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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/24/2008

FRANCISCO ALVAREZ, Special Investigator for the REEVES COUNTY DETENTION CENTER III (RCDC III), 98 West County Road 204, Pecos, Texas, 79772, business phone number: (432) 447-2909, gave one DVD and one CD to Federal Bureau of Investigation Special Agent Justin E. Fleck.

The DVD was filmed on 12/12/2008, during the riot, and contained footage of activities which occurred in the Special Housing Unit (SHU).

The CD contained photos taken of the Recreation Yard following the riot and the contraband (scissors, box cutters, etc.) that was recovered in the yard following the riot.

The DVD and CD are being maintained in the 1A portion of this file.

Investigation on 12/19/2008 at Pecos, Texas

File # 90A-EP-38358

Date dictated _____

by SA Justin E. Fleck

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/24/2008

FRANCISCO ALVAREZ, Special Investigator for the REEVES COUNTY DETENTION CENTER III (RCDC III), 98 West County Road 204, Pecos, Texas, 79772, business phone number: (432) 447-2909, gave two DVD's to Federal Bureau of Investigation Special Agent Justin E. Fleck.

One of the DVD's was filmed the morning following the riot, 12/13/2008, and contained footage of some of the damage to the facility as a result of the riot.

The second DVD contained footage that was filmed on 12/12/2008 into the early morning hours of 12/13/2008. This DVD contained footage taken from a handheld video camera depicting portions of the riot activities.

These DVD's are being maintained in the 1A portion of this file.

Investigation on 12/19/2008 at Pecos, TexasFile # 90A-EP-38358

Date dictated _____

by SA Justin E. Fleck

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/22/2008

CARMINA ANCHONDO, a white female, date of birth 01/28/1969, address: 1602 Cowan, Pecos, Texas, phone number: (432) 448-3569, was interviewed at her place of employment, REEVES COUNTY DETENTION CENTER III (RCDC III), 98 West County Road 204, Pecos, Texas, 79772, business phone number: (432) 447-2909, by Federal Bureau of Investigation Special Agent Justin E. Fleck and Task Force Agent Jody Hill. After being advised the identity of the interviewing agents and the nature of the interview, ANCHONDO provided the following information:

ANCHONDO is a correctional officer and has been working at RCDC III for one and a half years. On the date of the riot ANCHONDO was working in Housing Unit A. Sometime during the "rec movement" and "mess hall", which ANCHONDO explained is when the inmates are brought to lunch and recreation, someone called a "recall," meaning the inmates had to be brought back into the housing unit and locked in their cells. ANCHONDO told the inmates that they had to get back inside and in their cells. The inmates became upset and began asking why. Some inmates were also asking about the inmate who died earlier in the morning.

The inmates became defiant and told ANCHONDO and the other guards when told to recall "no, we are not going to lock down, we are going outside." ANCHONDO could not identify any of these inmates. ANCHONDO called the Major over the radio and advised him that the inmates were refusing to recall and were going outside to the recreation yard. The Major told ANCHONDO to allow the inmates to go outside.

Approximately 14 inmates had already been locked down in their cells. The other inmates became upset and began demanding that ANCHONDO open the cells and release the inmates. ANCHONDO opened the cells and let the inmates out.

ANCHONDO was trying to secure the north door when one inmate stood in the doorway and blocked the door from closing. ANCHONDO described this inmate as "tall and skinny." ANCHONDO does not know the inmate's name. ANCHONDO overheard the inmates threatening to take her keys. A group of inmates followed ANCHONDO and other staff back into the unit and began breaking things. One

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Continuation of FD-302 of CARMINA ANCHONDO, On 12/19/2008, Page 2

of the other CO's called a "code black" over the radio, meaning "officer needs assistance."

A while later the CERT team entered Housing Unit A through the south doors and pushed the inmates out of the north door and secured the door.

As CERT was leaving they encountered an inmate locked in one of the cells in Housing Unit A who was being disruptive, first name unknown, last name VELA. The CERT opened the cell door and ordered the inmate out. The inmate refused to comply with the CERT and was ultimately pepper sprayed and extracted from the cell and secured. The inmate was taken away.

After everyone left, ANCHONDO stayed in Housing Unit A because there were still some inmates locked down. CO TRICIA RAMIREZ was with ANCHONDO for most of the time until a "code red" was declared over the radio, which means fire.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/24/2008

RUBY BRICENO, a white female, date of birth 11/20/1965, address: San Antonio Street, Balmorhea, Texas, phone number: (432) 294-2632, was interviewed at her place of employment: REEVES COUNTY DETENTION CENTER III (RCDC III), 98 West County Road 204, Pecos, Texas, 79772, business phone number: (432) 447-2909, by Federal Bureau of Investigation Special Agent Justin E. Fleck and RCDC III Special Investigator Francisco Alvarez. After being advised the identity of the interviewing agents and the nature of the interview, BRICENO provided the following information:

BRICENO is a Lieutenant at the RCDC III. BRICENO was working the day of the riot and responded to the Housing Unit A when they were calling a "code black" and later stood on the roof deploying gas on the inmates trying to breach the gates.

While positioned on the roof, BRICENO observed when the inmates escorted Correctional Officer (CO) GALLEGOS back into Housing Unit C, then back to the fence area by the guard tower.

BRICENO reviewed the video taken of the riot with SA Fleck and SI Alvarez. From watching the video, BRICENO identified inmate JUAN LERMA-PEREZ as the inmate that was in the Recreational Yard conducting large meetings with the inmates involved in the riot. JUAN LERMA-PEREZ was wearing a white hat, black sunglasses, orange inmate jacket, and white t-shirt.

BRICENO also identified inmate SERGIO RODRIGUEZ as one of the inmates that was attempting to conceal his face and assisting LERMA-PEREZ with coordination efforts. RODRIGUEZ was a heavy-set subject with a beard, wearing a white hat, white cloth covering his head, orange inmate jacket, and a gray sweatshirt.

BRICENO identified inmate GUSTAVO BUENO as another subject assisting LERMA-PEREZ with coordinating the riot. BUENO is the Dominican "Rep" (a term used for the inmate that represents a certain group of inmates). BUENO had a long goatee and was wearing sunglasses and a white hat.

BRICENO identified inmate LORENZO MORALES as one of the inmates that was negotiating with CO GALLEGOS and BRUCE DURY.

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Continuation of FD-302 of RUBY BRICENO, On 12/23/2008, Page 2

MORALES was wearing an orange jacket and had a white cloth covering the lower half of his face.

BRICENO identified inmate JOSE VIDEA as the inmate who was translating for MORALES. VIDEA was wearing a white t-shirt, tan pants, and was not wearing a disguise. BRICENO advised that VIDEA is very helpful and often acts as a translator for other inmates with staff members.

90A-EP-38358
JEF:jef

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On 12/23/2008, the following investigation was conducted by Special Agent Justin E. Fleck in Pecos, Texas:

SA Fleck reviewed the video taken of the riot which occurred on 12/12/2008 at the RCDC III with Lieutenant RUBY BRICENO. SA Fleck noted the BRICENO positively identified the following individuals as being involved in the riot:

Last Name:	RODRIGUEZ
First Name:	SERGIO
Middle Name:	PINA
DOB:	04/23/1964
BOP ID:	22084-180
POB:	MEXICO

Last Name:	LERMA-PEREZ
First Name:	JUAN
Middle Name:	MANUEL
DOB:	08/01/1966
BOP ID:	44896-079
POB:	MEXICO

Last Name:	BUENO
First Name:	GUSTAVO
Middle Name:	ANTONIO
DOB:	02/03/1977
BOP ID:	10574-078
POB:	DOMINICAN REPUBLIC

Last Name:	MORALES
First Name:	LORENZO
DOB:	05/16/1961
BOP ID:	05403-031
POB:	MEXICO

Last Name:	VIDEA
First Name:	JOSE
Middle Name:	FERNANDO
DOB:	06/27/1965
BOP ID:	60758-079
POB:	HONDURAS

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JEF:jef

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On 12/23/2008, the following investigation was conducted by Special Agent (SA) Justin E. Fleck in Pecos, Texas.

RCDC III Special Investigator (SI) Francisco Alvarez and SA Fleck reviewed the video taken during the riot in the Special Housing Unit (SHU). The video showed a cell in the SHU where two inmates were instigating the riot by being verbally defiant, physically assaulting prison staff, setting a fire in their cell, and possessing a makeshift knife, also known as a "shiv."

The inmates set the fire and were trying to get the staff to open the cell. The staff ordered the inmates to put their hands through the slot in the door to be handcuffed prior to the staff opening the door. The inmates refused to comply. The staff then took a fire hose and tried to extinguish the fire through the slot in the door. The inmates blocked the way of the hose with their bodies and other items preventing staff from extinguishing the fire.

At one point one of the inmates was attempting to convince the staff to open the door because the other inmate was having a hard time breathing, however staff observed the other inmate standing against the wall next to the door attempting to hide from the view of the staff.

One of the inmates spit at the staff through the slot and the other grabbed the fire hose and attempted to pull it through the slot. One of the inmates struck one of the staff members numerous times through the slot.

According to SI Alvarez, the two inmates in the video where identified by Captain CHAD DEVIVO and other staff present as the following:

Last Name:	MORALES-ROJAS
First Name:	CARLOS-ALBERTO
DOB:	08/12/1970
BOP ID:	59547-179
POB:	MEXICO
Last Name:	MORALES-ROMERO
First Name:	ALEX JAVIER
DOB:	12/18/1987
BOP ID:	92556-180
POB:	HONDURAS

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/16/2008

BRUCE ROBERT DURY, a white male, date of birth: 03/13/1948, address: 501 S. Oleander, Pecos, Texas, phone number: (432) 445-2694, was interviewed at his place of employment: REEVES COUNTY DETENTION CENTER III (RCDC), 98 West County Road 204, Pecos, Texas, 79772, business phone: (432) 447-2909, by Federal Bureau of Investigation Special Agent (SA) Justin E. Fleck. After being advised the identity of the interviewing agent and the nature of the interview, DURY provided the following information:

DURY works for GEO GROUP INC. at the RCDC as a Recreation Specialist. DURY is not a correctional officer. When the riot broke out, DURY was in the Recreation Building, which was secure.

At approximately 12:45p.m. the prison called for a "recall," meaning all of the inmates had to go back inside. This is a common practice that happens at the prison for various reasons. DURY did not know why the inmates were being recalled. The inmates began refusing to go back inside. At approximately 1:00-1:30p.m., approximately 100 of the inmates became violent. This group of inmates began picking up rocks and other items laying around to hold as weapons. DURY observed several inmates pulling steel poles from the ground and using them as sledgehammers and breaking up concrete to make more weapons.

A large group of the inmates broke into the Recreation Building where DURY was located. The inmates began ransacking the building and arming themselves with various weapons. DURY observed some of the inmates arming themselves with horseshoes, hammers, and box cutters. DURY put up a fight at first, but some of the inmates pushed DURY down. Other inmates then helped DURY to his feet. Inmate CHRIS GONZALES escorted DURY out of the building and to a safe place. GONZALES told DURY that they did not want to hurt DURY.

DURY met up with Correctional Officer (CO) FRED GALLEGOS who was also being held hostage. The inmates had access to GALLEGOS' and DURY's prison radios and keys. GALLEGOS and DURY sat near the fence by the guard tower and watched things occur. There were a total of approximately 1300 inmates in the recreation yard. Some of the inmates were walking around with weapons. Some of the inmates were destroying the Recreation Building, and some of the

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Continuation of FD-302 of BRUCE ROBERT DURY, On 12/12/2008, Page 2

inmates were going in and out of Housing Unit C and bringing things out. None of the inmates harmed GALLEGOS or DURY.

DURY heard some inmates saying that they were injured from the rubber bullets the prison tactical team had shot at them. DURY did not observe any inmates getting in fights with each other. Most of the inmates were just "hanging around." There was only about 100 or so that were being destructive.

There appeared to be three to four Hispanic males that were "running things." These individuals were wearing items covering their faces. There was another individual, a black male who was bilingual doing the translation for the Hispanic leaders. The black male was approximately 5'05" to 5'06" and was wearing a "beanie cap" and black sunglasses. The leaders were doing the negotiating with law enforcement regarding the inmates who needed medical attention, and what was going to bring a peaceful resolution.

As the night went on, most of the inmates just wanted to go back inside. They were all complaining that they were cold, tired, and scared of what the prison staff was going to do to them for rioting. Numerous inmates began setting fires in the recreation yard burning logs from the horseshoe pit. DURY does not know what the inmates used to start the fires.

At some point during the negotiations DURY was released by the leader inmates to law enforcement. GALLEGOS was kept by the hostage takers, but DURY did not feel like they were going to harm him.

DURY could not identify any of the inmates involved in the riot. Most of the inmates had their faces covered with cloths. The only inmate DURY recognized was inmate CHRIS GONZALES, the inmate that helped him to safety.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/22/2008

BRUCE DURY was re-interviewed by Federal Bureau of Investigation Special Agent Justin E. Fleck and Task Force Agent Jody Hill at the RCDC III in Pecos, Texas. DURY provided the following information:

On the date of the riot, DURY was working in the Recreation Building. The "recall" order was given over the radio and DURY began getting the inmates out of the building.

Approximately 30 minutes later an inmate that comes to the Recreation Building on a regular basis, first name unknown, last name PORTILLO, came back to the building and began pulling on the door and banging on the glass and door, trying to break in. PORTILLO left and came back a short time later with a large crowd of other inmates. The other inmates began breaking the glass with the steel from the workout equipment.

The inmates eventually broke out the window near the steel door and reached through the window and opened the door from the inside. A crowd of inmates rushed into the building. DURY tried resisting the inmates and swung his cane at PORTILLO and others and missed. DURY fell to the ground. The inmates grabbed DURY and dragged him out of the building. One inmate, CHRIS GONZALEZ, helped DURY to safety and explained that they didn't want to hurt anyone and that they were just making a statement. DURY did not see GONZALEZ involved in any of the destruction or fighting. GONZALEZ walked DURY over to the tables near the guard tower where DURY met up with Correctional Officer (CO) FRED GALLEGOS. Several inmates who were covered up told DURY "stay put."

There were numerous inmates standing around DURY and GALLEGOS. DURY felt as though he was not free to leave. There was a moment when DURY felt like they may have been able to escape, but he was concerned that it would excite the inmates.

DURY believes that the riot was not planned, but more of an act of opportunity. DURY did not recognize any of the other inmates that were involved in the riot other than PORTILLO.

Investigation on 12/19/2008 at Pecos, TexasFile # 90A-EP-38358Date dictated by SA Justin E. Fleck

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/24/2008

BRUCE DURY sent an Email to Federal Bureau of Investigation Special Agent Justin E. Fleck concerning the injuries that he sustained during the prison riot on 12/12/2008 at the REEVES COUNTY DETENTION CENTER III in Pecos, Texas.

The Email states that DURY sustained some bruising from being pulled out of the Recreation Building by rioting inmates. DURY attached five digital photos to the email depicting contusions on his abdomen, chest, and right arm.

DURY stated in the email that his wife had taken the photos on Sunday, 12/14/2008, with their digital camera.

The email and photos are being maintained in the 1A portion of this file.

Investigation on 12/19/2008 at Midland, TexasFile # 90A-EP-38358

Date dictated _____

by SA Justin E. Fleck

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 01/02/2009

FRANCISCO ALVAREZ, Special Investigator (SI) for the REEVES COUNTY DETENTION CENTER III (RCDC III), 98 West County Road 204, Pecos, Texas, 79772, business phone number: (432) 447-2909, contacted Federal Bureau of Investigation Special Agent (SA) Justin E. Fleck telephonically and advised the following:

Upon further review of the video, Lieutenant (Lt.) Ruby Briceno and Major (Maj.) Oscar Soliz determined that they were wrong about identifying inmate SERGIO PENA RODRIGUEZ from the video. Lt. Briceno, Maj. Soliz, and SI Alvarez observed RODRIGUEZ since the incident and have determined that he was not the individual seen in the video. SI Alvarez advised that they look similar, but that it was not RODRIGUEZ and that they do not know the subjects identity.

SI Alvarez further related that Corrections Officer (CO) Fred Gallegos identified three individuals from the riot from seeing them around the prison. Gallegos identified two of the individuals who were breaking up the concrete on the handball court to make weapons, inmates ALEJANDRO GONZALEZ and ANTONIO LEON-DIAZ. Gallegos also identified inmate FELIX VARGAS as the inmate who was breaking the windows in Housing Unit C when he was escorted by his hostage takers to release inmates that were locked in their cells.

Investigation on 01/02/2009 at Midland, Texas (telephonically)

File # 90A-EP-38358 Date dictated _____

by SA Justin E. Fleck

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/22/2008

CHARLES "KEN" KINCAID HUNTER, a white male, date of birth 10/04/1945, home address: 1311 Plum, Pecos, Texas, 79772, home phone number (432) 447-9223, cell phone (432) 448-1956, was interviewed at his place of employment, REEVES COUNTY DETENTION CENTER III (RCDC III), 98 West County Road 204, Pecos, Texas, 79772, business phone number: (432) 447-2909, by Federal Bureau of Investigation Special Agent Justin E. Fleck and Task Force Agent Jody Hill. After being advised the identity of the interviewing agents and the nature of the interview, HUNTER provided the following information:

HUNTER is a corrections officer (CO) at RCDC III. On the date of the incident HUNTER was working in Housing Unit B as the Housing Officer. Sometime around "mess hall" there was a call over the radio to "recall" and "lock-down", meaning all of the inmates had to return to their cells and the CO's had to lock the doors. This "set the inmates off."

The inmates started blocking the doors so they could know close. There were 15 or more inmates blocking the north door, which leads to the Recreation Yard. The inmates began acting crazy. HUNTER retreated to the south side of the building, away from the inmates acting crazy, and managed to lock one inmate in his cell. HUNTER retreated out of the south door and abandoned Housing Unit B and fled to safety at the "compound."

HUNTER believes that the riot was preplanned. HUNTER noted that the inmates where positioned at each door, successfully blocking them from being closed.

HUNTER does not believe he would be able to identify any of the inmates that caused the riot in Housing Unit B. HUNTER was only concerned with getting out safely.

Investigation on 12/19/2008 at Pecos, TexasFile # 90A-EP-38358Date dictated by SA Justin E. Fleck

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/31/2008

Correctional Officer (CO) FRED GALLEGOS was re-interviewed at his place of employment, REEVES COUNTY DETENTION CENTER III (RCDC III), 98 West County Road 204, Pecos, Texas, 79772, business phone number: (432) 447-2909, by Federal Bureau of Investigation Special Agent (SA) Justin E. Fleck and RCDC III Special Investigator Francisco Alvarez. SA Fleck played the video taken during the riot of Housing Unit A, B, C, and the Recreation Yard for GALLEGOS.

While reviewing the video GALLEGOS related the following:

During the riot, when BRUCE DURY and GALLEGOS were sitting against the fence underneath the guard tower in the Recreation Yard, GALLEGOS can identify two of the inmates that kept coming up to DURY and GALLEGOS negotiating their release. Inmate LORENZO MORALES and inmate JOSE VIDEA, as seen in the video, came up to GALLEGOS and DURY and were discussing the situation. VIDEA was mainly asking GALLEGOS if he needed anything.

GALLEGOS positively identified inmate JESUS FLORES-HUERTA as one of the inmates in the video in the Recreation Yard with his face completely covered.

GALLEGOS recalled one inmate that he recognized during the riot who was destroying property. During the riot, when the inmates escorted GALLEGOS back into Housing Unit C and demanded that he opened various cells releasing some inmates who had been locked in cells, GALLEGOS observed an inmate breaking windows in the housing unit. The inmate had a metal bar and was repeatedly striking the windows, breaking them. GALLEGOS advised he recognized the inmate from Housing Unit B2. GALLEGOS did not recall the inmates name, but advised that he has seen the inmate numerous times since the riot. GALLEGOS advised that he would get the inmates name next time he saw him and report to SA Fleck.

Investigation on 12/23/2008 at Pecos, Texas

File # 90A-EP-38358

Date dictated _____

by SA Justin E. Fleck

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/22/2008

PEDRO MORALES, a white male, date of birth 12/02/1979, address 1915 Iowa, Pecos, Texas, phone number (432) 448-6104, was interviewed at his place of employment, REEVES COUNTY DETENTION CENTER III (RCDC III), 98 West County Road 204, Pecos, Texas, 79772, business phone number: (432) 447-2909, by Federal Bureau of Investigation Special Agent Justin E. Fleck and Task Force Agent Jody Hill. After being advised the identity of the interviewing agents and the nature of the interview, MORALES provided the following information:

MORALES has been working at RCDC III for approximately eight years, and is presently the commissary supervisor.

On the date of the riot, MORALES recalls that sometime during lunch there was a "recall" ordered. MORALES heard that Housing Unit A was having some problems getting inmates to recall. MORALES went into Housing Unit A to assist. MORALES observed inmates grabbing personal items and exiting the housing unit out of the north doors.

MORALES observed inmate FRANCISCO BARBOZA blocking the north door allowing inmates to exit the building into the Recreation Yard. MORALES told the inmate to move out of the way so MORALES could secure the door. BARBOZA told MORALES "no, I'm not getting out of the way." MORALES grabbed BARBOZA and pushed him out of the way, at which time BARBOZA raised his hand and said that he was going to hit MORALES. MORALES overheard other inmates stating "open the other doors or we will take your keys." MORALES backed up a bit and the inmates began breaking windows and pulling the fire hose off the wall. The inmates were stating that they wanted the Major out there (Major SOLIS). MORALES called a "code black," officer needs assistance call, two times.

A short while later the Corrections Emergency Response Team (CERT), entered the south door and pushed the inmates out of the north door, into the Recreation Yard. MORALES recognized one of the inmates who was blocking the north door as inmate LUGO-BROWN. When MORALES told BROWN to move out of the way, BROWN stated "we'll see who has control in a little bit."

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Continuation of FD-302 of PEDRO MORALES, On 12/19/2008, Page 2

MORALES is also on CERT. MORALES went with CERT into the other housing units. In Housing Unit C, the CERT encountered numerous inmates throwing rocks and concrete at the CERT and other staff members. MORALES recognized one of the rock throwers as inmate first name unknown, last name LIRA. MORALES knows LIRA because he was a maintenance worker and MORALES has served LIRA at the commissary in the past.

MORALES could recall the identity of any of the other inmates.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/22/2008

JAMAR NATIVIDAD, date of birth: 09/10/1985, address: 716 S. Oak, Pecos, Texas, 79772, phone number: (432) 448-3934, was interviewed at his place of employment, REEVES COUNTY DETENTION CENTER III (RCDC III), 98 West County Road 204, Pecos, Texas, 79772, business phone number: (432) 447-2909, by Federal Bureau of Investigation Special Agent Justin E. Fleck and Task Force Agent Jody Hill. After being advised the identity of the interviewing agents and the nature of the interview, NATIVIDAD provided the following information:

NATIVIDAD is a recreational specialist at RCDC III, he and has been working there for approximately two to three months. On the date of the riot NATIVIDAD was working in the Recreation Building with BRUCE DURY. NATIVIDAD was conducting inventory of the recreation supplies when they heard the "recall" over the radio. NATIVIDAD and DURY cleared all of the inmates out of the building and secured the doors.

NATIVIDAD heard Corrections Officer (CO) ORTEGA calling for assistance at the gate in the Recreation Yard. NATIVIDAD left the Recreation Building and locked DURY inside and went to assist CO ORTEGA. NATIVIDAD observed CO ORTEGA struggling with a large group of inmates at the gate going from the Recreation Yard into Housing Unit A. The group of inmates were blocking the gate open and trying to get back into Housing Unit A to release the inmates who were "locked down." NATIVIDAD recognized only one of the inmates involved in blocking the gate, First Name Unknown (FNU) CASTILLO. CASTILLO was egging the other inmates on, encouraging them to free the other inmates and go into the yard against the orders of the staff. NATIVIDAD would be able to positively identify CASTILLO if he saw him again.

NATIVIDAD and CO ORTEGA entered Housing Unit A and observed a large mob of inmates, 50 or more, who surrounded the guards demanding they open the rest of the cell doors in order to free the remaining inmate population who the guards managed to "lock down." The CO's that were surrounded where CO ANCHONDO, CO RAMIREZ, and CO GARCIA. There were so many inmates NATIVIDAD could not identify any one in particular, other than CASTILLO. NATIVIDAD overheard some inmates stating to "take their keys." The CO's began calling for help.

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Continuation of FD-302 of JAMAR NATIVIDAD, On 12/19/2008, Page 2

A short time later the Corrections Emergency Response Team (CERT) entered Housing Unit A through the north doors and pushed the inmates back. There was a brief standoff between the CERT and a large number of inmates, but the CERT was able to push the inmates out the north door into the Recreational Yard. CERT then secured the north door to Housing Unit A.

Staff began reporting problems in Housing Unit B. The NATIVIDAD, CERT, and other staff members ran to Housing Unit B in attempts to secure the north door as well. Staff encountered a large mob of inmates throwing rocks at staff from the Recreation Yard through the north door. CERT was able to secure the north door.

Staff then began calling for assistance in Housing Unit C. The same group then ran to Housing Unit C and entered from the south door. Staff approached the north door and encountered strong resistance from the inmate population who were throwing rocks and concrete at the staff. The CERT was unable to secure the north door. NATIVIDAD was hit in the shoulder with a rock during this encounter. NATIVIDAD was unable to identify any of the rock throwers. After several minutes went by of staff being bombarded with rocks, the staff decided that they were unable to secure the north door and retreated back out the south door, thereby leaving Housing Unit C unsecured.

NATIVIDAD also heard the Special Housing Unit (SHU) had been locked down also.

NATIVIDAD observed an unusual amount of large, group meetings being held in the Recreation Yard by inmates the days prior to the riot. NATIVIDAD could not identify any inmate involved in the meetings.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/31/2008

RAY PENA, a white male, date of birth: 12/22/1959, address: 416 North Elm, Pecos, Texas, phone number (432) 448-7372, was interviewed at his place of employment: REEVES COUNTY DETENTION CENTER III (RCDC III), 98 West County Road 204, Pecos, Texas, 79772, business phone number: (432) 447-2909, by Federal Bureau of Investigation Special Agent Justin E. Fleck and RCDC III Special Investigator Francisco Alvarez. After being advised the identity of the interviewing agents and the nature of the interview, PENA provided the following information:

PENA is the Maintenance Supervisor for RCDC III. As the Maintenance Supervisor, PENA has numerous inmates that work for PENA at the facility helping with maintenance issues. PENA was involved in the initial response for assistance in Housing Unit C. PENA was the person seen in the video holding the metal garbage can as a shield against the rocks the inmates were throwing at the staff. During this, PENA positively identified one of his maintenance workers, MOSES GARZA, a.k.a. "SCRATCHER", as one of the inmates that was throwing rocks at the staff. PENA advised that GARZA's Bureau of Prisons identification number is: 80987-179.

Investigation on 12/23/2008 at Pecos, TexasFile # 90A-EP-38358

Date dictated _____

by SA Justin E. Fleck

90A-EP-38358
JEF:jef

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On 12/23/2008, the following investigation was conducted by Special Agent Justin E. Fleck in Pecos, Texas:

Following the interview with Maintenance Supervisor RAY PENA, Special Investigator Francisco Alvarez obtained the following identifiers for MOISES GARZA:

Last Name:	GARZA-MARQUEZ
First Name:	MOISES
DOB:	04/21/1967
BOP ID:	70987-179
POB:	MEXICO

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/22/2008

TRICIA RAMIREZ, a white female, date of birth 03/16/1987, address Highway 80, Block 134, Barstow Avenue, Barstow, Texas, phone number (432) 448-9051, was interviewed at her place of employment, REEVES COUNTY DETENTION CENTER III (RCDC III), 98 West County Road 204, Pecos, Texas, 79772, business phone number: (432) 447-2909, by Federal Bureau of Investigation Special Agent Justin E. Fleck and Task Force Agent Jody Hill. After being advised the identity of the interviewing agents and the nature of the interview, RAMIREZ provided the following information:

RAMIREZ has worked for RCDC III for approximately one and a half years. RAMIREZ is a corrections officer (CO). When the riot occurred, RAMIREZ was working in Housing Unit A. There was a "recall" during "rec", recreation time. RAMIREZ and the other staff members were ordering the inmates to recall and they were at first listening. Some inmates started telling other inmates not to listen and to go outside. RAMIREZ heard who she believed to be inmate first name unknown, last name CASTILLO saying "block the doors, everyone go outside." RAMIREZ did not see CASTILLO's face and could not say for sure if it was him.

RAMIREZ began shutting cell doors, locking some inmates in their cells. Some inmates began coming back inside through the north door to the Recreation Yard. The inmates began threatening RAMIREZ and the other CO's to let the inmates out of the cells. The inmates began breaking windows and other items. Eventually, the CERT entered through the south doors and pushed the inmates out into the Recreation Yard. They were able to secure the north door.

RAMIREZ recalls one of the inmates who was refusing to get out of the way so RAMIREZ could secure the door was a white complexion Mexican with light brown hair. The inmate is in cell A5, but RAMIREZ does not know his name.

Investigation on 12/19/2008 at Pecos, TexasFile # 90A-EP-38358Date dictated by SA Justin E. Fleck

90A-EP-38358
JEF:jef

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On 12/19/2008, the following investigation was conducted by Special Agent Justin E. Fleck in Pecos, Texas:

Following an interview with JAMAR NATIVIDAD, NATIVIDAD researched CASTILLO through the RCDC III database and provided SA Fleck with a printout with CASTILLO's identifiers as follows:

Last Name:	CASTILLO-MARQUEZ
First Name:	LEONARDO
DOB:	11/06/1982
BOP ID:	09533-063
Citizenship:	Mexico

The printout is contained in the 1A portion of this file.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 12/22/2008

OSCAR SOLIS, Major of the REEVES COUNTY DETENTION CENTER III (RCDC III), 98 West County Road 204, Pecos, Texas, 79772, business phone number: (432) 447-2909, was interviewed by Federal Bureau of Investigation Special Agent Justin E. Fleck. After being advised the identity of the interviewing agent and the nature of the interview, SOLIS provided the following information:

SOLIS was the commander of the Corrections Emergency Response Team (CERT) that secured the Special Housing Unit (SHU), and Housing Units A, B, and attempted to secure C.

SOLIS positively identified the inmate that was pepper sprayed in Housing Unit A as MARCOS VELA. SOLIS advised that VELA was being destructive to property in the cell and disobeying orders to exit the cell. Once VELA was pepper sprayed, he was taken into custody without any further incident.

While the CERT was attempting to secure the north door of Housing Unit C, SOLIS recognized one inmate, ULISES ROJAS-PEREZ, who was swinging a metal bar as a weapon against the CERT. SOLIS did not recognize any other inmates during the incident.

Some of the CERT team members sustained minor injuries from being hit with rocks and concrete during the incident. SOLIS is not sure if any of the other team members would be able to identify any other inmates involved in the riot.

Investigation on 12/19/2008 at Pecos, TexasFile # 90A-EP-38358Date dictated by SA Justin E. Fleck

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 02/22/2009

JAMES THOMAS, Correctional Officer, REEVES COUNTY DETENTION CENTER III (RCDC III), 98 West County Road 204, Pecos, Texas, 79772, business phone number: (432) 447-2909, was interviewed by Federal Bureau of Investigation Special Agent Justin E. Fleck. After being advised the identity of the interviewing agent and the nature of the interview, THOMAS provided the following information:

On 12/12/2008, THOMAS was present in the Special Housing Unit (SHU) where the two inmates set the fire in their cell and were being defiant. One of the inmates put paper over the window of the cell door so the staff could not see what the inmates were doing in the cell. THOMAS and the other staff members were giving the inmates orders to "cuff-up," meaning for the inmates to put their hands through the slot in the door so the staff can cuff them before they open the cell door. The two inmates refused to comply and were being verbally abusive. The inmates set a fire in their cell and were blocking the slot in the door so the staff could not extinguish the fire. The inmates were using a metal object to block the slot.

THOMAS was trying to push the object that was blocking the slot out of the way so they could safely extinguish the fire. The tall, skinny inmate struck THOMAS on his left arm three times. THOMAS could not tell if the inmate struck him with his fist or with the makeshift weapon that the inmate was armed with. THOMAS sustained no major injuries as a result of the assault other than temporary soreness.

Investigation on 02/03/2009 at Pecos, TexasFile # 90A-EP-38358

Date dictated _____

by SA Justin E. Fleck