming the prison selectively killing other inmates.

A list of 11 dead inmates had been compiled by at 11:50 a.m. At 1:02 p.m., the undersheriff of Santa Fe County came into the main gatehouse and reported that as many as 20 inmates were dead. Rumors put the number as high as 85 by 9:00 p.m., that night.

Knowledge of inmates being killed did not change the negotiation process. The official strategy continued to be to stall for time and try to talk the convicts into releasing the hostages. Although corrections officials knew that some of the guards were being beaten, stabbed, and sodomized, they clung to the hope that negotiations could at least save the hostages' lives. Negotiators felt that an assault would result in a greater loss of life than would a negotiated, although time-consuming end to the riot.

VIOLENCE INSIDE

That killing would occur once prisoners of all security classifications intermingled was a foregone conclusion for those familiar with prison life. According to one high corrections official, mixing Cellblock 3 and Cellblock 4 protective custody inmates would mean certain death.

North Wing Violence. Death, in fact, began in the basement of Cellblock 3, the maximum security segregation unit where the most dangerous criminals were housed. Around 3:00 a.m., Saturday, inmates and hostages could hear pleas of "No era yo," ("It wasn't me,") and "No lo hice," (I didn't do it,") coming from a cell on the basement level of Cellblock 3. The man shouting the denials, Archie Martinez, was probably the first to die in the riot. Inmates later dragged his body out into the yard. They killed Juan Sanchez and Lawrence Cardon and then left them in cells in the segregation unit; one of the victims was shot in the face at close range with a tear gas launcher. Two other Cellblock 3 residents, Nick Coca and Kelly Johnson, were killed elsewhere in the prison.

The violence, which varied in intensity throughout the riot, reached its peak in Cellblock 4 during the first few hours after sunrise on Saturday. Rioting inmates killed a full dozen residents of the cellblock including Michael Briones, Donald Gossens, Phillip Hernandez, Valentino Jaramillo, Ramon Madrid, Paulina Paul, James Perrin, Vincent E. Romero, Larry Smith, Leo Tenorio, Thomas Tenorio, and Mario Urioste.

Two Cellhouse 6 residents, Herman Russell and Frankie Sedillo, were killed during the insurrection.

South Wing Violence. Dormitory F-1 residents were the next hardest hit by the killing; six F-1 residents were moved to the morgue after the riot. They were Richard Fierro, Ben Moreno, Gilbert Moreno, Robert Quintela, Robert Rivera, and Russell Werner. Inmates killed 3 residents of Dormitory A, including Joseph Mirabal, killed in Cellblock 4; James Foley and Danny Waller. The same number of dead resided in Dormitory B who included Joe Madrid, Filiberto Ortega and Frank Ortega. Residents of Dormitories A and B suffered the greatest number of injuries during the riot, including a number of rapes. The first of the wounded inmates to be treated by medics early Saturday was a resident of Dormitory A-1, whose head and arms had been attacked with a meat cleaver by rioting inmates. One resident of Cellhouse 2, Tom O'Meara, and a resident from Dormitory D, Steve Lucero were killed, completing the list of dead. (See Appendix 10.) Few residents of these units were among those injured in the riot.

No residents of Dormitory E were killed or seriously hurt. Dormitory E-1 residents barricaded their living unit until they were able to escape through a window around dawn Saturday. Dormitory E-2, where the riot got its start was practically undisturbed, as was Dormitory F-2. While most of the penitentiary was being ransacked, flooded, smeared with blood and gutted by fire, some inmates retreated to E-2 where they drank coffee and watched television.

Hostage officers kept in the South Wing suffered the most violence at the hands of the inmates; inmates beat and kicked several officers repeatedly during the ordeal. Some were stabbed and sodomized. By comparison, rioting inmates treated the officers in the North Wing relatively well. They gave the officers food, coffee, and cigarettes, and protected them from attack by other inmates. Though unharmed, the North Wing officers' captivity was the longest of the ordeal.

The damage and killing was done by relatively few inmates. Most inmates tried only to escape the chaos; some worked to rescue other inmates and some protected hostage guards. Wounded convicts, and those overdosed on drugs, were carried out into the yard by their fellow inmates. Some inmates manned the stretchers as an excuse to escape the building. But others returned inside each time and performed the task repeatedly. One inmate, nicknamed "Doc," worked as a paramedic inside the prison, dressing wounds of prisoners and hostage guards alike. "I'm over here checking this Lt. Anaya," the inmate "Doc" said over a two way radio at 11:35 a.m., Saturday. "I think Anaya's got a concussion, and I think he's got a busted rib, and I know that he's got a heart condition and he needs to be moved, he needs to be taken out of here."

NEGOTIATIONS CONTINUE

National Guard Medical Support. At 12:40 p.m., the 744th Medical Detachment and the 717th Medivac Helicopter Unit of the New Mexico National Guard arrived and joined the medical support efforts. A triage area, where victims were initially inspected and sorted for treatment, was established in front of the gatehouse. They cleared space for a helipad approximately 200 feet away in a field near the entrance road. Major James L. Buckman of the National Guard assumed command of the triage operation with Dr. Robert Zone handling the injured as they came out. (See photo ll, p. 50g.)

An Emergency Medical Services communications van was set up near the gatehouse to provide a radio link between the hospitals, the prison and the mobile units. A National Guard unit parked its field ambulance nearby and used it as a storage supply area. The Santa Fe Fire Department drove a second ambulance to the scene, and an additional volunteer ambulance came from Pecos. Six National Guard helicopters provided quick transport of the more seriously injured to St. Vincent. As the Santa Fe hospital became crowded, stabilized patients were transferred by helicopter from St. Vincent to Albuquerque hospitals. Because the Indian Hospital had no helipad, only patients with less serious wounds were driven there for treatment. Air evacuation from the prison to town took about four minutes, compared to approximately 20 minutes by ambulance.

Inmate Injuries. Inmates began breaking out of the main prison building and surrendering to officials early Saturday. Some of those attempting to escape the violence inside had already been cut or beaten by rioting convicts who had posted themselves at exits. As the number of surrendering inmates increased, so did the number of bone fractures, lacerations, traumatic amputations and cases of deep shock with which the medical support forces had to contend. Around 1:25 p.m., Saturday, the first patient with a serious drug overdose was turned over to an ambulance crew. From that point on, inmates suffering from overdose emerged in increasing numbers. By the time the penitentiary was retaken, the medical support team was handling more cases of drug overdoses than any other malady.

At around 7:00 p.m., Saturday, the first two corpses were brought outside and left at the main entrance near the gatehouse. Officials established a temporary morgue in the yard, and the National Guard was assigned the task of removing the corpses by truck to the hospital morgue. Inmates brought eight of the 33 dead outside for disposal before the penitentiary was retaken.

Inmate Demands. Inmates handed a list of eleven demands to Montoya and Rodriguez around 3:15 p.m., on Saturday. Montoya and Rodriguez then joined the Warden and law enforcement officials at the Warden's residence for a round table discussion. That discussion addressed the location and condition of hostage officers and resulted in a consensus for an answer to the list of demands. That list of demands and official responses is as follows:

INMATES' DEMANDS AND OFFICIALS' ANSWERS

1. Bring federal officials to the penitentiary to assure inmates no retaliation will occur.

Answer: We will ask for the assistance of the FBI.

2. Reclassify the men held in Cellblock 3. (The cellblock is used to segregate prisoners considered to be a threat to the general population or those who may be the target of other inmates.)

Answer: Security risks will remain in Cellblock 3.

3. Leave all inmates in the units they were originally assigned to until the uprising is over.

Answer: We cannot agree to this until the prison's condition is determined.

4. End overcrowding at the prison.

Answer: About 288 beds will be ready in July and we have asked for an additional 200 from the Legislature.

5. Improve visiting conditions at the prison.

Answer: This has been in effect for two weeks as worked out with the American Civil Liberties Union negotiating committee.

6. Improve prison food.

Answer: We will hire a nutritionist to oversee the food operation.

7. Allow the news media into the prison.

Answer: Not until all the hostages are released.

8. Improve recreational facilities.

Answer: We are now negotiating with the American Civil Liberties Union.

9. Improve the prison's educational facilities.

Answer: This is being discussed with the Legislature, plus raising inmate wages from the present 25 cents per hour.

10. Appoint a different disciplinary committee. (For an account of how disciplinary procedures worked in practice in the prison, see Appendix K.)

Answer: We will take a long, hard look at that.

11. End overall harassment.

Answer: We will have additional correctional officers who will be trained. The Corrections Commission is also looking at this problem.

NEGOTIATIONS SATURDAY AFTERNOON

Information From Surrendering Inmates. Surrendering inmates were interviewed by police officers and corrections personnel. They conducted two interviews at the State Police District Headquarters and some at the gatehouse, but most were conducted informally at the Annex or outside the fence. Interviewers compared the inmates' reports of inmate deaths, the location of hostages, and accounts of the killing of a hostage and evaluated them for credibility. Interviews were conducted from daylight Saturday through the weekend.

At about 4:00 p.m., Saturday, Captain Carroll, Lt. Curran, Deputy Secretary Rodriguez, Warden Griffin, Deputy Warden Montoya, Corrections aide John Ramming, Lt. Governor Roberto Mondragon, State Senator Tom Rutherford and State Senator Manny Aragon met at the Warden's residence to discuss the intelligence collected from inmates. By that time, they had discounted the report of the death of the hostage while they were able to confirm deaths of inmates. But officials continued to interview exiting inmates and hostages to try to ascertain where the remaining hostages were.

More Negotiations. At 4:54 p.m., inmate negotiators identified eight of the hostages by name and badge numbers. They were: Roybal, Anaya, Ortega, Gutierrez, Mendoza, Victor Gallegos, Bustos and Schmitt. Ronnie Martinez was not accounted for. Based upon the debriefing of inmates the negotiators were hopeful that he was alive. Certainty of this hope only came at 10:55 a.m., Sunday when he escaped. It was known that one staff member was secured in the hospital area and the other two were safe in a crawl space near the gas chamber. At 6:15 p.m., Ortega radioed that he, Gutierrez and Mendoza had been transferred from Cellblock 3 to the Cellhouse 6 day room. He said they were in good condition.

At 5:15 p.m., Saturday a head count of inmates reflected that 356 inmates had escaped the riot and were in the custody of officials. At 12:34 p.m., the Southern New Mexico Police SWAT team had been requested to report for duty. The team arrived at the penitentiary at 6:00 p.m.

Meeting with Press; Fourth Hostage Released. At 7:12 p.m., 10 hours after the Governor had promised a press meeting with inmates, inmates Stout and Price met face-to-face with Santa Fe radio commentator Ernie Mills and Albuquerque television reporter John Andrews at the Tower 1 gate. Senator Mannie Aragon had also begun talking with inmates independent of the corrections officials' efforts. The inmates asked that a television camera be brought in; Mills promised that a camera would be brought in the next day. As a result of the conversation with reporters, Lt. Anaya, who had been reported in poor condition, was released on a stretcher at 8:22 p.m. The hostage count stood at eight.

By 9:00 p.m., Dr. Patty McFeeley, Associate Medical Investigator, and her staff had tagged for identification five inmate bodies which had been brought out the front entrance near the gatehouse. About the same time a Deputy Sheriff near Tower 3 saw three inmates run into the Prison Industries Complex. He reported his observations to prison officials. Before the three inmates were taken into custody on Monday they had soaked the interior of the building with kerosene.

By late Saturday, the inmates were still demanding a televised news conference, as had been promised by the Governor earlier in the day. The talks with Mills and Andrews had included promises that a camera would be brought in, and the inmates' demands and complaints made public.

Planned Media Contact With Inmates. Around 9:00 p.m., Jim Baca brought three reporters into the reservation and drove them around the perimeter to give them a look at the riot scene. The presence of the reporters infuriated at least one of the corrections officials at the gatehouse.

Fifth Hostage Released. Around 10:45 p.m., inmates Stout and Flores entered a face-to-face dialogue with Montoya, Rodriguez, and Mills. As a result of this conversation and in anticipation of getting a cameraman inside the prison, Bustos, who had been beaten just moments before during the conversation between negotiators and the inmates, was released bound to a chair at 11:23 p.m. Seven hostages remained inside.

Around 11:00 p.m., Deputy District Attorney Richard Baker and Assistant District Attorney Joe Shattuck, both of the First Judicial District, wanted to arrange an exchange of hostages for access to reporters. They asked Mahlon Love, State Police Commissioner, to bring reporters from the entrance to the gatehouse. In addition, Jim Baca brought in Bill Feather, John Gillis and Bruce Campbell to the gatehouse. Shattuck began compiling a list of reporters present, ranking them according to the prestige of their news agencies. Baker proposed to trade "one for one," that is, an interview with one reporter for each hostage turned loose.

Reporters and photographers at the gatehouse included: Bill Feather, Associated Press; John Gillis, United Press International; Dana Parsons, Denver Post; Phillip Huber and Frank Clifford, Dallas Times Herald; Bruce Campbell, Marc Sani and Richard Pipes, Albuquerque Journal; Tony O'Brien, free lance photographer; Peter Katel, Albuquerque Tribune; Tom Irion, ABC; Michael Shugrue, NBC; Jerry Peterson, CBS; James Kinney, Newsweek; Steve Northrup, Time; and Peter Dunigan, affiliation unknown.

Baker and Shattuck proposed to let the reporters inside the fence at the main entrance at the same time the remaining hostages were let out. The plan was cancelled around midnight, when corrections

officials determined that the mood of some inmates in the yard was such that the press contact would be unsafe. Officials told the reporters to return to the road entrance when negotiations broke off after 1:00 a.m.

Cameraman Goes In And Sixth Hostage Released. Around midnight, a NBC cameraman from Los Angeles, Michael Shugrue, was at the gatehouse with a video recorder and camera from the network's Albuquerque affiliate, KOB-TV. Shugrue had been told that a news conference was being arranged, and he had been brought in to take part. "I thought they were going to set up a table and we would all go out there and shoot (the news conference.)" Shugrue said. "But none of the other (TV) crews ever showed up, so it fell through. Some of the inmates asked me if I would go inside and tape them. I said I would go in only on the condition that it was cleared through the prison officials. I asked Montoya, and he told me, 'if you want to go in, go ahead.'"

At 12:07 a.m., some inmates carried Officer Schmitt out on a stretcher and dragged him to Tower 1 gate. They then dragged him back toward the prison and would not release him until Shugrue walked inside the prison yard. When Shugrue walked inside the compound, they released Officer Schmitt. Six hostages remained.

Shugrue Then Entered The Prison. Shugrue spent about 40 minutes inside the prison talking with and video-taping inmates in the visitor's room of the Administrative Area. Some of the inmates wore masks during the interview; others showed their faces and gave their names to the reporter. They complained of poor food, harassment by correctional staff, overcrowding and the lack of recreation.

Shugrue was escorted out of the prison without incident shortly before 1:00 a.m. "I was never threatened. I never saw a gun or knife, although there were a lot of clubs," Shugrue said afterward. "If I had known then what was going on back there, I never would have gone in." At the same time Shugrue was inside the prison, inmates were radioing to each other to be wary of wild inmates, "Be careful, take somebody that's armed and ready to fight...there are two groups in there that are going wild."

At 1:07 a.m., Sunday an inmate radioed, saying, "Attention all units. We're going to hold off till tomorrow morning. Make sure those guys are fed and nothing happens to them. ...no hostages will be hurt..." Inmates said they would resume negotiations at 8:00 a.m., Sunday.

At 2:30 a.m., Correction's Secretary-designate Saenz arrived at the penitentiary. He was briefed at the Warden's house and driven around to inspect the perimeter of the physical facility. Screams,

smoke, and fire were emanating from the prison. Saenz then joined corrections officials, law enforcement officers and others at the Warden's house to review the Shugrue tape. With the negotiations called off until 8:00 a.m., officials decided to get some rest.

NEGOTIATIONS CONTINUE: SUNDAY, FEB. 3.

At about 6:30 a.m., Rodriguez and Montoya were on site preparing to resume negotiating. Inmates sought reassurances that their negotiator, Lonnie Duran, would not be harmed when the appointed hour for presenting their written demands arrived. Rodriguez and Montoya gave them these assurances and an inmate requested that convict Kedrick Duran join the negotiations.

Seventh Hostage Escapes. Corrections Officer Victor Gallegos, an ex-Marine who had been on the penitentiary staff three weeks when the riot broke out, managed to sneak out of the institution at 7:52 a.m., Sunday. He was assisted by sympathetic inmates who had dressed him in convict clothes and hid him under a bunk in a cell for several hours. Because of his youth and the fact that few inmates knew him, Gallegos easily passed for an inmate and left the institution with a group who surrendered to authorities. With his escape, five hostages remained inside.

Early Sunday morning, inmates were pouring out of the institution, causing one inmate to say over the radio, "What the hell is going on...where's everybody sneaking out of this place from?" Inmates were escaping and surrendering through every unguarded opening in the building. At 8:00 a.m., a National Guard commander, who had taken another head count of surrendered inmates, reported that there were approximately 800 inmates outside the riot torn walls.

Overdoses. After a pre-dawn lull, traffic for the medical evacuation personnel accelerated. From 8:00 a.m. Sunday, inmates continued to surrender at a rapid pace; many of those walking or being dragged into the yard were suffering from serious overdoses of pharmacy drugs. A few of the inmates, possibly under the influence of sniffing solvents, offered violent physical resistance to the medical team and had to be subdued and restrained.

Eighth Hostage Released. In anticipation of a news conference at 8:15 a.m., Sunday, inmates brought Captain Roybal out the front entrance and turned him over to Rodriguez and Montoya. Four hostages remained inside.

The release of the ranking hostage officer marked the resumption of the negotiations that had been discontinued seven hours earlier. As Roybal was transported to St. Vincent Hospital by helicopter, Rodriguez and Montoya began talks with inmates Lonnie and Kedrick Duran and Vincent Candelaria. During most of the morning Mills was

with Rodriguez and Saenz negotiating. Also present negotiating with inmates, independent of corrections officials, was State Senator Manny Aragon. Videotape of the negotiations showed that inmates Lonnie and Kedrick Duran signed a written agreement with Rodriguez and Montoya. This agreement guaranteed that no retribution would be taken against inmates. Officials gave inmates an acetylene torch to cut trapped inmates out of the now-burning Dormitory C-1.

Ninth and Tenth Hostages Escape. At 10:55 a.m., Officer Ronnie Martinez escaped out of the rear of the prison with the help of some inmates. An hour later, at 11:57 a.m., Officer Ortega was released by inmates. Two hostages remained.

Factions Among Inmates. There were three basic ethnic factions operating within the penitentiary during the riot. Hispanic inmates comprised the largest group (representing 53% of the inmate population); whites were the second largest faction (37%); and blacks were the smallest of the three main groups (9%). (Indians comprised 1% of the inmate population.) None of the ethnic groups was under the complete control or direction of strong leaders. Small bands of inmates of all ethnicities vied for control of the negotiations, or joined forces for protection or destructive strength. There was no dominant club or organization continually in control during the insurrection. Some white inmates modeled themselves after the Aryan Brotherhood, a nationwide prison organization of neo-Nazi racists. While Hispanic inmates dominated the population by their numbers, there was no single hierarchy among that ethnic group.

Black inmates organized themselves for self protection. About a dozen blacks converged on Cellblock 4 early Saturday and some had rescued several intended victims from would-be assassins. Around noon on Saturday, the black inmates attempted to escape as a group. When they were unable to get past an armed inmate who was guarding the exit that had been cut in Cellblock 5, the escape group moved to Dormitory E-1. There they managed to circumvent another inmate guarding exits and to escape out the same window through which E-1 residents had broken free.

On Sunday just before noon, a large group of Hispanic inmates started to chase a group of blacks in the yard and shout "kill the blacks." The blacks stopped at the perimeter fence near the sally port where they were ordered by law enforcement officers to drop to the ground. A Santa Fe County Sheriff's Deputy Leopoldo Gurule ordered a group of 20 National Guardsmen and law enforcement officers to "lock and load," and they leveled their weapons at the onrushing group of Hispanic inmates. At this, the Hispanics were given five minutes within which to retreat or be fired upon. Superintendent of Correctional Security Manuel Koroneos attempted to intervene physically between the officers and the inmates. Deputy Sheriff Gurule told Koroneos to remove himself from the range of fire or

suffer the consequences. He moved. With just seconds remaining of the deadline imposed by the Deputy Sheriff Gurule, the Deputy ordered the group to aim their weapons. The group of would-be assailants retreated. The fence was then cut to isolate the blacks in the area between the two fences.

News Conference With Inmates. Thirty four hours after the takeover in Dormitory E-2, inmates got the televised news conference they had been persistently demanding. Just after noon, Sunday, Mills and Rick Johnson, a KNME camera man from Albuquerque, set up an interview with inmate negotiators Lonnie Duran, Vincent Candelaria and Kedrick Duran in an office in the gatehouse. Four other reporters, Bill Feather, Bruce Campbell, John Gillis and John Robertson of the Santa Fe New Mexican, were summoned from the front entrance near the highway to take part in the session.

The inmates expressed concerns about retaliation after the riot, and about housing arrangements. Their remarks indicated that the insurrection was rapidly drawing to a close. The reporters and the camera moved to the sidewalk inside the prison yard, where Candelaria and the Durans were joined by inmates Rudy Aldaz, Michael Colby and William Jack Stephens. Stephens and Colby repeated the concerns about retribution by officials after the riot, and complained of harassment by corrections staff in Cellblock 3. Rodriguez assured Colby, the Durans, Candelaria and Stephens, on camera, that they would be transferred out of state once the inmates released the last of the hostages.

Helicopter Disrupts Final Negotiations. The negotiations in front were abruptly disrupted when an unauthorized National Guard helicopter flew over carrying a State Policeman who had been surveying the inmate conflict near the recreation area. The helicopter excited and angered apprehensive inmates who pulled the last two remaining hostages back inside the prison walls. When the helicopter got an urgent radio message to get away, it did so immediately.

Last Two Hostages Released; Negotiations and Riot End. When the inmates calmed down, negotiations resumed. Once again the inmate negotiators received assurances that they would be transferred from the prison on Monday. Finally, at 1:26 p.m., the inmates released the last two remaining hostages, Officers Gutierrez and Mendoza. At approximately the same time, 50 inmates escaped from the prison, leaving only 75-125 inside. The riot was over.

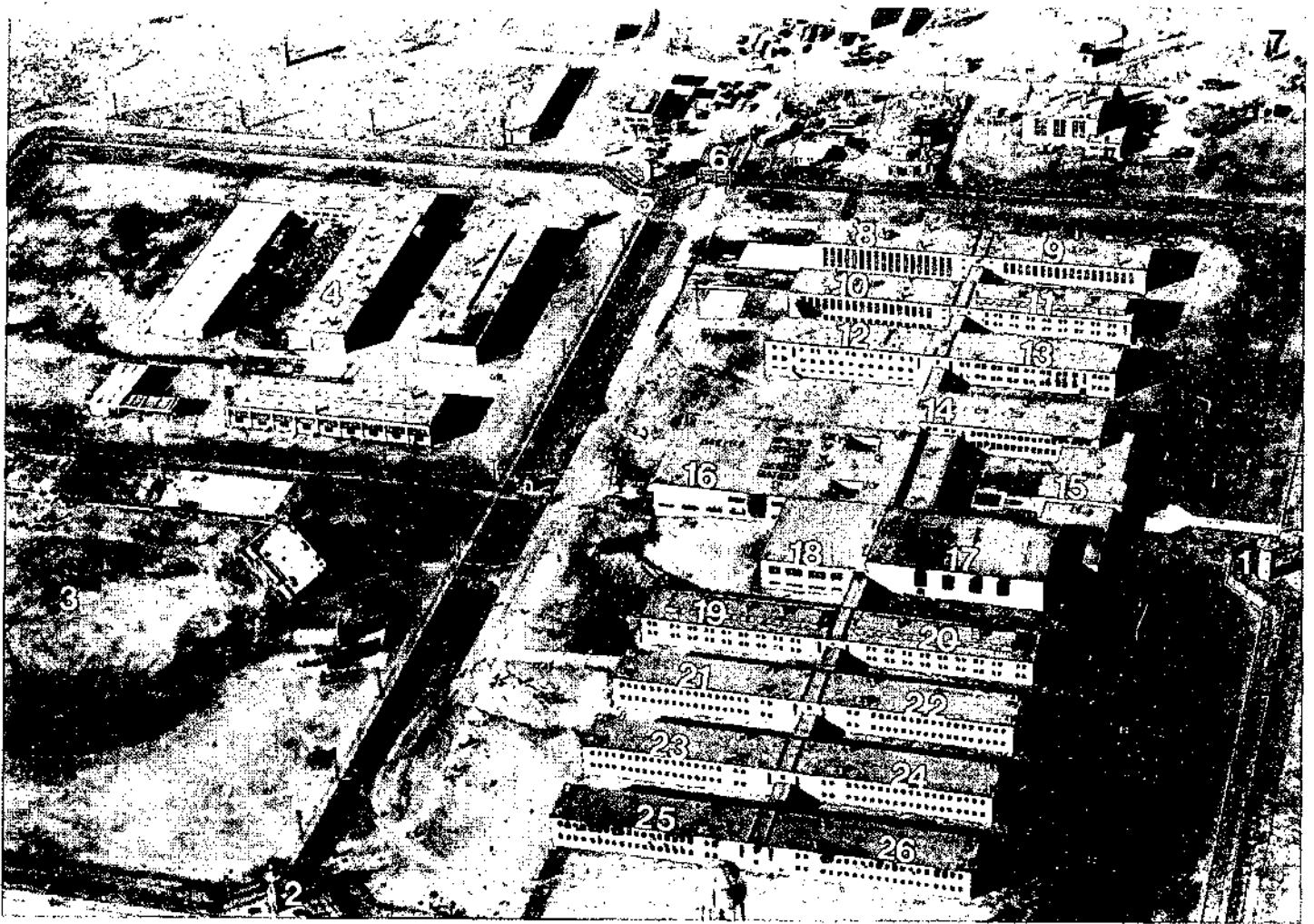


PHOTO 1

Aerial Photo by Barbaraellen Koch

THE PENITENTIARY OF NEW MEXICO

- | | |
|--|---------------------------------------|
| 1. Tower 1, gatehouse | 15. Main Entrance,
Warden's Office |
| 2. Tower 2 | 16. Kitchen |
| 3. Recreation yard | 17. Gymnasium |
| 4. Prison Industries | 18. Mess Hall |
| 5. Tower 4 | 19. Cellhouse 2 |
| 6. Sallyport | 20. Cellhouse 1 |
| 7. Annex | 21. Dormitory F |
| 8. Cellblock 4 | 22. Dormitory A |
| 9. Cellblock 5 | 23. Dormitory E |
| 10. Cellblock 3 | 24. Dormitory B |
| 11. Cellhouse 6 | 25. Dormitory D |
| 12. Hospital | 26. Educational Unit |
| 13. Psychological Unit | |
| 14. Administrative Area,
Control Center | |



PHOTO 2A

Panels of two-way "bullet-resistant" glass in the penitentiary control center were smashed in minutes by inmates wielding pipes and cannister fire extinguishers (above). The glass was installed three weeks before the riot, replacing steel grillwork and small panes of glass. Seizure of the control center gave inmates total access to the main penitentiary building (below). (Photos by Dennis Dahl)



PHOTO 2B

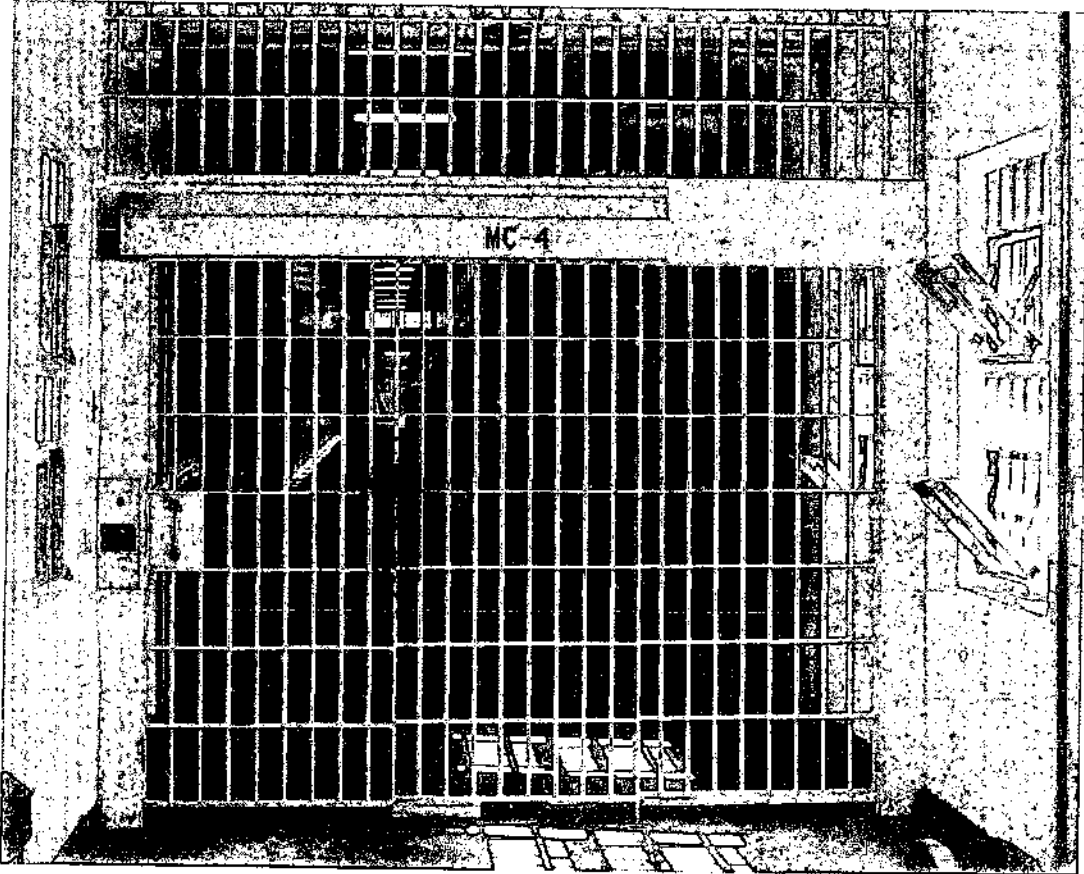


PHOTO 3

A double sliding security grill (above, Photo by Tim Orwig) that separates the South Wing from the Administrative area of the penitentiary was left open during the morning watch, contrary to prison policy. The open grill allowed inmates to reach the control center and take over the entire building. The insurrection began during the morning watch on February 2, 1980, when inmates overpowered four officers during a routine inspection of a crowded dormitory floor similar to the one pictured (below, Photo by Dennis Dahl). The dormitory is shown as it appeared after the riot.



PHOTO 4



PHOTO 5

The cell of inmate James Perrin, who was killed in the riot, was torched open by attackers (above) after Perrin managed to jam the gate shut. Rioters cut or smashed their way around or through locked grills when keys were lost or opening mechanisms failed. A hole was knocked through the wire-reinforced plaster wall of the Visitors Room to enable inmates to by-pass a grill (below). (Photos by Tony O'Brien)



PHOTO 6



PHOTO 7

Warden Jerry Griffin briefed reporters gathered at the prison entrance on State Road 14 (above). The press and public complained of being poorly informed during the 36-hour riot. Friends and relatives of inmates stood vigil at the entrance, waiting the news of their families. Billows of smoke behind an encampment of National Guard troops gave the penitentiary the appearance of a battle zone (below). Helicopters from the 717th Medivac Detachment were used to evacuate the wounded from the prison to St. Vincent Hospital in Santa Fe. (Photos by Barbaraellen Koch)



PHOTO 8

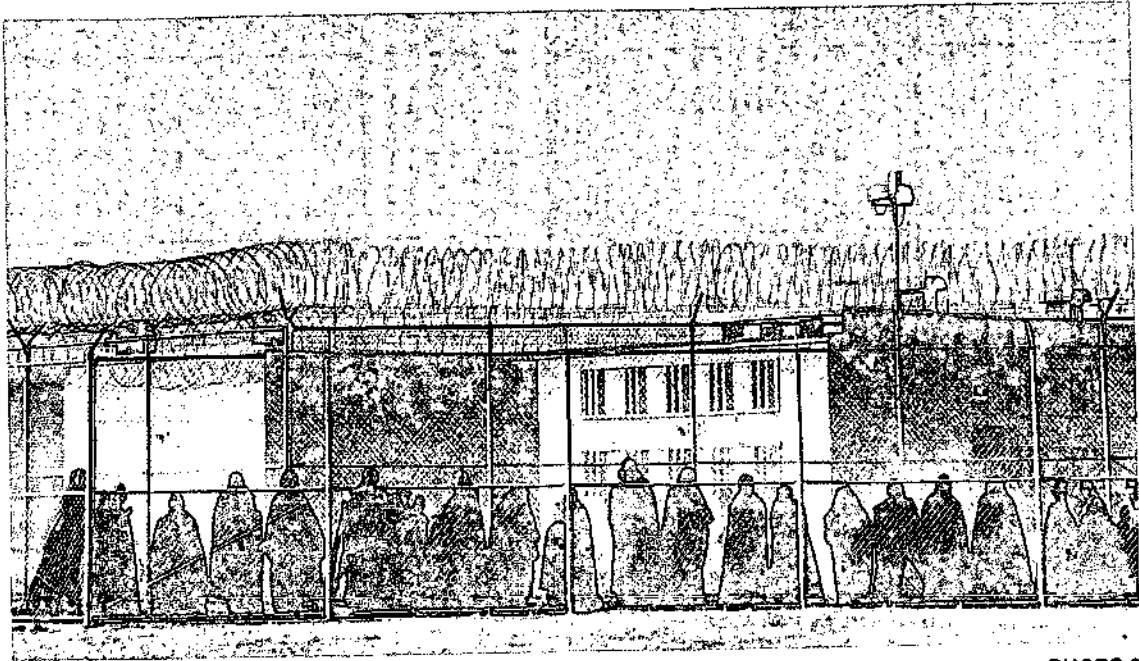


PHOTO 9

Hundreds of New Mexico inmates broke out of the penitentiary to escape the riot. They surrendered to police, and huddled in the yard or between the perimeter fences (above) throughout the weekend. Officials rejected the use of tents for the inmates; the metal tent stakes were considered a security risk. Blankets provided the only shelter for the convicts in the yard (below). (Photos by Barbaraellen Koch)



PHOTO 10



PHOTO 11

Military, volunteer and professional medical personnel worked around the clock to treat and transport wounded inmates and correctional officers during the riot. Various medical support teams worked cooperatively and efficiently throughout the 36-hour ordeal. Although many of the riot casualties suffered life-threatening injuries, all who received treatment survived. (Photo by Dennis Dahl)



PHOTO 12

During the retaking operation, Guardsmen were deployed around the perimeter to provide security as inmates were brought into the yard and disarmed (above photo by Tony O'Brien). On Sunday, February 3 officials posted a partial list of inmates who had been confirmed alive (below photo by Dennis Dahl). The news provided relief for some, but increased the anxiety of many more. A complete account of the living and dead was not released until March 6, 1980, four weeks after the riot.



PHOTO 13

CONSIDERATIONS FOR RETAKING.

From the very outset, prison officials discussed whether the prison should be stormed and recaptured. Police and corrections officials considered and then quickly rejected an assault minutes after the insurrection began. But they set assaults for 3:00 p.m., Saturday; 4:00 a.m., Sunday; and 11:30 a.m., Sunday and subsequently cancelled each.

Capability. Griffin and Montoya concluded early that they lacked sufficient equipment, manpower and information to storm the institution immediately after the takeover. The disparity of hostage locations contributed to their decision. Prison officials did not have the keys needed to enter the institution. Rodriguez said the lack of keys prevented regaining control within the first hour.

Most of the prison riot equipment, including batons, face protectors, helmets and gas masks, was stored in the basement of the main prison building, and was inaccessible to those on the outside once the inmates took over. The inmates had already seized other riot gear from the Control Center.

There is no consensus on the time at which law enforcement agencies had sufficient armament and manpower with which to retake the institution. Warden Griffin said they had the capability by 4:00 a.m. or 4:30 a.m., Saturday. Marc Orner, the prison psychologist who assumed a decision-making role at the gatehouse, said there were adequate resources for a retaking when he arrived at the penitentiary at 6:40 a.m., Saturday. State Police Chief Martin Vigil said there was sufficient force for a retaking by 8:00 a.m., or 9:00 a.m., Saturday. Montoya agreed with Vigil's estimate, which followed the arrival of the entire 12-member Northern New Mexico SWAT team, and all 15-members of the Santa Fe Police SWAT Team. Captain Bob Carroll was more cautious; he said he would not have sent police into the institution for any reason prior to 11:00 a.m., Saturday.

Guiding Principle-Hostage Safety. In considering whether to forcibly retake the prison, the confirmation of hostage deaths was the deciding factor for prison officials. Koroneos and Montoya advised the Warden at about 3:00 a.m., Saturday that a forcible entry by police would jeopardize the lives of the hostage officers. This viewpoint was commonly accepted by all those in decision-making roles.

At 3:00 p.m., Saturday, during a meeting with legislative leadership and other state officials, Governor Bruce King was notified that officials had heard that four hostages had been killed. King authorized an assault on the prison during a telephone conversation with State Police Chief Vigil. But the order was rescinded within a half-hour by Rodriguez and Montoya when the reported deaths were disproven, and they telephoned Governor King to that effect.

Officials were aware that the hostages, although being kept alive, were being mentally tormented and in some instances beaten, stabbed and sodomized. Still, the consensus was to favor time-consuming negotiations over an assault which would, in the view of most of the officials, result in a greater loss of life. At 4:15 p.m., Saturday the Governor spoke with Raymond Procunier, a California corrections expert familiar with the penitentiary, who suggested that the prison be stormed immediately. The Governor declined to follow the suggestion.

Plan to Retake 4:00 a.m., Sunday Morning. During another meeting between 3:00 and 4:00 p.m., Saturday, State Police, Santa Fe Police and National Guard commanders discussed a plan to retake the penitentiary by force at 4:00 a.m., Sunday. Lt. Arteche of the state SWAT team outlined a plan by which the city SWAT team would enter the prison through Dormitory D at the southwest corner, while the state SWAT team would enter through the Education Wing at the southeast corner. The city team would secure the west side of the penitentiary, while the state team secured the east side. Both teams were to be followed by the National Guard who would remain in the living units to prevent re-entry by the inmates. Each team was to be armed with only one rifle per squad (there were two squads in each team) while the other officers carried only batons.

This plan was not considered by Rodriguez and Montoya. Captain Carroll believed it was to be implemented only in the event of the death of a hostage. The Warden said the plan was to take effect only if things "didn't start progressing." One member of the city SWAT team said the plan was cancelled because of fires in the educational wing and Dormitory D. A corrections officer said the plan was called off because of progress in the negotiations. A high-ranking police officer said the idea was scrapped because an assault during darkness would place the police at a disadvantage. Another policeman believed the assault was going to take place as planned, and learned it had been cancelled only one hour before the prescribed time. One SWAT team leader was never actually told that the assault was cancelled; he was just never told to go in. Arteche's supervisor, Chief Martin Vigil, never heard any plan other than the one implemented Sunday afternoon.

The National Guard commanders rejected the plan at 9:30 p.m., Saturday because of inadequate knowledge of the interior of the penitentiary, lack of entry keys, and lack of proper lighting. The National Guard also objected to the plan because it called for arming only a small number of the attack force with firearms. Not all National Guard commanders were notified that the plan had been rejected and were prepared to go in until about an hour before the original designated time. National Guard helicopter pilots waiting all night by their aircraft at the Santa Fe airport were never informed that the assault was cancelled.

At 11:00 a.m., Sunday, Secretary-designate Adolph Saenz, Rodriguez, Montoya, Capt. Carroll, General Miles, and SWAT team and National Guard commanders all met once again to discuss retake plans. It was decided that the prison would be retaken immediately upon release of the last hostage.

Lt. Arteche issued the order to retake again at 11:30 a.m. Officers were briefed on what was expected of them, what weapons they should use, and when force was authorized. The SWAT team members were to be equipped with shotguns, helmets, flak vests and gas masks. Officers were instructed to use firepower only in response to a charge by inmates or a direct attempt by an inmate to injure an officer. At that time the city SWAT team was directed to enter the north side and the state team was ordered to enter the administrative buildings and the south side. These orders were retracted by 12:30 p.m. Twenty minutes later they were reactivated and the SWAT teams were assembled by 1:20 p.m. The retaking took place shortly thereafter.

Information to Press and Families. About the same time, at the highway gate, reporters were scrambling for rides inside with legislators and officials. The relatives and friends of inmates were left at the checkpoint under the watchful eye of National Guard troops. Sunday morning, Governor King's Press Secretary Jill Marron began posting, near the front entrance, photocopies of computer lists of penitentiary inmates who were known to be alive. Ms. Marron was able to identify hundreds of live inmates, to the relief of their families, before a power outage at the Warden's residence knocked out the copying machine and delayed further notification. (See Photograph 13, p. 50h.)

The reporters who had taken part in the televised 10:00 a.m., interview with inmate negotiators remained just behind the perimeter fence to observe the retaking. By the time police entered the penitentiary, the gatehouse was surrounded by on-lookers, many of them legislators, corrections staff and their families who came out to watch the riot end. Photographers recorded the scene as inmates were brought out into the prison yard restrained with plastic handcuffs, and searched for weapons. One inmate stood in the yard and shouted his name three times, possibly in an attempt to notify the outside world that he was alive.

RETAKING

Given the generally accepted plan to enter the prison following the release of all the hostages, it was a foregone conclusion that the police and National Guardsmen would retake the penitentiary once the last hostages were freed. All that remained was for the police agencies and the National Guard to complete the details of team objectives, and for someone to issue the order to assemble to enter the institution.

The Retake Plan. Members of the assault force had two objectives in retaking the penitentiary. First they were to locate and remove the remaining inmates inside (estimated 75-125) and free the three corrections employees hiding in the building. Second, they were to preserve the crime scenes.

Initially, the plan was that the 22-man State Police SWAT team would enter through the main entrance of the Administration Area and move in a single group to the Control Center. From the Control Center, Lt. M.J. Payne and the Southern State Police SWAT unit would secure the South Wing, while Lt. Raul Arteche and the Northern State Police SWAT unit would secure the North Wing. Simultaneously, the 15-man SWAT team of the Santa Fe Police Department was to enter the penitentiary through an entrance at the north end and work its way south until meeting the State Police. The Santa Fe force was to be accompanied by five penitentiary employees, who were to provide access to any locked areas and to transfer inmates out of the building.

The National Guard was to be stationed outside the building, inside the double perimeter fence, to receive and process inmates as they were brought out of the institution, and to stand guard over inmates who surrendered. The National Guard was also assigned to create two arrest-holding areas in the northeast and northwest corner of the perimeter fence.

Going In. The police who were to retake the prison did not feel fully prepared for the task. The leader of the SWAT team complained that he did not receive enough information to know what was occurring inside the prison. At least one State Police SWAT team member thought that the two guards and one infirmary technician who were known by prison officials to be hiding, were actually hostages at the time the prison was retaken. Other members of the SWAT team were unfamiliar with the inside of the prison and were therefore forced to rely on small and not very detailed maps.

When the last two hostages, Officers Gutierrez and Mendoza, were released at 1:26 p.m., Sunday, there was momentary hesitation as State Police and National Guard officers discussed who should enter the main gate before whom. It was decided that the State Police SWAT team members would move in first, followed by the National Guard. The operation commenced at around 1:30 p.m.

State Police Chief Martin Vigil gave the final order to retake after the last hostages were released. Governor King had given authority to order the SWAT teams to enter the prison to Vigil, Carroll, Miles, and Rodriguez. Saenz told the commanders of the SWAT teams and National Guard to get ready. He then shouted "Move out" and the SWAT team entered. It is unlikely that many of them knew who Saenz was. Saenz spoke with the Governor from the gatehouse and notified him of the retaking. Saenz instructed State Police Captain Robert Carroll to find the hidden officers as soon as possible, and reminded him that there was evidence inside that police should preserve. Specific orders not to fire weapons were issued by Colonel

William Fields of the National Guard, Saenz and Rodriguez. Colonel Fields instructed the Guardsmen that no one was to fire a shot unless the Colonel fired first. This order prevented police overreaction and possibly more deaths in at least one instance. An inmate in the yard kicked a Guardsman standing near the perimeter fence. The injured Guardsman immediately threw his M-16 rifle over his head to other Guardsmen so that he was unable to retaliate and the inmate was not able to seize his rifle.

The State Police SWAT team members entered the penitentiary through the main entrance and immediately encountered two inmates armed with knives in the reception area. The police disarmed the inmates without incident and escorted them out to the front yard. The team made its way through ankle-deep water to the Control Center by climbing through a hole in the wall of the visiting area and through another opening in the wall of an office. Rioting inmates had beaten the holes through the steel-reinforced plaster walls in order to circumvent locked grills after fire and water damage ruined the electronic opening mechanism. (See Photograph 6, p. 50d.)

The state team was followed by a group of about twenty persons who were not directly involved in the assault -- three members of the Corrections Commission, State Senator Manny Aragon, and several corrections personnel. It is not clear exactly who else might have entered the penitentiary behind the strike force, since there were a number of other people on the grounds at the time of the assault. One of the SWAT team commanders posted two uniformed officers in the administrative corridor to turn back non-essential personnel, however several civilians still roamed the institution during the assault. Apparently there were too few guards to keep the civilians out, and in one case, one posted guard willingly accompanied a civilian who wanted to tour the damage.

The SWAT team discovered three bodies at the Control Center. Gilbert Moreno was inside the center enclosure; Joe Madrid was in a small hallway just south of the center; and a third, Robert Quintela was found in the main corridor in front of the center. One State Police Officer stepped on the body of Gilbert Moreno while climbing through a front window of the Control Center.

At the Control Center, a State Police supervisor asked Corrections Commissioners Bud Richards and Herman Sanchez to leave the building while it was being secured. The Commissioners complied. Captain Carroll ordered the State Police Crime Lab team to be sent in immediately. The State Police was in charge of preserving crime scenes and taking photographs, while the National Guard, under different supervision, was ordered to remove bodies from the penitentiary.

Meanwhile, accompanied by Deputy Secretary Felix Rodriguez, the Santa Fe SWAT team entered the prison yard through the sally port on

the north side. They had to stop on the north side to convince a National Guard Platoon to cover them as they went in. The platoon leader refused, saying that he had no such orders; he finally acquiesced. Thus supported, the city team tried to enter the prison with the help of corrections employee Gene Long. Their first attempt to enter through the north side basement of Cellblock 5 was foiled by a locked door for which they had no keys. The team then entered the building through a door at the west end of Cellblock 4. The officers could not go beyond a reception area just inside, because they had no keys to a locked grill at the entrance of the living unit. Long proposed that the team wait until the grill could somehow be forced open, but the police opted to seek another entrance. The team retreated and eventually entered the prison through the loading dock behind the kitchen. At this point Rodriguez left the team.

Sgt. Greg Boynton led six men, half of the SWAT team on to the ground floor of the kitchen, while the remaining six SWAT officers, led by Sgt. Andrew Leyba, checked the shops, laundry, and physical maintenance plant in the basement.

Boynton's men surprised two inmates in the kitchen and transferred them outside. Long suggested that some of Boynton's men remain in the kitchen to keep guard while the rest of the team proceeded. Boynton rejected the proposal, and the entire team moved through the dining area and into the main corridor.

Upon entering the main corridor, the team immediately encountered the State Police SWAT team members who were moving southward down the corridor from the Control Center. Because the State Police officers were expecting the city officers to be in the North Wing, the encounter surprised them, and they mistook the members of the city SWAT team for inmates. A State Police SWAT team member reported the city officers were almost shot. The city police officers quickly identified themselves, but Long had trouble identifying himself to the State Police. A plan to identify corrections employees with white armbands had not been followed.

Then, Lt. Payne's contingent of the State SWAT team secured the inmates' kitchen and found three convicts, before moving down the corridor to the South Wing as planned. They found the bodies of Nick Coca in the Officers' Mess Hall, Russell Werner in the Catholic chapel, Robert Rivera at the entrance to Dormitory A-1, Steven Lucero at the entrance to D-1 and the burned body of Herman Russell inside A-1. Approximately 20 to 30 inmates were moved out by State Police officers accompanying the SWAT team. Officers could not enter the burning gymnasium, but they saw the charred remains of an unknown number of inmates from the corridor. These remains were later found to be three bodies by teams of anthropologists. They were identified later by the Office of the Medical Investigator as Kelly Johnson, Thomas O'Meara and Feliberto Ortega. The officers also noted that in the midst of a gutted gymnasium, a ravaged Protestant chapel, and a

destroyed Control Center; the Catholic chapel remained undamaged.

Out of concern for inmates who were signalling from Dormitory C-1 on the second floor of the burning Psychological Unit wing, Santa Fe County Sheriff's officers decided to break into the building from the outside. The officers brought nine inmates out of the dorm and then moved on to Cellhouse 6 where they found 20 to 25 more inmates.

SWAT teams were unaware that the Sheriff's officers had decided to join the retake effort. Outside of Cellhouse 6, Sheriff's officers met SWAT team members who mistook them for inmates, and ordered them to raise their hands. After the Sheriff's officers identified themselves, the Sheriff's officers entered Cellblock 5. Deputy Sheriff Eddie Armijo crossed the corridor into Cellblock 4, where he found 6 bodies. He then entered Cellblock 3 and found another body.

Sgt. Leyba of the Santa Fe SWAT team and his men arrived from the basement area and joined Boynton's men in the main corridor. The entire Santa Fe SWAT team joined Lt. Arteche's state SWAT unit and moved north. Entering Cellhouse 6, after the surprise meeting with the Sheriff's officers the officers found no bodies or inmates. The Sheriff's officers had already taken the inmates out. They then moved across the corridor to Cellblock 3 where they encountered heat and smoke. The team found ten live inmates in the unit, eight locked in their cells. Long and penitentiary locksmith, Gilbert Gonzales, released the imprisoned inmates. An eleventh live inmate was found in the basement. Police found two more bodies in Cellblock 3, that of Larry Cardon in cell 32, and Juan Sanchez in cell 12. Sanchez' cell was jammed shut and corrections staff did not remove his body until two days later.

Lt. Arteche's state SWAT team then separated into two squads under the leadership of Paul Mares and James Butler. Sergeant Butler's squad checked the basement areas of the penitentiary. Officers Castillo, McAnnich and McKinney released Corrections Officers Antonio Vigil and Valentin Martinez from the gas chamber region in the basement of Cellblock 5. Meanwhile, Officer Paul Mares' squad secured the main floor: the hospital and Cellblocks 3, 4, and 5, plus Cellhouse 6.

Sgt. Butler returned from the basement and also entered the hospital where the two now-joined squads freed Infirmary Technician Ross Maez and seven inmates. In order to take inmates found on the north side out to the prison yard faster, the State Police cut a hole in the corridor window grill between the Control Center and the Psychological Wing. Forty inmates were passed out to National Guardsmen waiting outside of the window. None of the inmates offered resistance.

The Santa Fe team then also entered Cellblock 4. They found 2 bodies at its entrance, inmates Mario Urioste and Larry Smith. The

team separated, with Sgt. Boynton's men going to the third floor and working their way down, while Sgt. Leyba's group worked their way up from the basement. Four bodies were found on one side of the basement: Leo Tenorio, Michael Briones, Phillip Hernandez and Joseph Mirabal. The torched corpse of Ramon Madrid was found in a cell on the third tier. The city SWAT team released three or four live inmates from their cells and moved them to the yard. The bodies of James Perrin, Donald Gossens, Thomas Tenorio and Vincent Romero were found on the other side of the basement. The body of Valentino Jaramillo was discovered in the middle tier.

From Cellblock 4, the Santa Fe team moved to Cellblock 5, where they found an inmate sharpening a knife. On seeing the SWAT team, the inmate dropped the weapon, saying, "I guess I won't be needing this," and surrendered. The Santa Fe officers returned to the Control Center, then left the building through the front door at approximately 3:30 p.m. The officers were ordered to return to the institution 25 minutes later because of reports that inmates were re-entering the prison from the recreation yard. The SWAT team did find a few inmates in the basement; they then removed the inmates to the recreation yard and locked them in.

After the penitentiary was retaken, the stream of injured, particularly inmates suffering from overdoses, continued. Mounted Patrol officers escorted prisoners to the Indian Hospital and monitored activities in the recreation yard. When the last of the medical transfers was made, several city and volunteer firefighters remained on the scene to extinguish the fires burning inside the prison. The firefighters returned the following day, Monday, for an additional five or six hours of fire fighting.

The evacuation and treatment of approximately 90 wounded inmates and officers from the riot-ravaged penitentiary was accomplished through the cooperative efforts of volunteer, professional and military medical personnel working around the clock during the weekend of February 2 and 3. It is noteworthy that, while many of the patients suffered from life-threatening wounds and were being cared for under emergency circumstances, none of the injured died after leaving the penitentiary. (See Photograph 11, p. 50g.)

AFTERMATH

Collecting Evidence Before the Retaking. Before the prison was retaken on Sunday February 3, 1980, hundreds of inmates surrendered to authorities, exiting from various points in the complex. At the same time, weapons confiscated from inmates -- consisting of makeshift clubs and knives -- were tagged and put in a large box at the Tower 1 gatehouse. Persons who wandered in and out of the gatehouse sifted through the pile of weapons during the riot and for days afterwards. State police personnel were debriefing and interviewing inmates about the conditions and events inside the prison and even before the retaking, bodies of victims were brought out, identified, and put in body bags, later to be taken to the morgue in Albuquerque. At the time of re-entry, the authorities had statements from surrendering and injured inmates, eight bodies and numerous weapons as evidence of criminal activity inside the prison.

Crime Scenes. As stated earlier, law enforcement officials who entered the State Penitentiary of New Mexico on the afternoon of February 3, 1980, did so with two objectives: (1) secure the building by finding the remaining three employees inside and emptying the facility of all inmates; (2) secure and preserve the crime scenes. However, one high-ranking State Police officer said, "We weren't too concerned about physical evidence during the assault... We knew who had been killed and who had done the killing." Another State Police supervisor told investigators that "no one was allowed in (to the prison) to bother the bodies anyway, so there was no reason to stand guard on those crime scenes or around the bodies."

A State Police crime scene specialist advised Captain Carroll before the retaking that the building should be sealed off and the Office of Medical Investigators (OMI) and crime scene personnel should go in to take pictures and process evidence. After the prison had been secured, a State Police supervisor was told by Captain Carroll to bring in the crime lab people to begin photographing bodies and crime scenes. Teams from OMI and the State Police crime scene specialists entered the prison walls to tag, photograph, and place the bodies in body bags. The National Guard took out two bodies before the crime scene specialists could photograph them. Because they missed the two bodies, and were afraid they would miss others, photographers hurried through the rest. Consequently, they were able to photograph eleven bodies only once; nine, twice; two, three times. One body was photographed four times, which is standard recommended procedure.

Beginning just after the prison was retaken and continuing throughout the week, many persons, press, legislators and observers toured the prison. During that week some of these visitors saw drug paraphernalia and examined weapons and in some cases took them as souvenirs. The weapons gathered by law enforcement officials trickled into the police crime lab during the same week, some

separately but most in boxes and barrels. A few were tagged. On Thursday, February 7, officials taped and roped off crime scene areas.

During the week after the riot, crime scene specialists took a couple of finger and palm prints from Cellblock 4 and took some blood samples from cells. By Friday February 8, 1980, the crime scene specialists had completed their work. The Office of the Medical Investigators completed their final report of the cause of death of the 33 victims in late May.

Accounting of Inmates for Families and the Press. Many families and friends of inmates who had heard the news of the riot appeared at the front gate of the prison beginning on Saturday. Not until Monday evening, after several requests from clergy to prison officials, was the Red Cross brought in with sanitation facilities and some food.

On Sunday, after the takeover, there was much animosity and anger among the relatives because of lack of information. Pickets began demonstrating over the lack of hard information about hostages and inmates around 1:30 a.m., on Sunday. By Monday morning, February 4, at 11:00 a.m., Warden Griffin had been provided a computer printout showing that there were 1,156 inmates in the institution as of February 1, 1980. But the Warden's first report to the public thereafter informed them that 1,138 prisoners were inside the prison at the time of the riot. From this point on throughout the next month families and reporters criticized corrections officials for their failure to provide accurate and consistent information. Most reporters interviewed felt that the official reports were no more reliable than information coming from unofficial sources.

Information to Public at Gate. On Sunday night a corrections official read a list of inmates' names to families and reporters at the front gate without a public address system. He first explained that the list comprised live inmates. Many persons could not hear the explanation and only heard the name of a relative, and this caused them to break down with grief. Moreover, the list only went to the letter G, and this left others without any information. On Monday night, February 4, 1980, prison officials released a list of 979 names of live inmates. On Tuesday a list of 300 names was read repeating some of the 979 names. Again, many family members broke down with grief because they had not heard their relatives' names on the list or the correct explanation at the beginning of the reading. One observer, a member of the clergy stated "They just hadn't thought about the families."

News Coverage of Accounting. On Monday night some radio and television stations announced that a list of victims had been made public but declined to announce the names until they had been officially cleared. At least two families discovered the deaths of a

son and a brother from a television broadcast before being notified by officials. The station broadcast a list that included the name of one "dead" inmate who was actually alive. The "victim's" mother discovered the error only after calling several state agencies.

On February 6, 1980, 27 dead inmates were named and the names of 998 live inmates were released. On February 7, 1980, 28 dead inmates were listed and 90 more live inmates were identified.

Accounting For Inmates. Most records stored within the penitentiary were destroyed during the riot; most inmate records were stored inside the penitentiary. Although newspapers had published tentative full counts on February 18, 1980 a final census count after the riot was not completed and released by the Department of Corrections until March 6. The delay affected the amount of information that the Governor's General Services Office could give in response to the approximately 24,000 telephone calls which came in during the weeks following the riot. The Fraternal Order of Police and the Lt. Governor's Office also fielded hundreds of inquires from families.

CONFINEMENT OF INMATES

National Guard Oversees Inmates Outside. The arrest areas established by the National Guard filled up rapidly with inmates. At about 4:00 p.m., Sunday, some inmates refused to move from the arrest areas, leading to a confrontation between a group of inmates and National Guardsmen. Inmates began to attack guardsmen verbally and physically, causing injury to one guardsman. A pushing and shoving contest ensued between inmates and guardsmen. Their commanders gave the guardsmen orders to fix bayonets. This order was reversed 15 minutes later. Inmate William Adams, who had twice broken out of plastic handcuffs, then intervened and asked for the person in charge. Major Baca came forward and talked with the inmate, who stated that if blankets, dry socks, food and water were provided, the inmates would comply with guardsmen's orders. Guardsmen provided the requested items and the inmate told other inmates to comply with the National Guard's orders. The group of inmates moved to the confinement area peacefully.

A similar encounter took place two days later. Out in the yard, four inmates who said they feared for their lives if they went into the prison because they had spoken with State Police interviewers, took up wooden planks to resist being rehoused. Deputy Warden Montoya was hit during the skirmish. State Police SWAT team members were brought in, and they subdued the inmates and handcuffed them from behind. Two officers were escorting each inmate toward Cellblock 6 when Deputy Warden Montoya hollered that he knew where to put them. The State Police walked the prisoners back towards Montoya. State Police witnesses report that Montoya was yelling profanities to one of the inmates and hit an inmate in the face with his hand. Montoya

denies this report. Neither Montoya nor the inmate was seriously injured.

Rehousing Inmates. The rehousing of inmates posed an immediate problem in the aftermath of the riot. Water and fire had damaged some of the foundation and basic structure of the institution. The inmates had destroyed much of the physical plant. Areas that were left structurally sound were strewn with debris, splashed with blood, and would have to be cleaned before inmates could be moved in. The clean-up activity began almost immediately under the direction of Deputy Warden Montoya. Correctional officers, National Guardsmen and State Police officers helped with the cleanup. Beginning on Thursday February 7, 1980 inmates were used for cleanup work.

The different-purposes of agencies involved caused several problems in the rehousing of inmates. The need to prevent evidence destruction, the need to photograph, to fingerprint, and to interview inmates for investigation and classification purposes necessitated the delay in rehousing and transferring inmates. Federal officials who had been requested to pick up 350 inmates, arrived on Tuesday, February 5, only to be told that only 30 inmates were ready to go. A State Police officer had to pull inmates off a bus destined for a federal prison so they could be interviewed before being transferred. Oklahoma officials faced a similar response. Inmates initially sent to Colorado and Arizona were returned and exchanged for others. Many people involved in the processing of inmates put in 16 to 18 hour days for two weeks following the riot. They tried to coordinate the investigation of criminal activities, logistical difficulties of caring for and rehousing the inmates and of rebuilding the prison. A review of the transfer and rehousing process revealed that officials had not used concrete information from inmates' records to determine rehousing assignments.

The rehousing of remaining inmates into the prison was accomplished by Thursday, February 7. They were housed in 8 of the dormitory floors and Cellblocks 1, 2, and 6. All transfers to other prisons were completed on February 14. According to the Department of Corrections, on March 4, 1980, the location of inmates was as follows: penitentiary, 496; federal prisons, 348; other state's prisons, 122; in custody pending court appearances, 17; county jails, 77; state hospital in Las Vegas, 5; St. Vincent Hospital, 1; paroled, 31; discharged, 26; dead, 33. On March 13, 1980, the location of inmates was as follows: penitentiary, 471; federal prisons, 342; other state's prisons, 118; satellite facilities, 23; in custody pending court appearances, 14; county jails, 38; other, 9; state hospital in Las Vegas, 9; St. Vincent Hospital, 0; paroled, 40; discharged, 52; released, 7; dead, 33.

The Penitentiary will have a functioning capacity of 625 inmates by June 1, 1980. This includes all living units except Dormitories A-2, C-1, and D-1.

REINSTITUTION OF SERVICES.

The reinstatement of services to inmates proceeded with the help of correctional and prison officials and law enforcement personnel. The Mounted Patrol assisted in escorting prisoners for interviews with the District Attorney's investigative staff. The National Guard provided two 400 gallon water trailers on Sunday evening, at 6:00 p.m. And the National Guard had the following duties in the aftermath of the riot: the movement of inmates from arrest areas to confinement, the identification of inmates, perimeter security, cellblock and dormitory security, the cooking and feeding of inmates, transporting inmates to air facilities and providing air transport to neighboring state institutions, and providing cleanup of dorms and cells. National Guardsmen were stationed at the prison to assist with corridor security until February 12. Many inmates expressed their gratitude to National Guard troops and State Police officers for assistance.

Beginning on Sunday February 3, 1980 and extending through Tuesday, prison medical staff provided emergency medical treatment to approximately 225 inmates outside the prison yard. They provided bandaids, blood pressure medicine, and other medication. Fifteen inmates were treated at St. Vincent hospital on Monday, February 4, including one stabbing victim, one rape victim, and three beaten inmates. On Wednesday, February 6, 1980, a Cannon Air Force Medical Unit arrived for 10 days. They gave all the inmates at the prison a basic physical examination and any other necessary medical treatment.

Basic needs. Once inmates were moved into the penitentiary, they faced an interruption of some basic services. Inmates in one cellblock went without water for 15 hours and were unable to exit their cells to use toilets. When Felix Rodriguez learned that many inmates were having to defecate on the floors of cells occupied by two men, he ordered Superintendent of Correctional Security Koroneos to provide inmates access to the toilets. State policemen then escorted one inmate at a time to the toilet whenever necessary. Observers heard requests for drinking water and for the use of toilet facilities frequently ignored. "To hell with you guys," one corrections officer told the inmates, "you wrecked the place." The residents of Cellblock 6 caused floods and set fires in the cellblock on the Tuesday and Wednesday following the weekend riot.

Food. Because of the damage to the institution's kitchen, food for inmates and staff was prepared by prison personnel at the National Guard Armory in Santa Fe, transported to the institution and served to inmates in their living units by National Guardsmen. (Corrections officials anticipated food preparation could be handled at the penitentiary by mid-July 1980.) Inmates who will begin to work in the food area are to be phased into the food service again as dining and

kitchen facilities are renovated. Prison officials were trying to correct the problems of cold food and irregular meal scheduling by late March.

Visitation. Regular visitation was stopped after the riot. Inmates were allowed visitors by February 13, on a limited basis. Initially inmates could visit one relative at a time for a total of five minutes a week. Inmates and relatives visited each other through the double fence along the perimeter. The inmates stood in the yard near Tower 2, while the visitors stood outside the perimeter some 15 feet away. Regular visiting was resumed April 9, with inmates being allowed four hours of visits per week, Wednesday through Friday, and two hours per week, Saturday and Sunday. Segregated inmates were allowed two hours of weekly visitation in 30 minute sessions.

Psychological Services. Immediately after the riot, the staff from the psychological unit aided families of inmates and helped the traumatized hostages. Shortly after the riot, the psychological unit staff began making rounds to inmates. By the week after the riot, at least 20 inmates needed transferring to the State Hospital in Las Vegas. Within a month after the riot, psychological teams began to visit prison inmates in county jails. By May 23, 1980, the prison had placed 12 of the inmates in the state hospital and 17 were awaiting transfer.

Exercise. Outdoor exercise for inmates was restored in early April for most inmates. Inmates were allowed 2 hours every morning and 2-1/2 hours every afternoon. The prison allowed inmates segregated in Cellhouse 6 immediately after the riot to walk within the cellhouse only. They are not allowed into the general yard. Part of the new renovation since the riot has resulted in a small yard for maximum security inmates now housed in Cellblock 3.

Education Programs. The prison faced two immediate obstacles to restoring the prison educational program. Most of the education department staff resigned after the riot. The education wing was badly burned. On March 19, the prison reinstated the Adult Basic Education Program, with 46 inmates participating.

At the same time, 12 inmates began participating in a revived vocational education program, which includes welding, electronics, wood work, and auto body work. The Director of Vocational Education resigned just before the riot and no one has been hired to replace him. The institution college program was reinstated in mid-March with 112 participants, 40 of whom are housed at the penitentiary. Participants are attempting to keep up their studies through an extensive correspondence program.

Prison Industries. The Prison Industries program was reinstated two weeks after the riot with 11 inmates. By mid-May, 90 inmates were participating in the program full-time (6 hours/day) compared with 150 participants before the riot. The program is suffering due to the problems with the reclassification of inmates resulting in inmates not qualifying for participation in the program. However, some shops are still hampered by the fact that non-inmates stole at least \$7500 worth of prison and inmate owned material from the hobby shop and Prison Industries. Vandalism, in the amount of \$2800 was done by the three inmates who had been seen entering Prison Industries Saturday night. The master key-cutting machine was also stolen from the locksmith shop.

Records Reconstruction. Most of the records stored within the penitentiary were destroyed. Inmate records consisted of disciplinary reports, grievances, appeals and good time records. For the most part, the Department of Corrections has completed reconstructing these records. Parole records and existing computer information gave parole hearing dates as well as the number of documents in each inmate file. Department officials have then reconstructed those documents from bits and pieces of information and from caseworker's notes and memory. By mid-April an official of the Corrections Department believed that records were 80% functional. Few inmate protests have been lodged at this time over erroneous material in files or over release or parole times. The prison now keeps these records in a trailer outside the main perimeter fence at the prison.

Reconstruction of Physical Plant. Damage to the physical plant was extensive. The gymnasium is unsalvageable, D-1 is extensively burned but repairable, and the educational wing and food service areas have structural damage but can be salvaged. Cellblocks 3 and 4 were operational May 1, 1980. Cellblock 5 was operational on May 23, 1980.

Mail Service. Mail service to inmates was sporadic until early April, when the PNM mailroom became operational once again.

A federal court consent decree ordered that correspondence from attorneys not be opened by corrections staff unless in the presence of the inmate, and then only to search for contraband. At least one lawyer had his properly marked letter to an inmate client opened and then returned to him without his client's knowledge. The inmate had already been transferred to a federal institution out of state. A State police officer observed a corrections guard crumple up and throw away an inmate's outgoing letter.

CORRECTIONS STAFF

Following the riot, a group of guards had to be coaxed back to work by Warden Griffin. The trauma experienced by their fellow correctional officers at the hands of the inmates precipitated the work refusal, and the guards outlined a list of 22 grievances the day the riot ended, February 3 (See Appendix L). The 16 correctional officers inside the prison when the riot began have remained on administrative leave. Just over a month after the riot, a high corrections official admitted that the prison was dangerously tense and another stated that the prison was dangerously understaffed on the morning watch. Many guards judged that the prisoners still had control of the prison as of late March because caseworkers and guards were afraid to go into dormitories. But beginning in mid-April and continuing into May, officials and staff alike felt more in control of the prison and felt the post-riot trauma of staff and inmates was lessening. A full scale hiring thrust has improved security somewhat. The Legislature, in the week following the riot, increased by 50 (30 for PNM) the number of state wide correctional officer positions. As of March 28, the penitentiary was staffed by 179 correctional officers, whereas a full complement would be 193.

Staff Training. Since the riot, the Department of Corrections has created a new Training and Education Division. A new director of training was emplaced. Records show that in the two years preceding the riot, 118 correctional officers received training. In the two months following the riot, under the new training division, 47 officers have been trained. This additional training brought the post-riot training percentage as of April to 48% of the 179 total officers working at the penitentiary.

SECURITY AFTER THE RIOT

Post-Riot Security Measures. After the police walked inmates out of the prison into the prison yard during the retaking, they frisked and handcuffed them with plastic handcuffs. They then frisked and searched the inmates before rehousing them. After the penitentiary riot the following security measures were implemented: officers are supposed to return all keys to the Control Center by 4:00 p.m. and then other officers run back to the Control Center to get the keys when they need them to open particular doors or gates. Prison officials welded steel bars over the Control Center within 10 days of the riot. A full shakedown of the prison took place by February 24. Officers are using chains to lock cell house grill gates.

State Police supplemented the corrections staff at the penitentiary following the uprising. From February 3, until February 13, two shifts of 21 officers were posted at the institution daily. From February 14, to March 31, the shifts were reduced to 16 officers. On April 1, the shifts were reduced to 10 officers. State

Police backup teams instituted a nighttime tower check every 30 minutes after finding every guard in every tower asleep one night. Finally, all State Police support at the penitentiary was phased out on April 12.

Post Riot Security Lapses. During the first six weeks after the riot, the State Police officers went armed throughout the institution. The potential danger of these guns within the prison was reported to the Legislative Interim Criminal Justice Study Committee by penal consultant Raymond Proconier on March 15. The committee alerted corrections officials, and officers were prohibited from carrying guns beyond the Control Center.

Since the riot-control grills were not and are still not operable electronically, correctional officers operated them manually until mid-April. But then officials decided to stop using the grills for fear of breaking their keys. And although the main corridor grills are supposed to be closed and locked 24 hours a day, investigators have observed the South Wing corridor grill open frequently and for extended periods of time. The grill next to the Control Center leading to the visiting rooms and the front door was found ajar repeatedly during the months of March and April.

Finally, in mid-March, one prison official watched as a guard walked into the prison's maximum security unit, at the time, Cellhouse 6. As the official watched the guard walk among the inmates who were casually standing outside their cells, he saw clearly that attached to the guard's belt was a large ring of prison keys -- the keys the guard should have left outside the cellhouse grill gate. He recalled that only six weeks before, inmates had jumped a guard with keys as he stood, not in among inmates, but outside a dormitory door. That earlier incident was the beginning of the subject of this report -- the riot.

APPENDIX A

CHRONOLOGY OF EVENTS

PRE-RIOT CHRONOLOGY OF EVENTS

December 9, 1979

Eleven inmates escape.

January 11, 1980

Secretary of Corrections Becknell offers resignation.

January 14, 1980

Attorney General Bingaman releases his report on the 12/9/79 escape.

January 15, 1980

Glass installed in the Control Center, PNM.
Warden Griffin reorganizes prison staff.

January 18, 1980

Secretary Becknell's resignation effective.

January 29, 1980

Warden Griffin orders prison staff to read riot plan.

January 31, 1980

Adolph Saenz appointed Secretary of Corrections.

Intelligence meeting held at the penitentiary. Officials discuss rumors of a planned escape and a planned race riot for spring and a possible hostage taking in early spring. E-2 pinpointed as possible problem area.

CHRONOLOGY OF RIOT

February 1, 1980

11:45 p.m. Shift Briefing

February 2, 1980

Midnight Inmate count taken

12:30 a.m. Count completed

1:09 Captain Roybal and Lt. Anaya begin close down south wing.

1:40 Captain Roybal, Lt. Anaya and Officer Schmitt jumped in E-2; Officer Martinez jumped at door keys taken.

1:45 Officers Curry, Victor Gallegos, Herman Gallegos and Bustos jumped in F-2, keys taken. Curry, V. Gallegos, and Bustos taken to E-2 dayroom.

1:57 Officer Lucero in control center and officer Louie C de Baca on foot patrol hear inmates over walkie-talkie.

Officers Mendoza and Vigil hear disturbance in south corridor, exit Officers' Mess Hall, observe inmates loose in corridor, alert Lucero in Control Center, enter north corridor.

1:58 Officer Mike Hernandez, in D-1, notifies Lucero of riot situation on south side. Lucero alerts Officer V. Martinez in Cellblock 6. Martinez contacts Infirmary Tech. Ross Maez in hospital. Maez secures himself with 7 inmates.

2:00 Lucero calls Koroneos; Koroneos proceeds to Tower 1. Inmates begin hitting control center glass.

2:01 Lucero radios Officer Hoch in Tower 1, and instructs him to contact Women's Annex and have them call State Police. Hoch calls Montoya and Annex.

2:02 Officer Louie C de Baca arrives at Control Center, assists Lucero in exiting same. Inmates break glass.

February 2

2:02 a.m. Inmates enter Control Center. Warden Jerry Griffin alerted by Montoya. Officers Mendoza, Ortega and Gutierrez lock themselves in Cellblock 3 basement. Officer Vigil joins V. Martinez, both secure themselves in crawl space near gas chamber.

2:05 Mendoza talks to Koroneos in Tower 1

2:09 Santa Fe City Police notified.

2:11 Mrs. Koroneos notifies State Police, Officer Susan Watts in Women's Annex does same.

2:15 Griffin arrives front gate.
Psychological ward set on fire.
City and State Police begin arriving.

2:15-2:30 Captain Roybal brought to Cellblock 3 by inmates to open doors. Keys are found in control center; Cellblock 3 opened. Hospital seized by inmates.

2:15-2:45 Maximum Security Cellblock 3 cells opened by inmates.

2:20 State Police alert regional state policemen.

2:30 Cellhouse 6 seized by inmates.
Roybal moved to Officers' Mess. Contact made with Montoya over walkie-talkie. Inmates demand media, warn Montoya that hostages will be killed if demands are not met. Inception of negotiations.
Santa Fe County Sheriff's Officers arrive.

2:35 Governor alerted by State Police Chief Vigil

2:40 Governor alerts National Guard General Franklin Miles.

2:45 Turquoise Trail Fire Department notified.

3:00 Turquoise Trail Fire Department arrives. First inmate killed, Cellblock 3 resident.
Warden Griffin talks to Governor by phone.
Perimeter secured by State and Santa Fe City Police and Sheriff's Office.

February 2

3:15 a.m. Dorm D-1 entered by inmates with acetylene torch; Officer Hernandez seized. Santa Fe Police SWAT team assembled at prison. Roybal talks to Montoya again.

4:30 Records area and Warden's office aflame.

5:00 Cellblock 5 torched into; two other blow torches found.
Felix Rodriguez arrives.

5:25 Warden, State Police and Rodriguez meet at Warden's residence.

5:25 First inmate released, injured in head and wrist by meat cleaver. Officer H. Gallegos released in inmates' clothing by sympathetic inmates.

5:30-6:00 Inmates request fire hoses.

6:00 Northern New Mexico SWAT team assembled.
Inmate requests field telephone and doctor.
Request for doctor denied.
Montoya asks inmates to release injured guards and inmates.

6:07 Inmate demands Montoya's resignation.

6:10 Inmate threatens to throw heads out if inmates are harmed by police.

6:22 Guard hostages in Cellblock 3 named.

6:40 Inmate demands media representatives; offers to set up table by information booth.

6:45 Inmates demand Governor or Warden within four hours.

7:00 Cellblock 4 taken by inmates.
84 inmates escape from Dorm E-1 window.

7:02 Officer Elton Curry, who had been beaten, is released.

7:05 Sunrise

February 2

7:07 a.m. Montoya informed by radio that an officer in Cellblock 3 is injured.

7:12 Officer Mendoza speaks to Montoya by radio.

7:16 Protestant chapel on fire.

7:20 Firemen forced away from Warden's Office.

7:30 50 National Guardsmen on duty.

7:41 Inmate demands Governor, media and telephone.

7:43 Inmate says Lt. Anaya is injured "pretty bad."

8:04 Chopper I inmate notes several inmate OD's.

8:14-8:16 Inmate negotiator, Chopper I, demands media; will kill hostages and 15 inmates if media is not produced.

8:20 Officer Mike Hernandez, who had been beaten, is released in inmates' clothes.

8:30 Approximately 20 inmates escape through Cellblock 5.

8:50 List of 14 dead inmates compiled from escaped inmates.

8:58 Governor talks to inmates from State Police Headquarters. Governor promises media and not to assault prison if hostages are alive. Is told that prison will be given back at 3 - 4 p.m. Saturday.

9:00 Seventy-five State and City of Santa Fe Police on duty. St. Vincent emergency room is prepared for disaster treatment.

9:02 List of grievances will be given to media at 9:30.

9:09 Inmate requests gas masks.

9:12 Stout and one other inmate meet with Rodriguez and Montoya.

February 2

9:15 a.m. Governor arrives at penitentiary.

9:17 Inmates demand that towers be emptied. Towers remain staffed.

9:19 Radio reference that Dorm E-1 and Cellblock 4 inmates threatened with murder because they are snitches.

9:25 Inmate complains of nepotism at penitentiary.

9:30 Chopper I inmate demands medical supplies, gas masks and stretchers.

9:31 Montoya gives inmates stretchers and gas masks.

9:45 Governor informed of 14 dead inmates in Cellblock 4.

10:42 Report from inmate on radio that two are dead in Cellblock 3, including Archie Martinez.

10:50 Officer Ortega radios Montoya, reports himself and other Cellblock 3 hostages are unhurt.

11:15 Major fire in administrative section. Captain Roybal asks Montoya to send in doctor.

11:30 Firemen attempt to fight fires, driven back by inmates.

11:33 Inmate Don Stout meets with Rodriguez and Montoya.

11:35 Inmate George Sanders reports that Lt. Anaya has a concussion and broken rib.

11:47 Dr. Orner, prison psychologist, identifies two leaders of a "death squad" from inmate interviews.

11:50 Escaped inmates name 11 dead in Cellblock 4; Ramon Madrid, Larry Smith, Leo and Thomas Tenorio, Donald Gossens, Vincent Romero, Mario Urioste, Valentino Jaramillo, Michael Briones, Pedro Romero, Jose Valencia (Pedro Romero and Jose Valencia were not killed).

11:52 Chopper I offers to trade Lt. Anaya for Lt. Benito Gonzales. Rejected. Offer is then upped to three hostages for Lt. Gonzales. Rejected again.

February 2

11:55 a.m.- Noon Chopper I inmate demands media; threatens to chop heads off. Montoya asks for Anaya before media is allowed to go in.

Noon

12:13 p.m. Dr. Orner assembles list of 10 death squad members from inmate debriefing.

12:34 Southern New Mexico State Police SWAT team told to report for duty.

12:40 National Guard triage unit set up near gatehouse.
Four inmates negotiating in yard demand Montoya.

1:02 Eddie Armijo (Undersheriff, Santa Fe County) reports rumors of 20 dead.

1:08 Reports that one guard was sodomized.

1:10 Approximately 30 inmates surrender from Dorm E-1.

1:25 First drug overdose inmates arrive in yard.

1:35 Approximately 20 inmates surrender.

1:50 Report from inmate that guard sodomized; Anaya badly hurt.

2:22 One inmate reports bodies stacked up in gym; reports one guard dead.

2:30 Women's annex evacuated, women transferred to Santa Fe City jail.

2:48 Inmates Stout, Kedrick Duran and Manuel Lueras meet with Montoya.

3:00 150 inmates have surrendered, some of whom are injured.
Meeting of Police and National Guard to discuss 4:00 a.m. assault.
Governor meets with legislators, Lt. Governor Mondragon, State Senator M. Aragon and Tom Rutherford go to penitentiary. Impression held that hostages had been killed and the prison would be retaken.

February 2

3:10 p.m. About 20 inmates surrender at front entrance.

3:15 List of demands given to Montoya, Rodriguez, and Koroneos.

3:20 Fifty to sixty inmates surrender.

Governor notified that hostages are OK; prison will not be assaulted.

3:30 Warden and State Police meet at Warden's residence.

3:44 Inmates demand that National Guard be moved away from front of penitentiary.

4:21 Interviewed inmate reports that Infirmary Technician Ross Maez is safe in hospital.

4:54 Inmate identifies 8 hostages: Ortega, Mendoza Gutierrez, Roybal, V. Gallegos, Schmitt, Bustos and Anaya. (Ronnie Martinez not included.)

5:10 Inmate threatens to kill guards.

5:15 One hundred twenty-five surrendered inmates are housed in Annex; 10 at sallyport, and 221 in yard. 800 inmates remain inside prison.

5:17 Call from inmate to other inmates and Montoya to turn on TVs.

5:26 Montoya offers news media if hostages are seen alive.

5:30 Inmates request firemen for Records Section fire.

5:36 Sunset.

5:45 Inmate demands media, Governor or will kill hostages.

6:00 Southern SWAT team arrives. Twenty-five injured inmates hospitalized so far.

6:15 Guards Ortega, Mendoza and Gutierrez radio from Cellblock 6 day room.

6:16 Inmate threatens to kill guards if media isn't brought in.

February 2

- 6:20 p.m. Many OD's brought out; report that four dead inmates will be brought out.
- 6:28 Report of 15 dead inmates in A-1.
- 6:35 Transmission between inmates to stop killing each other.
Inmates organizing to take out dead bodies.
- 6:50 Body of Richard Fierro brought out. First body.
- 6:54 Inmate radios report of 20 dead.
- 6:58 Frank Sedillo brought out dead. Inmates threaten to kill guards if they don't see Governor King or the Albuquerque Journal.
- 7:02 Inmate asks for face-to-face negotiations; a media person and a public defender.
- 7:12 Inmates Stout, and Price meet with Montoya, Rodriguez, Ernie Mills, and John Andrews.
- 7:18 Capt. Roybal reported in Cellblock 1.
- 7:25 Body of James Foley brought out.
- 7:40 Escaped inmate reports inmates Perrin and Marchetto are dead (Marchetto lived).
- 7:55 Rodriguez, Mills and Andrews speak with inmate Stout over radio; Stout says he saw seven hostages; Anaya is in shock and has two broken ribs.
- 8:13 Body of Ben Moreno brought out.
- 8:22 Lt. Anaya, who had been beaten, is released.
- 8:25 Body of Danny Waller brought out.
- 8:40 Officer Schmitt radios; says if tear gas is used or building is stormed, "I've had it."
- 8:42 Inmate orders tower lights turned off and all people away from the south fence.
- 8:50 Inmate Stout and Captain Roybal report that Roybal is OK.

February 2

9:05 p.m. Rumor of 85 dead circulated at Main Gate.

9:30 National Guard decides not to participate in 4:00 a.m. assault.

9:40 Inmates request fire equipment.

10:00 Inmate reports that hostages are doing fine.

10:35 Inmate offers to bring Roybal out if they can talk with media.

10:37 Montoya tells inmates there won't be retaliation; they can meet the press.

10:45 Inmates Stout and Flores meet with Rodriguez and Montoya.

11:23 Officer Bustos, who had been beaten, is released tied to a chair.

11:30 Reporters brought to gatehouse for news conference with inmates. Conference later cancelled, reporters sent back to road gate.

February 3

32 inmates have been treated so far in St. Vincent Hospital. 17 were treated and released, 15 were admitted. 5 were admitted to Indian Hospital.

12:06 a.m. Dispute among inmates over the release of Officer Schmitt.

12:07 Officer Schmitt, who had been beaten, is released. TV cameraman Michael Shugrue video tape records inmates inside prison.

1:07 Negotiations halted until morning.

1:30 Demonstrators arrive at highway entrance gate.

2:30 Secretary designate Saenz arrives on scene.
Situation is relatively static until dawn.

6:30 Rodriguez and Montoya prepare for negotiations to resume.

6:50 Inmates prepare to negotiate, take hostages to information booth, prepare agreement for administration to sign.

February 3

7:03 a.m. Inmates report that many young convicts don't want to participate in riot.

7:04 Sunrise

7:52 Officer V. Gallegos who had been beaten is released dressed as an inmate by sympathetic inmates.

8:00 Head count reveals that approximately 800 inmates are outside the institution. Roughly 350 inmates remain inside.

8:00-1:30 Numerous inmates suffering from overdose come out or are brought out.

8:15 Captain Roybal released; head injuries.

8:15-10:15 Many surrendering, overdosed and injured inmates brought out.

10:00-10:30 Inmates Lonnie Duran, Kedrick Duran, and Vincent Candelaria meet with TV crew, Rodriguez and Mills.

10:55 Ronnie Martinez escapes with the help of inmates.

11:17 Dispute between blacks and chicanos in recreation yard. National Guardsmen and Sheriff's deputy level arms at instigators.

11:30 SWAT teams mobilized, given instructions on retaking of penitentiary.

11:55 Radio report of 4-5 bodies in Cellblock 4, 2 in Cellhouse 2, and 1 by the school, 4 in Dorm D-1.

11:57 Officer Ortega released, dressed as inmate.

Noon Dorm B-1 aflame.

Thirty-seven inmates have been admitted to St. Vincent Hospital.

12:20 p.m. SWAT teams ordered to assemble.

12:34 Beheaded body of inmate Paulina Paul brought out.

1:20 SWAT teams told to prepare to enter Penitentiary.

February 3

1:26 p.m. Officers Mendoza and Gutierrez released. Last two hostages released. The riot was over. Approximately 50 inmates came out of facility at the same time. There are an estimated 75-125 live inmates inside.

1:30 State Police enter front door of prison; Santa Fe Police enter through kitchen loading dock; Sheriff's officers enter through psychological ward. All agencies secure facility, release Vigil, V. Martinez and Maez in hiding.

2:55 National Guardsman kicked in the yard, injured.

3:30 Santa Fe Police exit facility.

3:55 SWAT teams re-enter and secure prison after inmates re-enter from recreation yard.

5:37 Sunset.

Midnight Sixty-six inmates have been treated at St. Vincent Hospital, twenty inmates have been admitted at the Indian Hospital. Over 90 inmates have received medical treatment of some kind.

POST-RIOT CHRONOLOGY OF MAJOR EVENTS

February 3, 1980

Some corrections officers balk at returning to work. Warden Griffin convinces them to do so. Guards present list of 22 grievances.

February 4, 1980

979 names of live inmates released.
Fifteen inmates treated at St. Vincent including a stabbing victim, at least three beaten inmates and one rape victim.

February 5, 1980

Adolph Saenz, Former Deputy Director of U.S. Customs Service Border Control Patrol Force, unanimously confirmed by State Senate as Secretary of Corrections.
Inmates set fires in cellhouses 1 and 2 and flood cells in Cellhouse 6.

February 6, 1980

27 dead inmates named.
998 names of live inmates released.
74 inmates transferred to federal prison in Leavenworth, Kansas.
35 inmates flown to state prison in El Reno, Oklahoma.
14 inmates flown to state prison in Florence, Arizona.
Fires and floods in Cellhouse 6.

February 7, 1980

All remaining inmates are now housed inside facility.
1088 live inmates identified.
28 dead inmates identified.
30 inmates flown to state prison in Canon City, Colorado.
74 inmates flown to federal prison in Leavenworth, Kansas.
36 inmates transferred from Leavenworth to federal prison in Terra Haute, Indiana.
28 inmates transferred from Leavenworth to federal prison in Springfield, Missouri.
10 inmates rejected by Arizona State Penitentiary and are returned to New Mexico.

February 8, 1980

1098 live inmates identified.
30 inmates flown to state prison in Granite, Oklahoma.
79 inmates flown to federal prison in Atlanta, Georgia.
9 inmates flown to state prison in Florence, Arizona.

February 9, 1980

25 inmates transferred to state prison in El Reno, Oklahoma.

February 13, 1980

Limited visitation reinstated.

February 14, 1980

Attorney General Bingaman and District Attorney Martinez divide tasks in prison probe; the District Attorney to handle prosecution of criminal cases; the Attorney General to investigate cause of the riot.

February 17, 1980

Prison Industries Program reinstated with 11 inmates (pre-riot level - 150 inmates).

February 18, 1980

Unofficial news release announces that all 1157 inmates are accounted for.

February 22, 1980

House Bill 275 signed by Governor King, authorizing monies to repair penitentiary, restore services, draft plans for building a new facility, train corrections officers, pay for transferred inmates, initiate prosecution of riot suspects, investigate events and causes of the riot, cover medical and other costs of the riot.

February 25, 1980

Visitation increased to one hour per week for inmates in population, 30 minutes per week for inmates in segregation.

March 4, 1980

Secretary Saenz holds press conference; says eight inmates unaccounted for.

March 14, 1980

Former California Prison Warden Lloyd Patterson appointed consultant overseeing penitentiary.
Citizens' Advisory Panel members appointed by Governor King and the Attorney General Bingaman.

March 18, 1980

Patterson arrives in New Mexico.

March 19, 1980

Adult Basic Education reinstated, serving 80 prisoners.
Vocational Education program reinstated, serving 8 inmates.

March 24, 1980

First revised correctional training program instituted with 21 officer trainee participants.

March 31, 1980

First meeting of the Citizens' Advisory Panel.

April 7, 1980

Warden Jerry Griffin's transfer to Field Services is announced by Secretary Saenz.
Herbert Hardin, former Office of Public Safety Officer, assumes duties of Secretary Saenz' Administrative Aide.

April 9, 1980

Full visitation policies reinstated.

April 10, 1980

Two inmates stabbed, two beaten in Cellhouse 6.

April 12, 1980

Last State Policeman leaves penitentiary.

April 13, 1980

6 inmates in dormitory refuse an order to douse lights; refuse order to leave dormitory. Secretary Saenz and Deputy Secretary Rodriguez arrive to assist.

April 15, 1980

Inmates refuse food. Tear gas used to quell two disturbances in Cellhouse 6; four inmates locked in isolation cells.

April 16, 1980

Patterson departs New Mexico.
Santa Fe County Grand Jury Report issues prison report.

Mid-April, 1980

Prison Industries employs 87 inmates.

April 21, 1980

Food and work strike by inmates; protests officials' "cliques," lack of programs, recreation, Prison Industries pay. Second Citizens' Advisory Panel meeting.

April 22, 1980

Food and work strike ended; 17 participants locked up from nine participating cellhouses and dormitories.

April 24, 1980

Superintendent of Correctional Security, Manuel Koroneos and Corrections Lieutenant Benito Gonzales transferred out of penitentiary. Gene Long assumes duties of SCS. Adelaido Martinez assigned to review post orders and operations procedures. Tom Trujillo is assigned to chair the disciplinary committee.

April 25, 1980

PNM inmate in Arizona stabs another PNM inmate.

April 28, 1980

Jerry Griffin leaves Warden's position; Felix Rodriguez assumes responsibility of Acting Warden. Joanne Brown became acting Deputy Secretary of Corrections, and Ben Gallegos became Director of Intake Classification. Convicted rapist and kidnapper escapes from the penitentiary. Four PNM inmates escape from Curry County Jail.

May 1, 1980

28 Corrections Officers have resigned since the riot, including 3 lieutenants. Attempted escape discovered when sawn through window bars in Cellhouse 6 fall off into guard's hands. Cellblocks 3 and 4 are operational.

May 12, 1980

Graduation of 34 new correction officers with 120 hours of classroom and on the job training.

May 16, 1980

Third Citizens' Advisory Panel Meeting.

May 23, 1980

Cellblock 5 is operational.

APPENDIX B

B

PROCEDURES FOLLOWED IN THE INVESTIGATION

In Section 9 of Chapter 24, Laws of 1980, the New Mexico Legislature appropriated to the Attorney General \$100,000, "for the purpose of conducting a study to determine the cause of the events at the State Penitentiary on or about February 2-3, 1980, to investigate any claims the State may have against other persons and to recommend any necessary changes in the administration and facilities at the penitentiary." The Attorney General was directed to report his findings to the First Session of the Thirty-Fifth Legislature.

Our initial decision was that the mandate to "determine the cause of the events" could not be accomplished without a clear picture of what had actually occurred. Our initial task, therefore, became the preparation of a detailed narrative of the riot. This document, Part I of our report, is the result of that investigation. Part II of the report will build on this body of facts in order to identify the "cause" and to "recommend any necessary changes to the administration and facilities at the penitentiary."

The project began with the designation of key members of the Attorney General's staff as part of the investigative team. From the Attorney General's existing staff, the following people were designated to work on the project:

Manny Aragon
Michael Francke
Ray Gallagher
Tim Orwig
Ken Richards
Carol Wantuchowicz
Jim Wilson
Patrick Whelan

In addition to those persons who were already part of the Attorney General's staff, the following new employees were hired to work exclusively on the investigation:

David Brentlinger
Mark Colvin
Tess Fiddes
Reese Fullerton

Michael Francke was the initial coordinator of the investigation, but when other duties required his attention, the responsibility was shifted to Reese Fullerton.

The writing of Part I of the report was a combined effort of the staff. Particular credit for this work goes to Reese Fullerton, Tim Orwig and Patrick Von Bargaen, of the Silverbridge Firm, Palo Alto, California. Special note is also given to Jerrie Herrera of the Attorney General's Support Staff for her assistance in the production of this report.

Staff rented office space and began to interview the people involved in the events surrounding the riot. Immediately after the riot but before the passage of Chapter 24, Laws of 1980, the Attorney General's staff and the District Attorney's staff interviewed inmates at the penitentiary solely to determine the Criminal acts which had occurred during the riot.

On February 14, 1980, the Attorney General and the District Attorney for the First Judicial District together decided that work related to investigating and prosecuting criminal acts which occurred during the riot would be the exclusive responsibility of the District Attorney. Since that date, the Attorney General's staff has conducted no interviews for purposes of investigating criminal conduct which occurred during the riot. The Attorney General's staff has since that date conducted 169 interviews with the purpose of determining the events that occurred. All persons playing key roles in those events surrounding the riot have been interviewed: The Governor and his key staff persons, the Department of Corrections persons involved in responding to the riot, the State Police, the National Guard, the prison staff, legislators, news media, inmates, families and observers. Each interview was tape recorded and the tape transcribed for use by our staff in preparing this report.

In addition to the interviews, we have accumulated physical evidence helpful in determining what occurred and we have had access to the large body of secondary information that has been put together by journalists and others. Data was cross-referenced by persons, times and places to help staff develop an accurate account of events.

The second part of this report, dealing with the causes of the riot and making recommendations for changes, will require additional interviews and the use of consultants.

MEASURES TAKEN TO INSURE IMPARTIALITY OF THE INVESTIGATION

In order to insure the impartiality of our investigation and report, we have taken the following steps:

1. This Office has withdrawn from any involvement in the prosecution of inmates for crimes alleged to have occurred during the riot. All responsibility for such prosecutions now rests with the District Attorney for the First Judicial District.

2. This office has removed itself from any involvement in defending the State or its officers or employees from claims made in

civil litigation based on occurrences during the riot. By statute this responsibility rests with the Risk Management Division of the Department of Finance and Administration.

3. This office has removed itself from any responsibility to bring claims against others to establish liability to the State for injury or damages caused during the riot. The Risk Management Division of the Department of Finance and Administration has accepted this responsibility.

4. The Governor and the Attorney General have appointed a nine-member Citizens' Advisory Panel to monitor the procedures followed by the Attorney General in the investigation, to review the conclusions reached by the Attorney General in Part II of the report and to either concur or disagree with those conclusions. The Attorney General is committed to publishing the comments or recommendations of the Citizens' Panel at the time the complete report is published in the fall of 1980. Members of the Citizens' Advisory Panel are:

Mr. R. B. (Ray) Powell Citizens' Advisory Panel Chairman; Vice
President, Sandia Labs

Archbishop Roberto Sanchez Archbishop, Roman Catholic Archdiocese
of Santa Fe

Honorable Samuel Z. Montoya Citizens' Advisory Panel Vice Chairman;
Retired Justice of the Supreme Court of
New Mexico

Ms. Vera F. Cushman Discrimination Complaints Officer,
Kirtland AFB

Mr. Roberto Samora Social Worker, State Department of Human
Services, former inmate

Ms. Adele King Home Economist, Cooperative Extension
Service, N.M. State University

Mr. Gordon Greaves Editor, Portales News Tribune

Ms. Betty Perkins President, Hoglares (an alternative group
for adolescents)

Rev. Claude McDonald Pastor, First Christian Church of Santa
Fe

MEASURES TAKEN TO INSURE CONFIDENTIALITY OF SOURCES OF INFORMATION

The decision was made early in our investigation that we could obtain a complete and accurate picture of the riot only if persons giving us information could be assured that the source of the information would be kept confidential. We gave that assurance to persons whom we interviewed. In order to honor this commitment of confidentiality, the following steps have been taken:

1. For interviews which the District Attorney had access to by virtue of the combined work of the Attorney General and the District Attorney prior to the passage of Chapter 24, the Attorney General has delivered all copies of those interviews to the District Attorney. The Attorney General does not now have either tapes or transcripts resulting from those early interviews.

2. For those interviews conducted exclusively by the Attorney General's office, we have retained one copy of the transcript of each interview and that copy does not refer to the name of the person interviewed or the name of the person or persons conducting the interview. We have not retained the tape recordings of the interviews or any written material attributing information contained in the transcripts to particular individuals.

3. We have publicly stated this commitment to resist by all legal means any attempt to obtain from the Attorney General's office the sources of the information which were used to prepare our report.

4. The Citizens' Advisory Panel has endorsed this position of confidentiality in a resolution which reads as follows:

RESOLUTION

The Citizens' Advisory Committee appointed by the Governor to assist the Attorney General in performing an investigation of the cause of the events at the New Mexico Penitentiary on February 2 and 3, 1980, and recommending necessary changes in the administration and facilities of the Penitentiary; hereby make the following resolution:

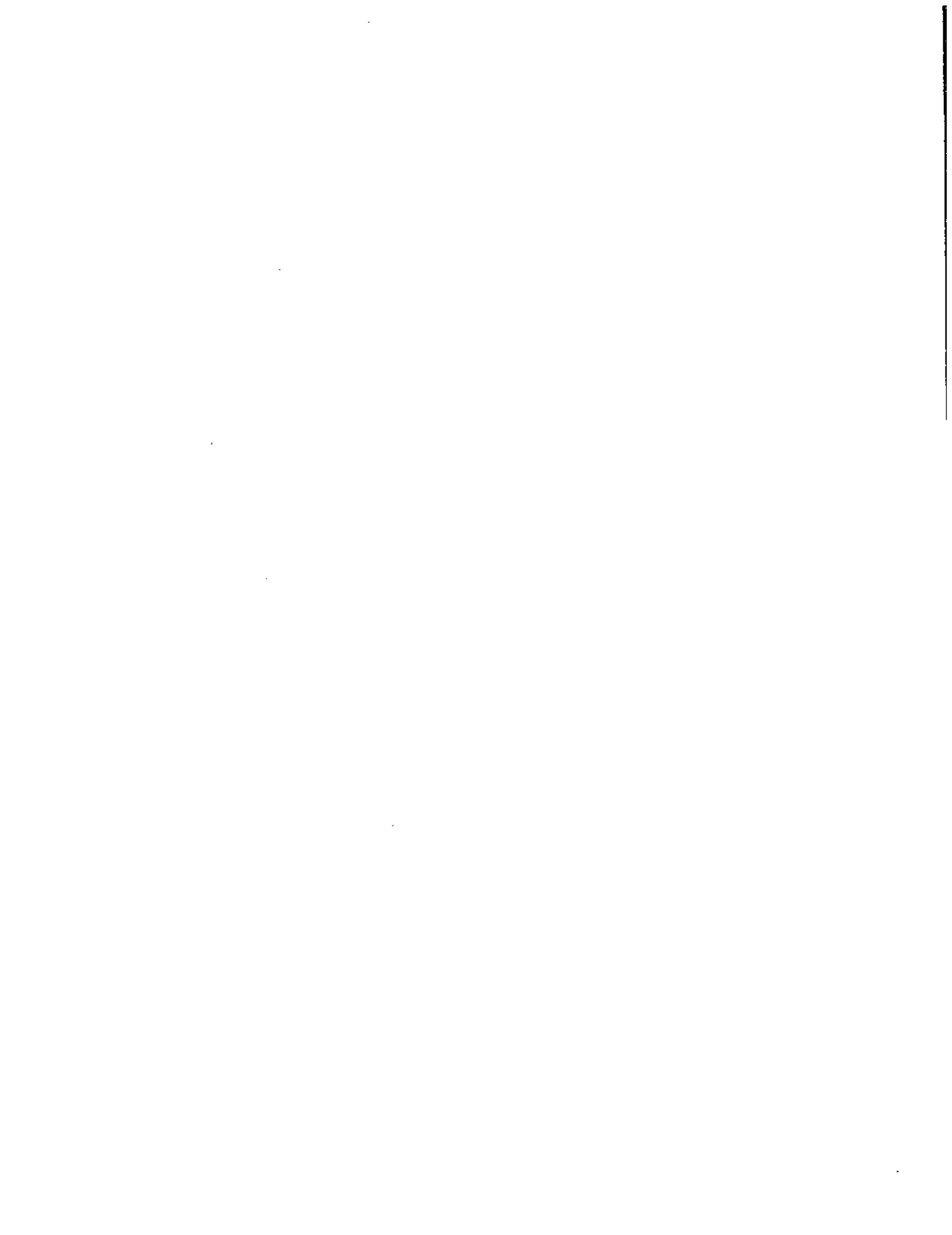
WHEREAS, the Commission recognizes that full, and frank discussion by the participants and witnesses to the events at the New Mexico Penitentiary, is necessary to fulfill the public interest in a complete and impartial investigation of those causes and events; and

WHEREAS, the Commission recognizes that in fulfilling its duty to inquire into and ascertain the facts and the causes and circumstances surrounding the events of February 2 and 3, 1980, it shall protect from jeopardy the sources who have provided information by assurances of confidentiality and anonymity as to those sources.

BE IT RESOLVED THAT all records and transcripts of private interviews conducted by the staff of the Attorney General pursuant to his duties under Laws 1980, Chapter 24, Section 9 shall remain forever confidential and appropriate means be devised to accomplish this.

This resolution is hereby adopted by the Citizens' Advisory Committee as necessary to its function and in the interest of the public.

5. Similarly, we will take all additional interviews required for the preparation of Part II of the report in full confidentiality.



APPENDIX C

INMATE POPULATION

Computer records of Friday morning, February 1, 1980, showed 1,156 male inmates at the penitentiary. The figure did not reflect an inmate who was admitted into the penitentiary Friday afternoon. The number also did not reflect 13 female inmates who were transferred into the compound Friday and housed in an annex outside the perimeter fence surrounding the main building. The 34 male inmates listed as being in the annex Friday morning had been moved just days before the riot into a modular unit inside the perimeter fence to make room for the women inmates.

The design capacity of the penitentiary was 1,058*, based on the "Phase II Technical Report: Facilities Inventory" of the 1977 New Mexico Corrections Master Plan. This figure includes 60 beds in Cellblock 5, which was vacant due to renovation, a 24 person capacity in the Annex (not housing men the night of the riot), and a 32 person capacity in the Modular unit. Therefore the actual capacity available in the institution on the night of the riot was 974. The capacity total, which was derived from the Master Plan figures for each living unit, differs from the 915 bed capacity cited elsewhere in the Master Plan. The 915 capacity does not reflect the 100 additional beds that resulted from the opening of Dormitories D-1 and C-1 in 1977, or the 11 Maximum Detention Unit cells in Cellblock 3.

*In January 1979 Judge Santiago Campos issued a memorandum opinion in Duran v. Apodaca, a case against the state involving a constitutional challenge to conditions at the New Mexico State Penitentiary. The opinion stated that the Penitentiary was designed for approximately 900 inmates. (This capacity estimate did not include space for inmates in a modular unit outside the main walls. The Department of Correction's position at that time was that the capacity of dormitories was 50 which differed from their Master Plan of 1977 by 10. (See Chart on next page and compare difference.)

The computer record showed the 1,156 male inmates assigned to the various living units as follows:

<u>Dormitories</u>	<u>Design Capacity</u>	<u>Actual Number</u>	<u>Classification of Inmates in the Unit***</u>			
			<u>Max.</u>	<u>Med.</u>	<u>Min.</u>	<u>Unclsfd.</u>
A1	60	86	1	84	1	
A2	60	71	1	67	3	
B1	60	86	0	83	3	
B2	60	85	0	84	1	
C1	40	48	0	44	4	
D1	60	86	0	78	0	8
E1	60	87	0	87	0	
E2	60	62	1	59	0	2
F1	60	79	0	77	2	
F2	60	63	0	59	4	
<u>Cellblocks/houses</u>						
No. 1	58	57	0	57	0	
No. 2	60	55	1	54	0	
No. 3	86	86	79	6	1	
No. 4	90	96	2	91	3	
No. 5	60*	V A C A N T				
No. 6	68	67	1	65	1	
<u>Annex</u>	24*	0*	13 Female inmates transferred out on Saturday, February 2, 1980			
<u>Modular Unit</u>	32	34**				
<u>Hospital</u>		8	0	8	0	
<u>Total</u>	1058	1156	86	1003	57	10

*Minus 60 for vacant Cellblock 5

*Minus 24 for the annex was in use for women on February 1.

974

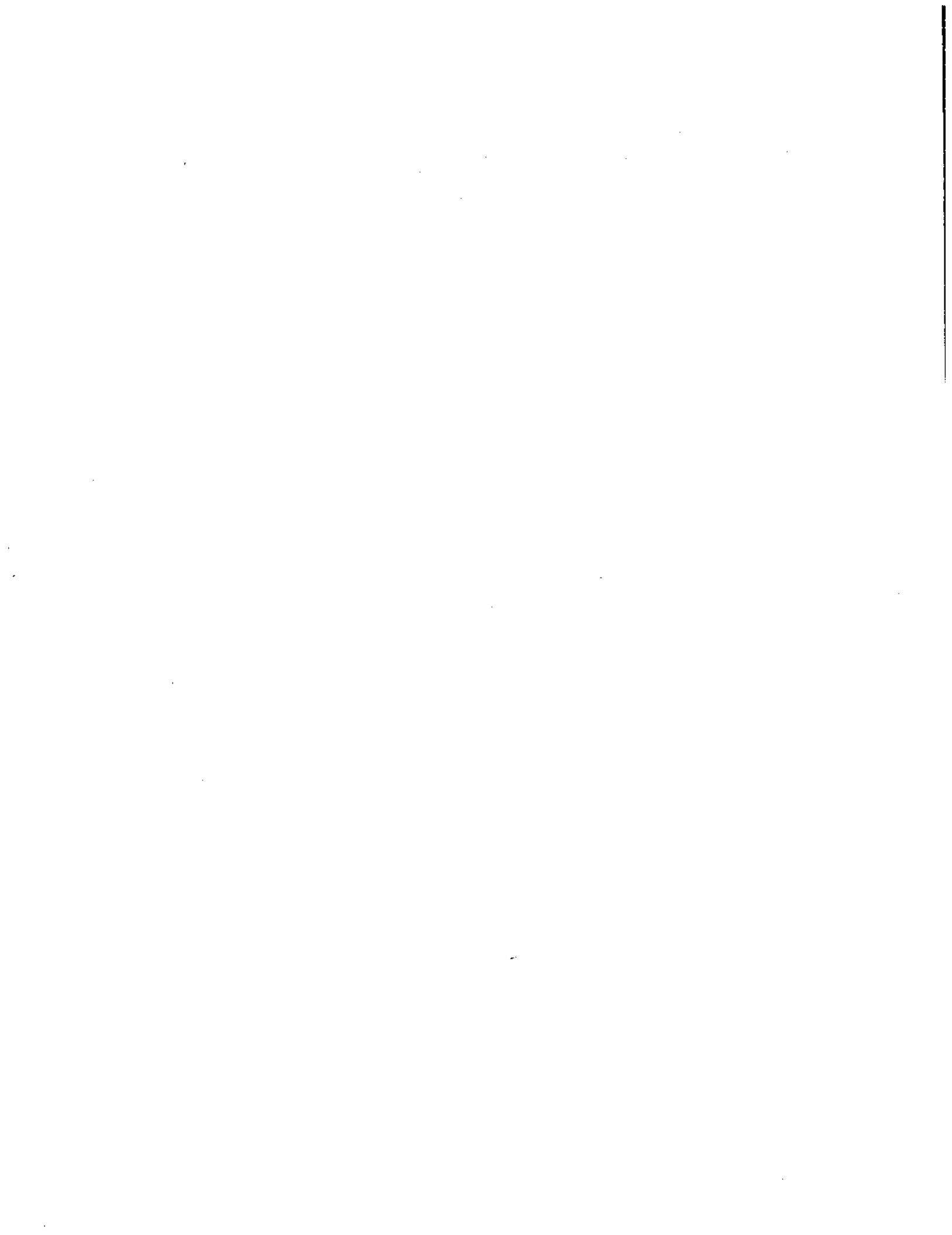
1156

**These 34 inmates had been transferred from the annex into the modular unit inside the perimeter fence a few days before the riot.

***The classification designation of maximum, medium and minimum are generally a reflection of housing assignments with all living units having a designation of medium custody, except to Annex and Cellblock 3.

These figures, which only differ from the actual figures by one, indicate the penitentiary had 182 more inmates than it was designed to house on February 1, 1980. Although overcrowding had been worse in the past, the pattern was different on February 1, 1980, because overcrowding was most apparent in the dormitories rather than in cellblocks and cellhouses.

The renovation of Cellblock 5, which began on November 19, 1979, caused the bulk of Cellblock 5 inmates to be transferred to Dormitory E-2, and this fact contributed to the overcrowding. In addition, when the prison tightened its screening criteria in November because of a stabbing and an escape, officials virtually had to halt transfers to minimum security satellite institutions. There were one hundred vacancies in satellite institutions the night of the riot. Prison officials implemented new transfer criteria the week of the riot to make transfers easier.



APPENDIX D

THE ADMINISTRATIVE STAFF

The organizational chart reflects the major positions within the penitentiary prior to the time of the February riot. (See organizational chart, next page.)

The Warden, Jerry Griffin, was to provide management and administrative direction to all penitentiary departments, and to formulate policies for the operation of the penitentiary. Griffin was named Warden in April, 1979. Previously he had been Superintendent of the Roswell Correctional Center, a Probation Parole Division Area Supervisor, and was briefly an Administrative Aide to the penitentiary warden, Felix Rodriguez.

The Deputy Warden for Operations, Jose Lujan, was to oversee the development of the penitentiary budget and renovations to the physical plant. Lujan is a 24 year veteran of the penitentiary. He has held the Deputy Warden position for two and one-half years. Prior to this position, Lujan served as Business Manager for the penitentiary. Departments reporting to the Deputy Warden for Operations include personnel services, fiscal services, food services, health services, prison industries. Others are reflected in the organizational chart.

The Deputy Warden for Programs, Robert Montoya, was to oversee departments that direct the day-to-day custodial and treatment activities of the institution. Montoya joined the penitentiary staff as a Deputy Warden in November, 1975. Previously, he had been a superintendent of a juvenile institution in Arizona and had served as a supervisor in Arizona Corrections system. Department directors reporting to the Deputy Warden for Programs include the Chief Classification Officer, the Intelligence Officer, the Associate Warden for Inmate Management and the Superintendent of Correctional Security. Other departments reporting to the Deputy Warden for Programs are reflected in the organizational chart.

The Chief Classification Officer, Steve Dillon, was to oversee all casework activities including job and program assignments, the development of parole plans, post-sentence reports and the evaluation of diagnostic court commitments. Dillon has been the Chief Classification Officer since August 1977. Prior to his appointment, he was a Corrections Planner and Chief Classification Officer in the Ohio Corrections system. The Chief Classification Officer supervises thirteen classification officers and three correctional counselors.

The Intelligence Officer, Larry Flood, was to collect, collate and evaluate intelligence information affecting the safe operation of

PENITENTIARY
OF
NEW MEXICO

WARDEN

ASSOCIATE
WARDEN
INMATE MGMT.

DEPUTY
WARDEN
PROGRAMS

DEPUTY
WARDEN
OPERATIONS

ASSOCIATE
WARDEN
BUSINESS MGMT.

Educational*
Services

Women's
Division

Psychological*
Services

Correctional
Services

Religious
Services

Classification
Services

Records
Department

Intelligence*
Division

Personnel
Services

Fiscal
Services

Physical
Plant
Services

Food
Services

Health*
Services

Safety &
Sanitation

Prison*
Industries

*Departments moved under
Warden's direct
supervision according to
Jerry Griffin's
January 15, 1980
reorganization.

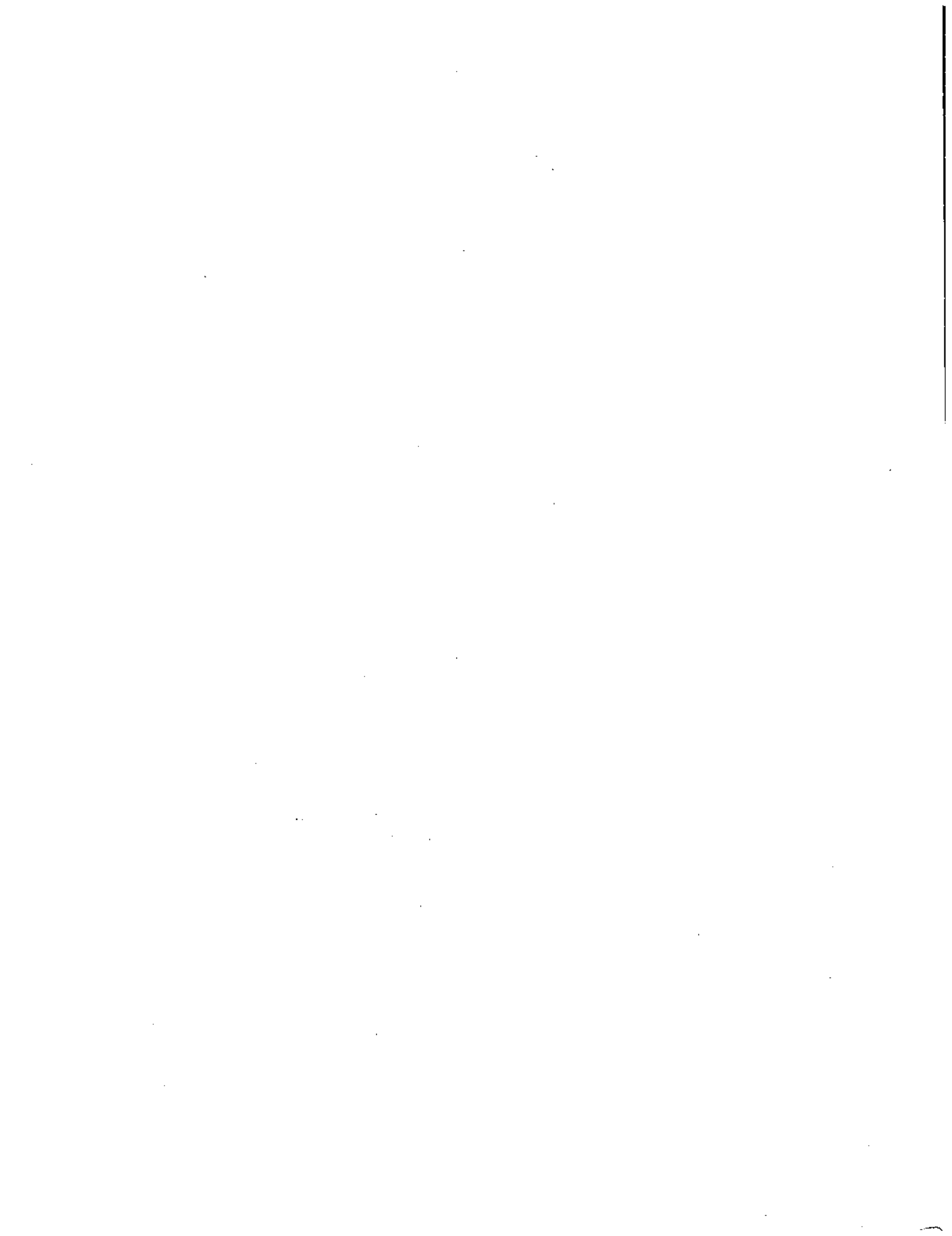
the penitentiary. Flood was made acting Intelligence Officer two weeks prior to the riot. In his prior two years with the penitentiary he had served as a correctional counselor and a correctional officer. Before coming to the penitentiary, Flood had served 23 years in the Army with the Military Police. The Intelligence Officer is supported by a secretary.

The Associate Warden for Inmate Management, Adelaido Martinez, was to chair both the Disciplinary Committee and the Segregation Committee. Martinez is a 23 year veteran of the penitentiary. Prior to assuming the Associate Warden position in 1977, he served as SCS, captain, lieutenant and correctional officer. The Disciplinary Committee, through a hearing process, rules on disciplinary reports initiated by correctional officers against inmates and sets punishment for misconduct. The Segregation Committee reviews the placement of inmates in administrative segregation for misconduct, and also determines if the inmate should continue in segregation.

The Superintendent of Correctional Security (SCS), Manuel Koroneos, was to supervise all security procedures and security personnel at the penitentiary. Koroneos is a 17 year veteran of the penitentiary. Prior to being named SCS in 1977, he served as a captain, lieutenant and correctional officer. The SCS is responsible for insuring that security equipment is operated according to procedures. He is responsible for setting and updating written security procedures and seeing that the procedures are carried out consistently by shift supervisors. The SCS makes shift and post assignments for all correctional officers under his supervision.

The Penitentiary organizational chart was changed on January 15, 1980 by Warden Jerry Griffin. On that date, departments that formerly reported to the Deputy Warden for Programs and the Deputy Warden for Operations (including Educational Services, Psychological Services, Intelligence Division, Health Services and Prison Industries) began reporting directly to the Warden.

The reorganization was prompted by the lack of information flow through middle management supervisors to the warden. Department director, shift supervisors and correctional officers stated that Warden Griffin was not kept informed of day-to-day activities within the prison and that memorandum sent to him often did not reach his office.



APPENDIX E

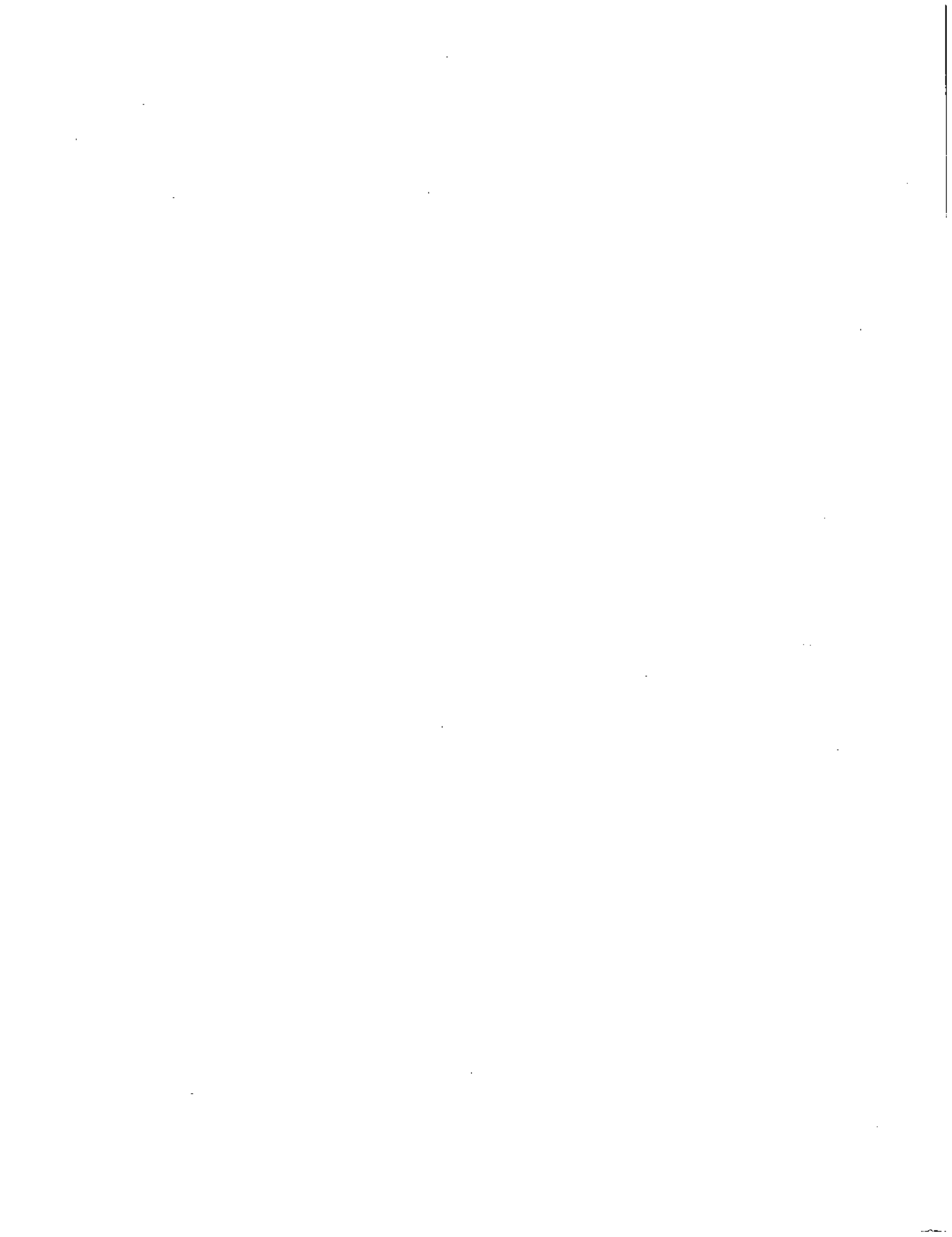
RECOMMENDATION OF KRUGER REPORT*

(Regarding the Control Center glass:)

"The last area involved with security at the Facility is the Central Control area. This area provides not only access between the administrative and visiting areas to the back of the Facility, but also serves as a central stronghold in case of an emergency. There are two problems associated with the effective usage of this area. The first is that the bay window area projecting into the central corridor and the windows giving visual access to the vestibule, are divided into relatively small light panes of glass which inhibit effective monitoring of these areas. In addition, the windows into the vestibules are themselves too small and leave blind spots which cannot be seen from the Central Control Area. Therefore, it is proposed to enlarge the openings to the vestibule area and to replace all glazing with large sheets of bullet-resistant glass. In addition, it would be desirable to make this glass of the one-way vision type, so that the inmates cannot observe the activities and number of personnel in the control area." (pp. 2.4 and 2.5)

The specification for 1-3/16 inch reflective bullet-resistant glass was made by O'Malley Glass and Millwork Co., of Albuquerque, New Mexico, who was subcontracted by Kruger & Associates to determine costs and specifications for glass. The Kruger Report contains, in an appendix, a letter from the glass firm dated February 14, 1977, that gives specifications for glass in the control center and other areas at the penitentiary.

* Analysis, Phased Construction Report & Estimate: New Mexico State Penitentiary. W. C. Kruger & Associates, February 15, 1977. Report requested by the New Mexico State Legislature through the Department of Finance & Administration.



APPENDIX F

INMATE ACTIVITIES BEFORE RIOT

Classification assignments to programs and jobs on February 1 1980, included the following:

<u>Assignment</u>	<u>Number</u>
Fulltime idle (or awaiting job assignment)	398
Half day idle	57
College	114
Adult Education	173
Prison Industries	124
Vocational Education (drafting, auto repair electronics, welding)	61
Food Services	125
Porters	122
Tailor Shop	18
Laundry	20
Clerical	10
Other	80

The numbers reflected in the above assignments are greater than the total population because many inmates have a morning job or program assignment that is different from their afternoon assignment. Fulltime job assignment does not necessarily keep an inmate busy. One prison official said, "We actually don't have enough hard labor to keep a man busy for at least eight hours a day. Even the support services you've got going, (an inmate would) work a few hours in the kitchen and it would not occupy his time." A majority of idle inmates were those in protective custody, administrative segregation or the admission and orientation dormitory D-1. A few protection cases participated in education programs; by policy, none of the segregation inmates take part in prison programs.



APPENDIX G

CORRECTIONAL OFFICERS & SUPERVISORS

On February 1, 1980, the Penitentiary had 163 approved positions for custodial staff, including correctional officers, captains and lieutenants. The Penitentiary personnel office listed eight vacancies in the complement of positions. By comparison, there were 24 vacancies in the complement on December 9, 1979, when 11 inmates escaped from the penitentiary. On the day of the riot, the starting salary for correctional officers was \$9,172 a year.

In the period preceding the riot, a committee of penitentiary personnel performed the task of interviewing and screening correctional officer applicants. The committee receives a list of applicants from the State Personnel Office. Requirements for correctional officers have in the past included a high school graduation or equivalency and the absence of a criminal record. Applicants had to be over 18 years old.

Understaffing: Understaffing and inadequate training often resulted in captains' and lieutenants' performing non-supervisory duties ordinarily assigned to line officers. Staff vacancies caused custodial officers to work a lot of overtime. In addition, no time was allocated when determining scheduling for training.

Turnover. Turnover for correctional officers was 80 percent in 1979, and 76 percent in 1978. Latest nationwide comparison figures on turnover were made in 1976, when Louisiana was found highest with a turnover rate of 74 percent. Turnover in New Mexico has almost doubled since 1975.

Training. There are two basic types of training for correctional officers. A basic orientation is called for in penitentiary policy statements that includes 40 hours during an employee's first week. The orientation is supposed to familiarize the employee with each duty post, post orders, and policies. The new officer is supposed to spend time at each post and at the completion of the 40 hours is supposed to write a report of what he has learned at each post. Records for the basic orientation were kept at the penitentiary. These records were burned in the riot. Correctional officers and other personnel have reported that the basic orientation prior to the riot consisted of little more than a tour of the penitentiary and that supervisors had little time to properly orient new officers to posts. One officer stated, "If you're lucky, a fellow officer will show you what you have to do if he has time." Since the riot, records of the basic orientation are being kept at Central Office under the newly created Training and Education Division.

The second type of training is the basic classroom training. The classroom training was initiated in 1978. Records provided by the Department of Corrections do not reflect dates and places of training classes. Officers who were trained state that classes were held at the Law Enforcement Academy. One officer stated that the training is "your basic do's and don'ts" of the law enforcement. Many officers complained that the training really didn't relate to the realities they encountered on post.

Records provided by the Department of Corrections indicate that in the two years prior to the riot, a total of 118 officers receiving training. Of these 118 officers, 71 (or 60%) resigned subsequent to the training class. On the morning shift of February 1, 1980, of the 24 officers on duty, 10 (or 46%) had received the classroom training. All 10 were line officers; none of the supervisors had received the training. Both Michael Schmitt and Ronnie Martinez (on the scene in E-2 during the initial takeover) had received the training.

The 10 out of 24 trained officers on duty the night of the takeover is higher than the percentage of trained officers for the entire penitentiary staff during the same period. Of the 155 total correctional officers working at the penitentiary during this period, only 47 (or 30.3%) had received classroom training.

APPENDIX H

CORRECTIONS EMPLOYEES INSIDE MAIN BUILDING DURING MORNING WATCH, FEBRUARY 2, 1980

<u>Name</u>	<u>Assignment</u>	<u>Age</u>	<u>Experience</u>	<u>Captured</u>	<u>Released</u>	<u>Injuries*</u>
<u>(ADMIN. AREA)</u>						
Capt. Greg Roybal	Shift Commander	52	21 years	Dorm E-2	2/3, 8:45 a.m.	Basal skull fracture; hospitalized.
Lt. Jose Anaya	Asst. Shift Comdr.	52	25 years	Dorm E-2	2/2, 8:22 p.m.	Multiple trauma; hospitalized.
CO Lawrence Lucero	Control Center	24	3 years	not taken	escaped 2/2, 2:07 a.m.	uninjured
CO Louis C de Baca	Outside foot patrol	22	1 year	not taken	escaped 2/2, 2:07 a.m.	Uninjured
<u>(SOUTH WING)</u>						
CO Victor Gallegos	South Corridor	22	3 years	Dorm F-2	2/3, 7:52 a.m.	Cuts, sore wrists; treated and released
CO Elton Curry	CH1 & CH2	49	3 years	Dorm F-2	2/2, 7:02 a.m.	Beaten, stabbed; hospitalized
CO Juan Bustos	Dorms A & F	25	1 year	Dorm F-2	2/2, 11:23 p.m.	Multiple abrasions; treated and released
CO Mike Hernandez	Dorm D-1	25	4 months	Dorm D-1	2/2, 8:20 a.m.	Multiple abrasions, lacerations, contusions;

APPENDIX H

CORRECTIONS EMPLOYEES INSIDE MAIN BUILDING DURING MORNING WATCH, FEBRUARY 2, 1980

CO Ronnie Martinez	Dorms E & B	18	4 months	Dorm E-2	2/3, 10:55	Beaten, stabbed; hospitalized
CO Michael Schmitt	Dorm E-1	25	3 years	Dorm E-2	2/3, 12:12 a.m.	Beaten, stabbed; hospitalized
CO Herman Gallegos	Work Release	49	26 years	Dorm F-2	2/2, 5:25 a.m.	Uninjured
<u>(NORTH WING)</u>						
Inf.Tech.Ross Maez	Hospital	49	22 years	hid in hospital	2/3, 2:30 p.m.	Uninjured
CO Valentin Martinez	CB4	47	10 years	hid in basement	2/3, 2:30 p.m.	Uninjured
CO Antonio Vigil	CH6	47	22 years	hid in basement	2/3, 2:30 p.m.	Uninjured
CO Larry Mendoza	CB3	30	3 years	Cellblock 3	2/3, 1:26 a.m.	Uninjured
CO Edward Ortega	CB3	54	23 years	Cellblock 3	2/3, 11:57 a.m.	Uninjured
CO Ramon Gutierrez	CB3	25	1 year	Cellblock 3	2/3, 1:26 p.m.	Uninjured

*Precise injuries to hostages are not detailed for reasons of privacy.

APPENDIX I

TURNOVER OF DEPARTMENT SECRETARIES & PENITENTIARY WARDENS

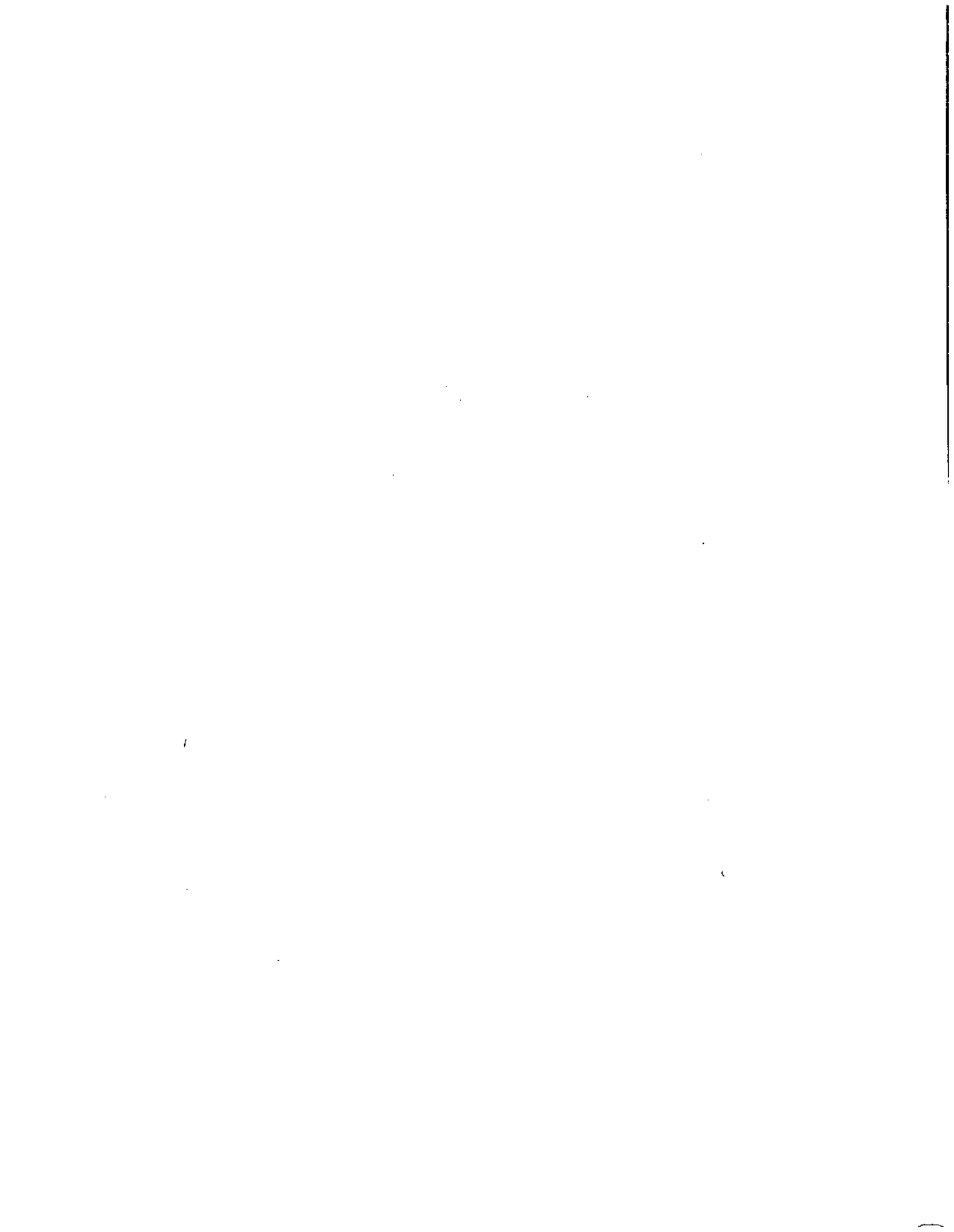
Turnover of upper-echelon corrections officials has increased significantly in the recent past. The following is a list of those who have served as the State's top corrections executive since 1970:

John Salazar	1970
Howard Leach	1970-1975
Mike Hanrahan	1975-1977
Charles Becknell	1977
Ed Mahr	1977-1978
Charles Becknell	1978-1980
Adolph Saenz	1980

There has been a similar turnover in penitentiary wardens during the past decade.

Felix Rodriguez	1970-1975
Ralph Aaron	1975-1976
Clyde Malley	1976-1978
Levi Romero	1978-1979
Jerry Griffin	1979-1980

On April 7, 1980, Corrections Secretary Adolph Saenz announced that Warden Jerry Griffin was to be transferred from the Penitentiary to become director of the Department's Field Services Division. The transfer became effective May 1, 1980. At this writing, Griffin's successor has not been named.



APPENDIX J
INMATES KILLED

<u>Name</u>	<u>Age</u>	<u>Ethnicity</u>	<u>Hometown</u>	<u>Crime/Sentence</u>	<u>Housing Unit</u>	<u>Where found/condition</u>
Briones, Michael	22	Hispanic	Albuquerque, N.M.	Criminal Sexual Penetration, 10-50 yrs.	CB4	Basement, CB4, foreign object through head.
Cardon, Lawrence C.	24	Hispanic	Las Cruces, N.M.	Car Theft, 1-5; Failure to Appear, 1-5 yrs.	CB3	CB3, cell 32, multiple stab wounds, neck & chest
Coca, Nick	30	Hispanic	Taos, N.M.	Burglary, 2-10; Kidnapping, life; CSP, 10-50; Aggravated Battery, 10-50 yrs.	CB3	Officers' Mess Hall, Carbon monoxide poisoning.
Fierro, Richard J.	26	Hispanic	Carlsbad, N.M.	Forgery, 1-5; Possession & Sale of Narcotics, 1-5; Escape, 1-5 yrs.	F1	Carried to Tower 1, stab wounds.
Foley, James C.	19	White	Albuquerque, N.M.	Armed Robbery, 15-55; Car Theft, 1-5; Murder (1st) life.	A1	Carried to Tower 1, cranocerebral injuries.
Gossens, Donald J.	23	White	Farmington, N.M.	Poss. & Sale of Narcotics, 2-10 yrs.	CB4	CB4 basement, cell 35, cranocerebral injuries.
Hernandez, Phillip C.	30	Hispanic	Clovis, N.M.	Breaking & Entering, 1-5 yrs.	CB4	CB4 basement, blunt trauma to head, stab wounds.
Jaramillo, Valentino E.	35	Hispanic	Albuquerque, N.M.	Poss. & Sale of Narcotics, 1-5, 2-10;	CB4	CB4, mid tier, cell 23, hanged.
Johnson, Kelly E.	26	White	Albuquerque, N.M.	Forgery, 2-10 yrs, 6 mo.	CB3	Gymnasium, burned.

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Lucero, Steven	25	Hispanic	Farmington, N.M.	Aggravated Battery, 5yrs.	AD	School corridor, blunt trauma to head, stab wounds.
Madrid, Joe A.	38	Hispanic	Albuquerque, N.M.	Poss. & Sale of Narcotics, 1-5 yrs.	B1	Near Control Center, blunt trauma to head, incision in neck.
Madrid, Ramon	40	Hispanic	Las Cruces, N.M.	Possession of Burglary tools, 1-5; Poss. & Sale of Narcotics, 1-5; Burglary, 1-5 yrs.	CB4	CB4, cell 25, burned.
Martinez, Archie M.	25	Hispanic	Chimayo, N.M.	Escape, 10-50; Violation of Suspended Sentence, 1-5; Escape, 2-10 yrs.	CB3	Carried to Tower 1 trauma to the head.
Mirabal, Joseph A.	24	Hispanic	Alamogordo, N.M.	Assault & Battery on a Peace Officer, 1-5; Receiving Stolen Property, 1-5 yrs.	A2	CB4 basement, blunt trauma to the head.
Moreno, Ben G.	20	Hispanic	Carlsbad, N.M.	Murder (1st), life	F1	Carried to Tower 1, blunt trauma to head.
Moreno, Gilbert O.	25	Hispanic	Carlsbad, N.M.	Robbery, 2-10, Armed Robbery, 50-150; Escape 10-50.	F1	Near Control Center stab wound in chest, trauma to head.
O'Meara, Thomas	25	White	Albuquerque, N.M.	Armed Robbery, 10-50; Assault & Battery on a Peace Officer, 1-5; Escape 1-5; Contempt of Court, 6 mos.	CH2	Gymnasium, burned.

APPENDIX J

INMATES KILLED

<u>Name</u>	<u>Age</u>	<u>Ethnicity</u>	<u>Hometown</u>	<u>Crime/Sentence</u>	<u>Housing Unit</u>	<u>Where found/condition</u>
Ortega, Filiberto M.	25	Hispanic	Las Vegas, N.M.	Burglary, 2-10 yrs.	B1	Gymnasium, burned.
Ortega, Frank J.	20	Hispanic	Las Vegas, N.M.	Murder (2d), 10-50; Burglary, 1-5 yrs.	B1	Carried to Tower 1 incised wound to head and neck.
Paul, Paulina	36	Black	Alamogordo, N.M.	Armed Robbery, 2-10; Aggravated Battery, 10-50.	CB4	Brought to front gate, multiple stab wounds, decapitated.
Perrin, James	34	White	Chapparal, N.M.	Murder (1st), life	CB4	CB4 basement at entry, trauma, burned, stabbed.
Quintela, Robert F.	29	Hispanic	Carlsbad, N.M.	Burglary, 2-10; Escape 2-10 yrs.	F1	Near Control Center, blunt trauma to head, stab wounds.
Rivera, Robert L.	28	Hispanic	Albuquerque, N.M.	Burglary, 1-5; Escape 2-10, 1-5; Theft, 1-5	F1	Corridor Dorms A-F, stabbed in the heart.
Romero, Vincent E.	34	Hispanic	Albuquerque, N.M.	Armed Robbery, 10-50 yrs.	CB4	CB4 basement, cell 41, cranocerebral injuries, wounds in the neck.
Russell, Herman D.	26	Indian	Waterflow, N.M.	Rape, 10-50 yrs.	CH6	Dorm A1, bottom floor, burned carbon monoxide poisoning.
Sanchez, Juan M.	22	Hispanic	Brownsville, TX	Aggravated Battery, 2-10	CB3	CB3, lower tier, cell 12, shot by tear gas gun, head trauma.
Sedillo, Frankie J.	31	Hispanic	Santa Fe, N.M.	Burglary, 1-5, yrs.	CH6	Carried to Tower 1, carbon monoxide poisoning.

APPENDIX J
INMATES KILLED

<u>Name</u>	<u>Age</u>	<u>Ethnicity</u>	<u>Hometown</u>	<u>Crime/Sentence</u>	<u>Housing Unit</u>	<u>Where found/condition</u>
Smith, Larry W.	31	White	Kirtland, N.M.	Armed Robbery, life	CB4	CB4, front entry, cranocerebral injuries.
Tenorio, Leo J.	25	Hispanic	Albuquerque, N.M.	Contribuing to the Delinquency of Minor, 1-5; Escape 1-5 yrs.	CB4	CB4, front of cell 76 basement level, stab wound to heart.
Tenorio, Thomas C.	28	Hispanic	Albuquerque, N.M.	Robbery, 2-10 yrs.	CB4	CB4, basement, cell 41, stab wound neck and chest.
Urioste, Mario	28	Hispanic	Santa Fe, N.M.	Receiving Stolen Property 1-5; Shoplifting, 2 yrs.	CB4	CB4, main entry, blunt trauma to head, rope around neck.
Waller, Danny D.	26	White	Lubbock, TX	Credit Card Fraud, 1-5 yrs.	A1	Carried to Tower 1, multiple stab wounds. Cranocerebral injuries.
Werner, Russell M.	22	Hispanic	Albuquerque, N.M.	Armed Robbery, 15-55, 1-5	F1	Catholic Chapel, carbon monoxide poisoning, burned, blunt trauma to head.

APPENDIX K

DISCIPLINE PROCEDURES

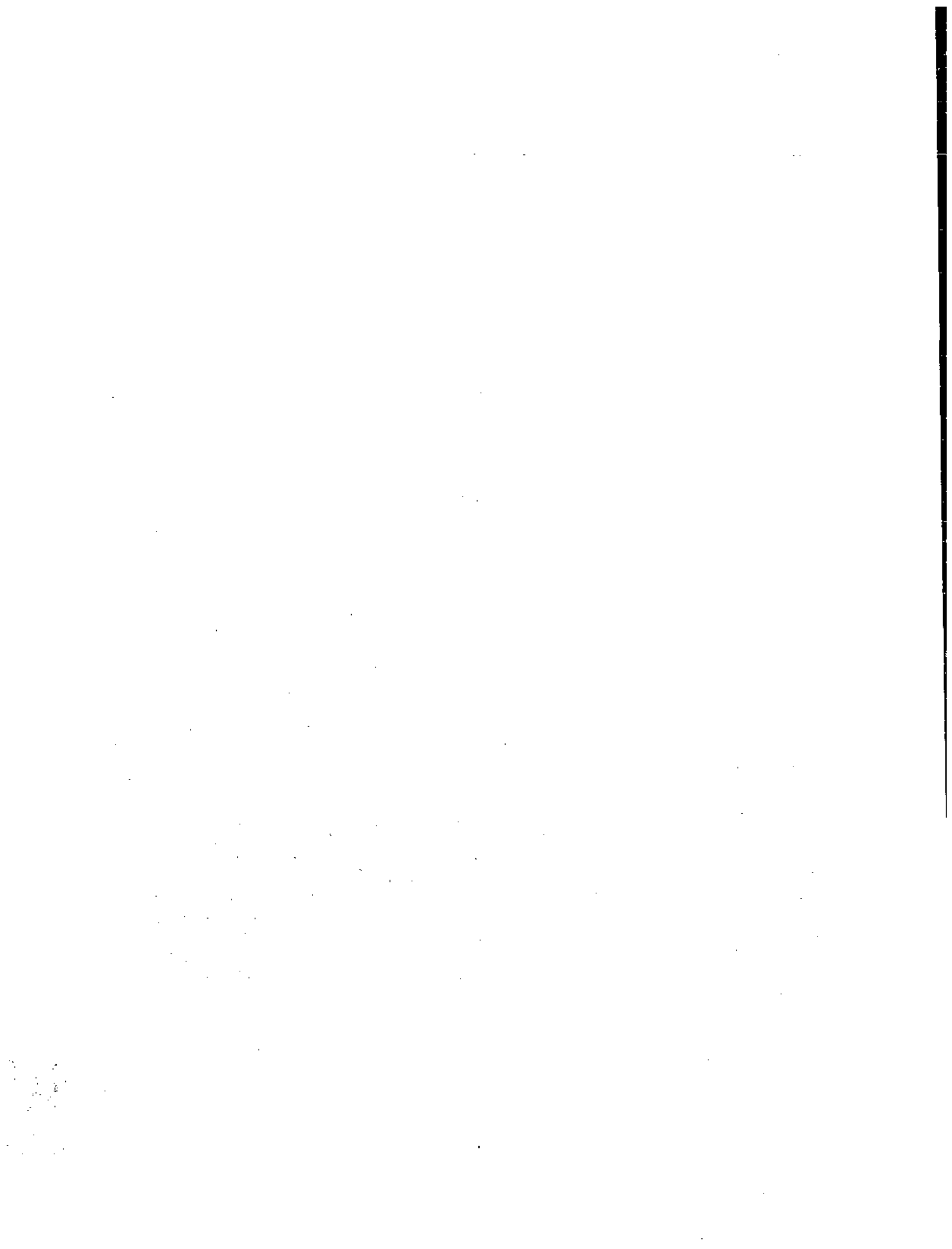
Captains who initiate a disciplinary report on an inmate have the option of sending an inmate to segregation during the 72-hour period in which a hearing before the Disciplinary Committee must be given. There are many instances when the 72-hour period goes by without a hearing. Officials report that some captains arbitrarily segregate inmates on occasion. Offenses such as smuggling a sandwich from the kitchen may result in a verbal reprimand on the one hand or segregation on the other, depending on the captain. For example, captains are free to interpret the meaning of such offenses as "conduct which disrupts the institution," a "catch all" used to place inmates arbitrarily in segregation.

One corrections official, in a position to be knowledgeable of such incidents, describes another practice used by a few correctional officers. Some captains will write up an inmate for not walking close enough to the wall or having a shirt tail untucked. The inmate might "cuss" the officer for the write-up and thus justify another write-up for verbal abuse and for failure to follow a direct order. When the inmate goes to the Disciplinary Committee the original minor offense is often dismissed but the subsequent offense is frequently upheld.

If the warden upholds the Disciplinary Committee's decision to segregate an inmate, the inmate may appeal the decision to the Corrections Department Hearing Officer and the Corrections Commission. An inmate placed in segregation must later request a release and then the Segregation Committee reviews the request. The same person chairs both the Segregation Committee and the Disciplinary (reviewing) Committee.

Staff members and two inmates gave several eyewitness accounts of different incidents of pre-riot beatings of inmates by staff members. However, the investigation did not receive allegations that this type of activity was rampant at the prison. According to both inmates and guards that when beatings or harassment occur, rumors abound, but inmates are hesitant to use established procedures to bring their grievance to officials. There was unanimity among correction's officials of the dire consequences that such action has on prison life and of the seriousness of such allegations. The prison administration has taken no action regarding any of the incidents described to investigators.

Seven New Mexico inmates interviewed at the federal penitentiary at Leavenworth, Kansas, cited harassment of inmates and abuse of regular disciplinary procedures as a cause of the riot.



APPENDIX L

DEMANDS OF CORRECTIONAL OFFICERS
PRESENTED IN FEBRUARY 3, 1980 MEMORANDUM

1. Correctional Officer's receive pay raise of \$1,500 per month. All other positions should be upgraded accordingly.
2. 10% differential pay of salary for swing shift and 15% for graveyard.
3. Implement rotating days off schedule which was introduced by Lt. Marshal Lujan, Lt. David Romero and Lt. Gene Garcia.
4. A policy book covering post orders, policies and all aspects of the institution should be issued to each employee.
5. All employee's should receive a 15 minute break period or an hour for lunch.
6. More officers are needed. Key posts should have officers assigned as follows: two officers in tower one, all three shifts. Front entrance should be manned by one officer all three shifts, information booth should be manned by one officer all three shifts, three officers in control center on day shift and two officers in control center on the other two shifts. In cell block three day shift you need four officers on the main floor, three in the basement, two in the cage. Two activity officers and one lt. for evening watch you need one officer for the cage. Three for the main floor, and two in the basement. Same allocation for graveyard. Cell Block #4 needs three officers for all three shifts. Cell Block #5 needs two officers for all three shifts. The same for cell block 6, and C-1 unit. The Hospital should have one officer on all three shifts in addition to med tech's. There should be two officers on the north side and two officers on the south side on roving inside patrol on all three shifts. There should be three officers on both day and wing shift in the center corridor. One officer on this post for graveyard. There should be two officers on Cell Block One and two officers on Cell Block Two for all three shifts. There should be one officer assigned to each dormitory, (A-1, A-2, F-1, F-2, B-1, B-2, E-1, E-2, D-1). There should be one officer assigned to the south exit. There should be two officers assigned to the Education area when school is in session.

There should be three roving officers and a Lt. There should be two officers at the industrial yard gate, two officers at the sally port, and two roving officers in the basement for physical plant and laundry/tailor shop. There should be two vehical patrols on swing and graveyard. There should be two foot patrol on swing and graveyard. There should be more caseworkers in order to reduce tension in the units.

7. A new armory should be built, with a CDT equipment room, outside of the institution.

8. All officers will receive (3) week academy training and (1) week on the job training in addition to (2) days of inservice training per month (CDT). Training will also be made available on a comp/time basis.

9. There should be an armory officer and a reserve officer on a full time basis. Both should be qualified through the (NRA) and (FBI) schools.

10. There should be three transportation officers. There should also be (1) property (inmate) control officer on all three shifts.

11. The accountability officer should be responsible for all inmate transfers as well as updating all picture boards.

12. There should be two officers assigned to the traffic control gate and front entrance on weekends. There should also be one roving kitchen officer compatible with food service shifts.

13. There should be a quality control board from the outside to investigate institutional deficiencies (equipment, training, conditions, operations).

14. There should be a secretary pool for typing memo's and reports to officers.

15. In cases of suspected emergencies, all officers will work ten hour overlapping shifts until information has been investigated and verified.

14. There should be two investigators and one commander to run intelligence office.

15. All SWAT leaders should have beepers. All correctional employees will have their phone numbers tied into a central telephone system which will be used for emergencies.

16. We want a 20 year retirement plan, with 75% of our monthly wage when we retire.

17. We want a complete health insurance policy which will cover dental, health and psychiatric problems.

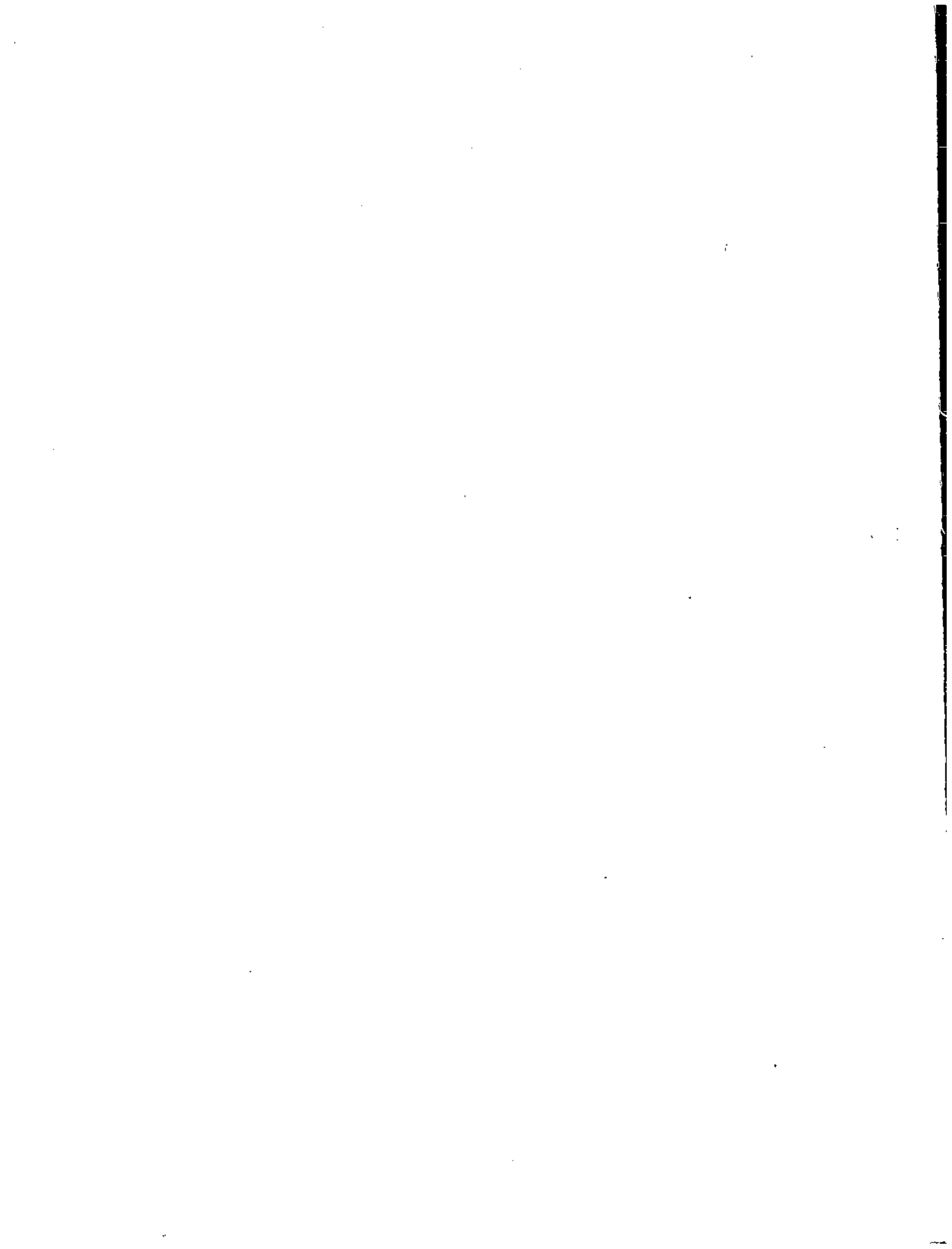
18. We want corrections to be certified as a Law Enforcement Agency.

19. There should be a grievance board made up of the Warden, an investigator, a correctional officer, personnel officer and a Lt. or Capt.

20. The Administrative Staff should not be fired for political reasons.

21. A promotional board should be established and members rotated every three months.

22. There is a need for 10 sergeant positions. Also employees will be able to receive outside calls without permission from their supervisors.



GLOSSARY OF RIOT-RELATED EXPENSES

SUMMARY OF RIOT RELATED EXPENSES

These figures sketch an approximate, pre-audit cost incurred by various agencies arising during the riot, (eg., overtime) and directly caused by the riot (eg. out of state housing for inmates). The costs incurred cover the period February 2 through May 1, 1980.

The figures do not include consequential expenses flowing from the riot, such as renovations to the prison, various investigations, Public Defender costs, prosecution costs, the cost of defending the state in civil suits, nor the increase in salary for correctional officers at the penitentiary.

Law Enforcement

Santa Fe Police Dept.	\$24,305.32	
Santa Fe County Sheriff	4,631.46	
N.M. State Police:		
Direct Costs	119,550.13	
Man Hours	193,495.00	
National Guard (through 4/16)	547,399.93	
PNM Overtime	<u>143,668.29</u>	\$1,033,050.13

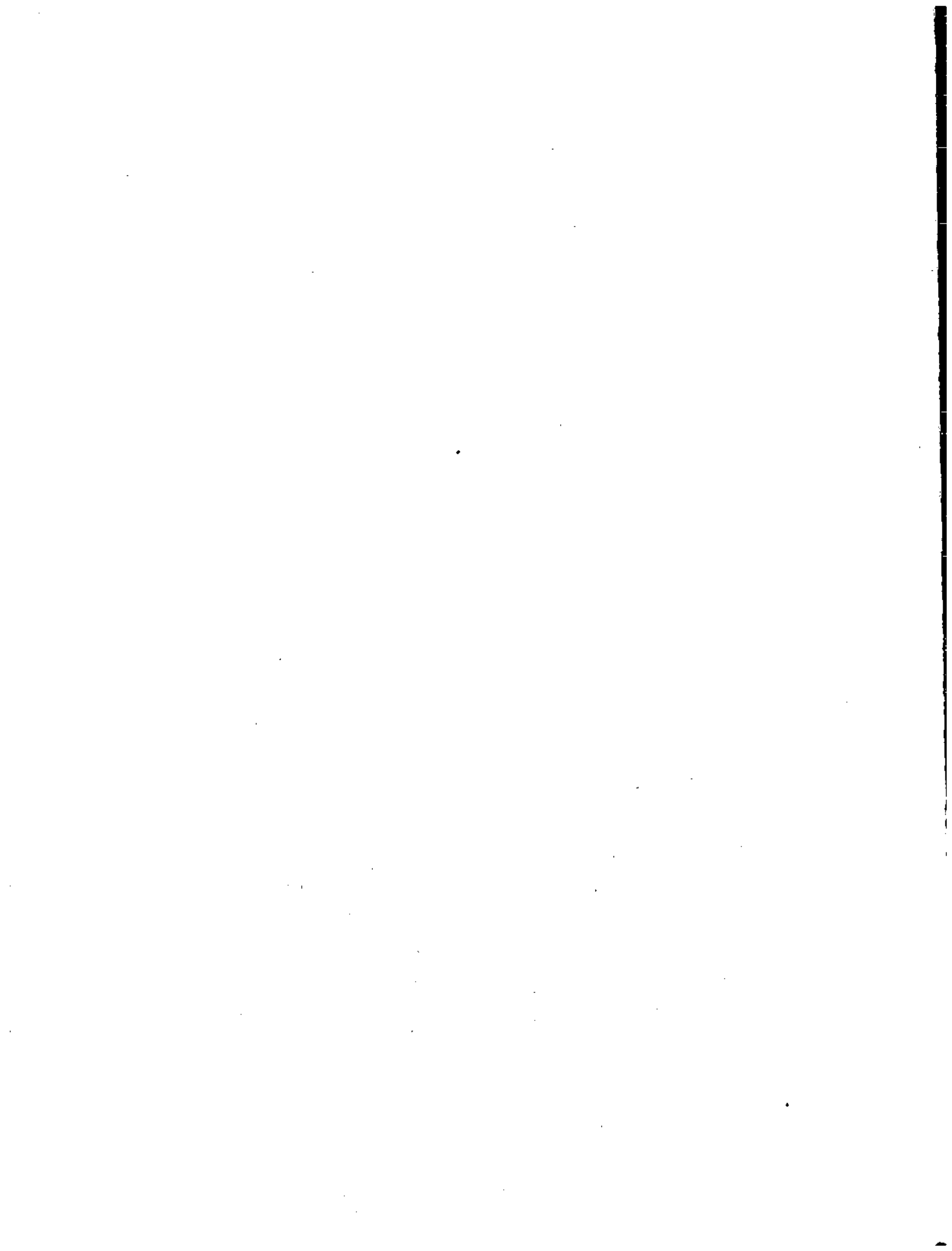
Medical, Physicians, Fire & Ambulance

St. Vincent's Hospital	122,163.46	
PHS - Indian Hospital	11,111.81	
Los Alamos Medical Center	280.50	
Los Alamos Cardiological Services	704.01	
Presbyterian Hospital	7,574.11	
Memorial General Hospital	673.65	
Fire and Ambulance Services	4,896.19	
Physician Services*	40,581.19	
Miscellaneous Medical Services	<u>2,421.20</u>	190,406.12
Office of the Medical Investigator		47,504.79
Housing Costs: In State & Out of State		1,265,149.47
Burial Expenses**		26,067.63
Extraordinary Computer Expenses		<u>6,000.00</u>

Total Estimated Riot Related Expense		<u>\$2,568,178.14</u>
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* Figures partially based on estimates

**Figure based on bills submitted; not entirely chargeable, depending on indigent eligibility and level of service.



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State University; member Citizens' Advisory Panel

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