

STATE OF NEW MEXICO
COUNTY OF VALENCIA
THIRTEENTH JUDICIAL DISTRICT COURT

DOMINIC BACA

Plaintiffs,

v.

No. D-1314-CV-2024-00200

NEW MEXICO CORRECTIONS DEPARTMENT,

Defendant.

**COMPLAINT FOR VIOLATIONS OF THE NEW MEXICO WHISTLEBLOWER
PROTECTION ACT**

COMES NOW, PLAINTIFF by and through his attorneys Collins & Collins, P.C. (Parrish Collins and Francheska Bardacke) brings this Complaint for Violations of the New Mexico Whistleblower Protection Act pursuant N.M. Stat. Ann. §§ 10-16C-1 — 10-16C-6. For his cause of action, PLAINTIFF states as follows:

I. PARTIES

1. Dominic Baca (Sgt. Baca) is a resident of Los Lunas, Valencia County, New Mexico.

2. Mr. Baca has been employed as a Correctional Officer by New Mexico Corrections Department (NMCD) since 2010.

3. For the entirety of his employment with NMCD, Sgt. Baca worked at the Central New Mexico Correctional Facility (“CNMCF”) a NMCD prison facility located in Los Lunas, Valencia County, New Mexico.

4. Sgt. Baca continues to work at CNMCF and currently is at the time of filing this Complaint.

5. Sgt. Baca is a resident of Los Lunas, Valencia County, New Mexico.

6. Defendant New Mexico Corrections Department (NMCD) and all NMCD correctional facilities are entities of the State of New Mexico.

7. Central New Mexico Correctional Facility (“CNMCF”) is a NMCD prison facility located in Los Lunas, Valencia County, New Mexico.

8. NMCD retains ultimate authority and responsibility over all NMCD facilities, including CNMCF, in accordance with NMCD rules, policies, and procedures.

9. At all material times, NMCD acted through its respective officers, directors, employees, agents, or apparent agents.

II. JURISDICTION AND VENUE

10. All acts complained of herein occurred within the Central New Mexico Correctional Facility (CNMCF), a NMCD prison facility located in Valencia County, New Mexico.

11. Jurisdiction and venue are proper in the First Judicial District Court [N.M. Stat. Ann. §10-16C-4](#).

III. STATEMENT OF FACTS

12. Sgt. Baca was hired by NMCD as a correctional officer of cadet status on or about May 1, 2010.

13. On or about October 19, 2019, Sgt. Baca was promoted to Correctional Sergeant with NMCD.

14. Sgt. Baca was working in the Mental Health Treatment Center (MHTC) at CNMCF at all times relevant to this Complaint.

15. Sgt. Baca, along with three other correctional officers, filed a Complaint for Damages on September 8, 2023, *Boucher, et al* v. New Mexico Corrections Department, et al, D-101-CV-2023-02209 (hereinafter “*Boucher, et al*”). *Boucher, et al* addressed numerous major safety issues at Central New Mexico Correctional Facility (CNMCF) which placed Sgt. Baca, the other Plaintiffs, and any other users of the building at grave risk of harm.

16. Leading up to the Complaint, Sgt. Baca and the three other Plaintiffs had notified NMCD all the way up the chain of command to the Secretary of Corrections and the Governor of the dangerous conditions that threatened their safety, the safety of all users of the facility and the surrounding community.

17. Following the filing of the Complaint, NMCD began pushing through a new staffing matrix more dangerous than that complained of in *Boucher, et al*.

18. In response, Sgt. Baca and the three other Plaintiffs filed an Emergency Motion for a Temporary Restraining Order and Motion for a Preliminary Injunction (Emergency TRO) on October 10, 2023.

19. A hearing was set for October 18, 2023, on the Emergency TRO.

20. Sgt. Baca and his co-Plaintiffs were present at the hearing along with their attorney, Parrish Collins. Counsel for NMCD requested the hearing be reset to which the Plaintiffs, through counsel in good faith agreed. The Court reset the hearing for October 27, 2023.

21. The Court ordered that all exhibits be provided to the Court by October 25, 2023.

22. PLAINTIFFS, in an effort to comply with the Courts order regarding submission of exhibits, obtained signed and notarized affidavits from numerous NMCD security personnel.

23. On October 24, 2023, one day before the exhibits were due in Court, NMCD Captain Misty Garley, seized the signed affidavits along with numerous unsigned affidavits. Despite attempts to get the affidavits back, NMCD employees Cpt. Garly, Warden Jessica Vigil Richards and others refused to return the exhibits.

24. Sgt. Baca and the other Plaintiffs filed Plaintiffs' Motion for Spoliation Sanctions and Injunctive Relief Against New Mexico Corrections Department on October 26, 2023 (MF Sanctions).

25. The seizure of exhibits was a show of force by NMCD with the intent and effect of intimidation of both the *Boucher, et al* Plaintiffs as well as witnesses.

26. Following filing of the MF Sanctions, NMCD has greatly escalated the intimidation and retaliation against the *Boucher, et al* Plaintiffs and witnesses.

27. In addition to the unlawful seizure of evidence, obstruction of justice, intimidation and violation of due process rights inherent to the unlawful seizure of evidence, NMCD has also engaged in further intimidation of witnesses.

28. Since the hearing on October 18, 2023, NMCD has forced many, if not all, NMCD security personnel at the Central New Mexico Correctional Facility ("CNMCF") to sign the Governor's Code of Conduct several times.

29. PLAINTIFFS, and presumably all other security personnel at CNMCF, had already signed the Code of Conduct.

30. These actions by NMCD were clearly meant to discourage witnesses from testifying in person or by affidavit. It is a clear case of witness intimidation.

31. Counsel for PLAINTIFFS submitted a request for documents under the New Mexico Inspection of Public Records Act (IPRA) on October 25, 2023 for all evidence, including

video, related to the seizure of evidence. **EXHIBIT A.**

32. In violation of IPRA, NMCD has not provided the requested documents.

33. Counsel for PLAINTIFFS submitted a Notice of Claims (NOC) with spoliation language to NMCD on October 25, 2023 related to the unlawful seizure of the exhibits. **EXHIBIT B.**

34. Following the filing of the MF Sanctions, submission of the NOC, and IPRA request to NMCD, NMCD returned the seized documents under the pretense that they were accidentally seized going so far as to mislabel the seized documents as “2023.10.26-NMDC-Documents found with Inmate Suicide Prevention Documentation”. **EXHIBIT C.**

35. Following the filing of *Boucher, et al* and the MF Sanctions, NMCD has engaged in a campaign of intimidation against Sgt. Baca and witnesses.

36. Sonja Boucher, plaintiff to *Boucher, et al*, suffered such extreme retaliation, harassment, and intimidation, she was forced to leave NMCD.

37. Other witnesses to the facts set forth in *Boucher, et al* have suffered intimidation as well.

38. Intimidation of a witness is a violation of [N.M. Stat. Ann. § 30-24-3](#) and [N.M. Stat. Ann. § 30-16-9](#) and is actionable [N.M. Stat. Ann. § 30-42-6](#).

39. Sgt. Baca has suffered constant harassment, intimidation, and retaliation since the filing of *Boucher, et al* culminating with demotion from Sergeant to Correctional Officer 1 on January 12, 2024.

40. The demotion is currently on appeal to the NM State Personnel Office, Adjudication Division.

41. The demotion pending appeal is a violation of NMCD Policy CD-037801 which states:

“Employees on permanent status have the right to request or exhaust grievance and appeals procedures, including an open and formal hearing, prior to their termination or demotion...”

42. Sgt. Baca alerted Sandra Jensen, Human Resources Manager for CNMCF, of the fact that NMCD policies prohibited demotion pending appeal. Despite the above policy, NMCD has refused reinstatement pending Sgt. Baca’s Appeal to the State Personnel Board.

43. NMCD has continued to harass, intimidate, and retaliate against Sgt. Baca.

44. Intimidation of witnesses also continues.

45. Sgt. Baca has suffered enormous emotional distress with physical manifestations related to the unrelenting intimidation, retaliation and exposure to constant risks of harm due to the recklessness and vindictiveness of NMCD.

COUNT I: VIOLATION OF THE NEW MEXICO
WHISTLEBLOWER PROTECTION ACT

46. Each paragraph of this Complaint is incorporated as if fully restated herein.

47. The facts set forth above are in clear violation of the New Mexico Whistleblower Protection, §§ 10-16C-1 — 10-16C-6.

48. The actions and inactions of NMCD, NMCD, acting by and through its employees, staff and agents, set forth above are in direct retaliation for:

- a. Sgt. Baca’s reporting of dangerous conditions at CNMCF,
- b. Sgt. Baca’s involvement in *Boucher, et al.*
- c. Sgt. Baca’s good faith reporting of unlawful and/or improper acts leading to the aforementioned dangerous conditions at CNMCF.

49. Sgt. Baca has suffered the following injuries and damages:

- a. Loss of position and rank as Sergeant with NMCD.
- b. Lost wages as a result of unlawful termination.
- c. Severe and ongoing emotional distress related to harassment, intimidation, and retaliation related to his protected Whistleblower activities.
- d. Loss of reputation as a result of NMCD's constant attacks on his character, job performance, leadership, compliance with policies and procedures, and other slanderous activity by NMCD against Sgt. Baca.

50. Sgt. Baca continues to suffer harassment, intimidation, and retaliation as do witnesses which is causing Sgt. Baca unbearable emotional distress.

51. The actions and inactions of NMCD, acting by and through its employees, staff and agents, are extreme, conscience shocking and intentional.

52. The actions and inactions of NMCD, acting by and through its employees, staff and agents, are intended to cause severe emotional distress with the intent of driving Sgt. Baca out of NMCD as it did with Sonja Boucher.

53. The actions and inactions of NMCD, acting by and through its employees, staff and agents, were concerted in nature involving numerous NMCD supervisory employees.

54. NMCD was and remains complicit in allowing the concerted action of its employees in past and ongoing harassment, intimidation, and retaliation against Sgt. Baca and witnesses.

55. The actions and inactions of NMCD, acting by and through its employees, staff and agents, are the direct and proximate cause of Sgt. Baca's injuries and damages.

IV. RELIEF REQUESTED

WHEREFORE, Plaintiffs request judgment as follows:

A. All damages as allowable under [N.M. Stat. Ann. § 10-16C-4](#) to included:

1. Immediate reinstatement to Sergeant,
2. Two times the amount of back pay with interest on the back pay,
3. Compensation for any special damages, and
4. Attorneys' fees and costs.

B. Such other and further relief as the court deems just and proper.

Respectfully Submitted:

COLLINS & COLLINS, P.C.

/s/ *Parrish Collins*

Parrish Collins

Francheska Bardacke

P. O. Box 506

Albuquerque, NM 87103

(505) 242-5958

parrish@collinsattorneys.com

THIS IS TO CERTIFY that on this 1st day of March, 2024 a copy of the foregoing pleading was filed electronically through the Odyssey File/Serve System, which caused all parties to be served by electronic means.

/s/ Parrish Collins
Parrish Collins

COLLINS & COLLINS, P.C.

Attorneys at Law
P. O. Box 506
Albuquerque, NM 87103
Telephone: (505) 242-5958 Fax (505) 242-5968

October 25, 2023,

Via Fax and Email

Office of General Counsel
Mark Lovato
New Mexico Corrections Department
P.O. Box 27116
Santa Fe, NM 87502-0116

Fax: (505) 827-8533

***Email: Mark.Lovato@cd.nm.gov; and
Trisha.Cox@cd.nm.gov***

Via Email

Jessica Vigil Richards, Warden
Warden's Office
Central New Mexico Correctional
Facility
P.O. Drawer 1328
1525 Morris Road
Los Lunas, NM 87031-1328

Email: Jessica.vigil@cd.nm.gov

Via Fax and Email

Office of the Secretary
Alisha Tafoya Lucero
P.O. Box 27116
Santa Fe, NM 87502-0116

Fax: (505) 827-8533

Email: A.Tafoya@cd.nm.gov

Via Fax and Email

Risk Management Claims Bureau
P.O. Box 6850
Santa Fe, NM 87502

Fax: (505) 827-2969

Email: PAC.claims@state.nm.us

RE: Our clients: Sonja Boucher, Andress Martinez, Dominic Baca, and Leona Chavez
Subject: IPRA Request
Facility: Central New Mexico Correctional Facility (CNMCF)
Date of Incidence: 10/24/2023
Location of Interest: Los Lunas, Valencia County

Dear Records Custodian,

This is a request for public information under the Inspection of Public Records Act (IPRA). **Please send us an estimate of costs for provision of the requested records in advance. We will not pay exorbitant invoices.**

EXHIBIT A

DOCUMENT REQUEST

This is a request for public information under the Inspection of Public Records Act (IPRA). Please provide the following documents in their original electronic format as dictated by N.M. Stat. Ann. § 14-2-9(B):

A. A custodian shall provide a copy of a public record in electronic format if the public record is available in electronic format and an electronic copy is specifically requested. However, a custodian is only required to provide the electronic record in the file format in which it exists at the time of the request.

Please contact our offices in advance if GSD takes the position that the documents are not available in electronic format:

1. Please provide a full unredacted digital copy of the videos and all documents, Affidavits, Investigation reports, notes, and any information regarding the October 24, 2023, incident which occurred from 1:00 p.m. to 1:50 p.m. when Captain Misty Garly walked into the control room, confiscated all documents in the control room and took them to her office.
2. Please provide all unredacted video of the control room, Captain Misty Garly's office, and the hallway leading to and from the control room and Captain Misty Garly's office from 1:00pm until 1:50 pm.
3. Please provide all original documentation including affidavits and supporting documentation seized by Captain Misty Garly in the control room of CNMCF October 14, 2023, between 1:00pm and 1:25pm, which she then took to her office.
4. Please provide a full unredacted digital copy of any documentation in the control of Captain Misty Garly pertaining to all other correction officers at CNMCF, including, but not limited to, our clients Sonja Boucher, Andress Martinez, Dominic Baca, and Leona Chavez.

INSPECTION OF PUBLIC RECORDS ACT

Under IPRA, you must make these records available as quickly as possible, but no later than 15 days from this request as set forth in N.M. Stat. Ann. § 14-2-8 which states in full:

A. Any person wishing to inspect public records may submit an oral or written request to the custodian. However, the procedures set forth in this section shall be in response to a written request. The failure to respond to an oral request shall not subject the custodian to any penalty.

B. Nothing in the Inspection of Public Records Act shall be construed to require a public body to create a public record.

C. A written request shall provide the name, address and telephone number of the person seeking access to the records and shall identify the records sought with reasonable

particularity. *No person requesting records shall be required to state the reason for inspecting the records.*

D. A custodian receiving a written request *shall permit the inspection immediately or as soon as is practicable under the circumstances, but not later than fifteen days after receiving a written request.* If the inspection is not permitted within three business days, the custodian shall explain in writing when the records will be available for inspection or when the public body will respond to the request. The three-day period shall not begin until the written request is delivered to the office of the custodian.

E. In the event that a written request is not made to the custodian having possession of or responsibility for the public records requested, the person receiving the request *shall promptly forward the request to the custodian of the requested public records, if known, and notify the requester.* The notification to the requester shall state the reason for the absence of the records from that person's custody or control, the records' location and the name and address of the custodian.

F. For the purposes of this section, "written request" includes an electronic communication, including email or facsimile; provided that the request complies with the requirements of Subsection C of this section.

Thank you for your consideration of this matter.

Sincerely,

COLLINS & COLLINS, P.C.

/s/Francheska Bardacke

Parrish Collins
Francheska Bardacke
FB/mt

COLLINS & COLLINS, P.C.

Attorneys at Law
P. O. Box 506
Albuquerque, NM 87103
Telephone: (505) 242-5958 Fax (505) 242-5968

October 25, 2023

**NOTICE OF TORT CLAIM AND CLAIMS UNDER THE NEW MEXICO CIVIL
RIGHTS ACT**

Via Fax and Email

New Mexico Corrections Department
P.O. Box 27116
Santa Fe, NM 87502-0116
Fax: (505) 827-8533
Email: Leslie.Garcia1@cd.nm.gov

Via Fax and Email

Risk Management Claims Bureau
P.O. Box 6850
Santa Fe, NM 87502
Fax: (505) 827-2969
Email: PAC.claims@state.nm.us

Via Fax and Email

Office of General Counsel
Mark Lovato
New Mexico Corrections Department
P.O. Box 27116
Santa Fe, NM 87502-0116
Fax: (505) 827-8533
**Email: Mark.Lovato@cd.nm.gov; and
Trisha.Cox@cd.nm.gov**

Via Email

Warden's Office
Jessica Vigil Richards
Central New Mexico Correctional Facility
P.O. Drawer 1328
1525 Morris Road,
Los Lunas, New Mexico 87031-1328
Email: Jessica.Vigil@cd.nm.gov

Via Fax and Email

Office of the Secretary
Alisha Tafoya Lucero
P.O. Box 27116
Santa Fe, NM 87502-0116
Fax: (505) 827-8533
Email: A.TafoyaLucero@cd.nm.gov

Our Client: Dominic Baca, in the matter of ***Boucher, et. al, v. NMCD, et al.***

D-101-CV02923-02209

Subject: Notice of Claims

Defendants: Central New Mexico Correctional Facility

Date of Incidence: On 10/24/2023

Location of Interest: Los Lunas, Valencia County

Notice of Claims and Demand for Preservation of Evidence Under Penalty of Spoliation

Gentlemen\Mesdames:

We are writing on behalf of the above captioned client and matters. This letter is intended to provide written notice to the above captioned parties under the Tort Claims Act, NMSA 1978, §§ 41-4-1 to -4-27 and the New Mexico Civil Rights Act regarding the actions and inaction of the Central New Mexico Correctional Facility (and their employees, staff contractors and other agents) for the reckless, grossly indifferent disregard for the civil rights and safety of Dominic Baca and other parties to this matter outlined below.

Facts:

Mr. Baca was sitting in the control room with affidavits on the table, he stepped out of the room for lunch, and Captain Misty Garly came in at 1:13pm, then confiscated all affidavits with supporting documentation from the table at 1:23pm and took all documentation back to her office at 1:39pm.

The actions and inactions of Central New Mexico Correctional Department is in plain violation of the New Mexico Civil Rights Act, §1983, obstruction of justice, confiscation and/or destruction of evidence, and intimidation of witnesses.

Preservation of Evidence:

Under the laws prohibiting spoliation of evidence, please take all necessary steps to preserve the following evidence associated with the subject incident:

1. All correctional officer daily logs for 10/24/2023 for any officer assigned to any cell(s), pod(s) or unit(s) where for DOMINIC BACA.
2. All videos of the CNMCF control room in which DOMINIC BACA was in for the time period of 1pm to 1:50pm, and all videos of Misty Garly's office from 1pm to 1:50pm on 10/24/2023, along with all videos of the hallways leading to and from the control room and Misty Garly's office from 1pm to 1:50pm.

3. Any other "Writings, Records and Photographs" as defined under Rule 11-1001 of the New Mexico Rules of Evidence:
 - a. A "writing" consists of letters, words, numbers, or their equivalent set down in any form.
 - b. "recording" consists of letters, words, numbers, or their equivalent recorded in any manner.
 - c. "photograph" means a photographic image or its equivalent stored in any form.
4. Any paper or electronic files and other data generated by and/or stored on your computers and storage media (e.g., hard disks, floppy disks, backup tapes), or any other electronic data, such as voice mail in connection with the subject incident. All electronic records must be maintained and preserved even if there are hard copy printouts of said records.
5. All written notes, recordings, meeting minutes, written correspondence of any kind, witness interviews, witness statements, reports to regulatory authorities and any other writing related to or associated with or related to DOMINIC BACA, SONJA BOUCHER, ANDRESS MARTINEZ, and LEONA CHAVEZ.

Please also preserve all items above in the original electronic format in which they are entered, created, stored, maintained, and archived.

Please contact us should you have any questions. Thank you for your consideration of this matter.

Sincerely,

COLLINS & COLLINS, P.C.

/s/ Francheska Bardacke

Francheska Bardacke

FB/jl

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT

AFFIDAVIT

STATE OF _____)
)ss.
COUNTY OF _____)

I, Jordin Cordova, after first being duly sworn upon my oath, do hereby depose and state as follows:

1. I am over the age of eighteen, am competent to testify, and have personal knowledge of the matters set forth herein.
2. I am presently employed by the New Mexico Department of Corrections at the Central New Mexico Correctional Facility.
3. My tenure with the New Mexico Department of Corrections spans from February 2, 2013, to the current date.
4. During my service, I have held positions as a Correctional Officer 1 and later as a Sergeant.
5. Throughout my service, I have observed and experienced perilous and insecure working conditions due to understaffing at the CNMCF Facility.
6. In my capacity as a Sergeant, my designated rover, who conducts essential security and welfare checks on inmates, has been reassigned. This rover was the sole individual assigned for these checks, which forced me to deviate from my core duties to fill this role.
7. When on Master Control duty, I often manage multiple responsibilities. This includes operating the entrance gate, verifying individuals coming in and out – a full-time equivalent (FTE) task – and managing B-Control, which handles access between inmate housing and the exterior, another FTE responsibility. Alongside these, I manage inmate housing transfers

and releases, duties that require utmost precision. Any errors on my part would lead to disciplinary action.

8. Despite my reservations about working overtime on Sundays due to religious commitments, I have been mandated to work on this day. This obligation has hindered my ability to attend church services, a practice I deeply value. This imposition has even resulted in disciplinary actions against me, which I believe contravenes EEOC Title 7.
9. I have been informed by my superiors that they are not bound by the stipulations of EEOC Title.
10. They have further communicated that my refusal to work overtime for religious reasons could lead to my termination.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing document are true.

FURTHER AFFIANT SAYETH NAUGHT.

JORDIN CORDOVA

SUBSCRIBED AND SWORN to before me on this ____ day of ___, 20__, by

NOTARY PUBLIC

My Commission Expires:

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT

AFFIDAVIT

STATE OF _____)
)ss.
COUNTY OF _____)

I, Justin Dale, after first being duly sworn upon my oath, do hereby depose and state as follows:

1. I am over the age of eighteen, am competent to testify, and have personal knowledge of the following.
2. I am a current employee of the New Mexico Department of Corrections at the Central New Mexico Correctional Facility.
3. I have been employed by the New Mexico Department of Corrections from August 2006 to the present.
4. During my tenure, I served in the capacities of Correctional Officer 1, Sergeant, and Lieutenant.
5. I have observed that the department often shows disregard for ensuring that shifts have adequate staffing.
6. Staff and inmate safety appear to be secondary concerns, and employees often face disciplinary actions for hesitating to carry out orders, which has severely impacted my job satisfaction and personal life.
7. My tenure at the facility has had adverse effects on both my mental and physical health.
8. The current trajectory of the facility's administration suggests that serious incidents, akin to the 1980 riots, might be imminent.

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT

AFFIDAVIT

STATE OF _____)
)ss.
COUNTY OF _____)

I, Christopher M. Rios, after first being duly sworn upon my oath do hereby depose and state as follows:

1. I am over the age of eighteen, am competent to testify, and have personal knowledge of the following.
2. I am a current employee of New Mexico Department of Corrections at the Central New Mexico Correctional Facility.
3. I have worked for Central New Mexico Correctional Facility since August 2003.
4. While employed for Central New Mexico Correctional Facility, I served as Sergeant.
5. Throughout my 20-year service, the current period is when I've felt the most unsafe.
6. The facility, among others statewide, deteriorated significantly in terms of safety beginning in 2019. Before that year, staffing was adequate. My estimate indicates a current shortfall of around 180 officers.
7. The medical department has also been adversely affected.
8. The safety of staff, the public, and the inmates we swore to protect is compromised.
9. On paper, there doesn't seem to be a significant staff shortage, but in reality, we are heavily understaffed.
10. This staffing issue results in officers being spread too thin.
11. Rather than overseeing one housing unit, officers now manage two or sometimes

even more.

12. Posts that previously had 6-8 officers now only have 3-4.
13. This has led to officers multitasking in areas they shouldn't be, such as pod officers managing control points, conducting rounds, and sometimes even medical visits happening without any officer present.
14. The influx of violent inmates combined with the staffing crisis has escalated the risk.
15. Overworking goes unnoticed and unappreciated.
16. Instead of recruitment, the department focuses on punitive measures.
17. The fear of reprisals or even loss of life is real and persistent.
18. Exhaustion is rampant, which only exacerbates unsafe conditions.
19. To illustrate, in 2019 there were approximately 18 officers in RDC, whereas today only 3-5 officers cover the same workload.
20. In emergency situations, we might only muster 3 responders when previously up to 10 officers would respond.
21. The inmates are privy to our staffing crises, facilitating an increase in contraband.
22. Due to this, assaults on staff and between inmates have risen.
23. Nothing substantial is being done to improve conditions.
24. In my experience, I was removed from a critical security post due to dubious reasons.
25. This wasn't an isolated incident; it's a recurring issue.
26. Post-removal, I experienced unwarranted mistreatment and retaliation.
27. My sole desire is to ensure fair and safe working conditions for all my colleagues

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing document are true.

FURTHER AFFIANT SAYETH NAUGHT.

CHRISTOPHER M. RIOS

SUBSCRIBED AND SWORN to before me on this ____ day of ____, 20__, by

NOTARY PUBLIC

My Commission Expires:

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT

AFFIDAVIT

STATE OF _____)
)ss.
COUNTY OF _____)

I, Jesus Bosques, after first being duly sworn upon my oath, do hereby depose and state as follows:

1. I am over the age of eighteen, am competent to testify, and have personal knowledge of the following.
2. I am a current employee of the New Mexico Department of Corrections at the Central New Mexico Correctional Facility.
3. I have been employed by the New Mexico Department of Corrections at the Central New Mexico Correctional Facility from October 2016 to the present.
4. During my tenure, I served in the capacity of CO1.
5. As a Corrections Officer, I have witnessed and been a part of dangerous and unsafe working conditions due to understaffing at the CNMCF Facility.
6. A specific instance I can attest to is the mandatory shutdown of my post in mental health.
7. This shutdown rendered the environment extremely unsafe for inmates and staff as no rounds were conducted.
8. On several occasions, I've observed officers conducting rounds in various units because of understaffing.
9. There have been times when I was left alone at the hospital with an inmate due to this understaffing.

EXHIBIT C

10. I am a member of the CERT team.

11. I have been activated as a part of the CERT team to cover hospital posts because of staffing shortages.

12. Given these circumstances, I harbor serious concerns for the safety of myself, my colleagues, the general public, and the inmates.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing document are true.

FURTHER AFFIANT SAYETH NAUGHT.

JESUS BOSQUES

SUBSCRIBED AND SWORN to before me on this ____ day of ____, 20__, by

NOTARY PUBLIC

My Commission Expires:

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT

AFFIDAVIT

STATE OF _____)
)ss.
COUNTY OF _____)

I, Eulogio Almagor Jr., after first being duly sworn upon my oath, do hereby depose and state as follows:

1. I am over the age of eighteen, am competent to testify, and have personal knowledge of the matters set forth herein.
2. I have previously worked for The New Mexico Department of Corrections.
3. My tenure with The New Mexico Department of Corrections spanned from 7-14-2008 to 9-26-2023.
4. During this period, I served in the capacity of CO-1.
5. I have been responsible for operating controls, serving as a rover, facilitating transports to other prisons, and managing other related duties.
6. In the past year, due to a shortage of officers, there have been instances where I had to oversee my unit without the support of a rover. This poses a risk to the inmates as they may lack prompt assistance in emergencies.
7. On numerous occasions, only 1 or 2 officers were present to manage the units in the main compound, marking a decline in security.
8. The facility, due to these circumstances, has turned into an unsafe working environment.
9. In the event of a serious incident, the current staff would lack the necessary backup support.
10. Given the conditions, there's a genuine risk that our medical team could face harm while

trying to assist officers during emergencies.

11. The officer team is under immense stress due to staffing shortages, resulting in many officers working extended 16-hour shifts multiple times a week.

12. Considering the prevailing conditions, it seems inevitable that officers may face injuries in the line of duty.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing document are true.

FURTHER AFFIANT SAYETH NAUGHT.

EULOGIO ALMAGOR JR.

SUBSCRIBED AND SWORN to before me on this ____ day of ____, 20__, by

NOTARY PUBLIC

My Commission Expires:

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT

AFFIDAVIT

STATE OF _____)
)ss.
COUNTY OF _____)

I, Frank Navarette, after first being duly sworn upon my oath do hereby depose and state as follows:

1. I am over the age of eighteen, am competent to testify, and have personal knowledge of the following.
2. I am a current employee of New Mexico Department of Corrections at the Central New Mexico Correctional Facility.
3. I have worked for Central New Mexico Correctional Facility since 2013.
4. While employed for Central New Mexico Correctional Facility, I served as Sergeant.
5. On numerous occasions, I have been reassigned from my designated post to support areas that are under-staffed due to an overall shortage of personnel.
6. There have been situations where a single officer is left in charge of two units, potentially overseeing up to 48 inmates, essentially doing the work meant for three officers.
7. Such a ratio poses significant risks as it places one officer in charge of many inmates, some of whom harbor resentment towards security staff, believing them to be the reason for their incarceration and wanting to inflict harm.
8. This issue of being pulled from designated posts to fill gaps due to staff shortages is a challenge faced by every officer.

9. The administration should focus on supporting and aiding line staff instead of demoralizing them.
10. There's an urgent need for the recruitment of new staff and retention strategies to encourage the existing staff to continue working at the facility.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing document are true.

FURTHER AFFIANT SAYETH NAUGHT.

FRANK NAVARETTE

SUBSCRIBED AND SWORN to before me on this ____ day of ____, 20__, by

NOTARY PUBLIC

My Commission Expires:

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT

AFFIDAVIT

STATE OF _____)
)ss.
COUNTY OF _____)

I, Michael Mardanes, after first being duly sworn upon my oath do hereby depose and state as follows:

1. I am over the age of eighteen, am competent to testify, and have personal knowledge of the following.
2. I am a current employee of New Mexico Department of Corrections at the Central New Mexico Correctional Facility.
3. I have been employed at the Central New Mexico Correctional Facility since January 20, 2017, and continue to work there to this day.
4. While employed for Central New Mexico Correctional Facility, I have served in the capacity of Corrections Officer 1.
5. I, Correctional Office Michael Mardones have witnessed and been a part of the dangerous work environment due to short staffing. This leaves the public, employees and inmates at risk.
6. The New Mexico Department of Corrections has not taken adequate measures to recruit and retain staff, leaving the entire facility and the public at heightened risk.
7. Weekly, and on multiple occasions, I have been reassigned from my primary post, often under threat of disciplinary actions, due to the lack of adequate staffing.
8. I've been frequently dispatched on emergency transports to hospitals, where I've

found myself alone with high-risk inmates (Level 3 or higher). This not only puts the public at risk but severely jeopardizes my personal safety.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing document are true.

FURTHER AFFIANT SAYETH NAUGHT.

MICHAEL MARDANES

SUBSCRIBED AND SWORN to before me on this ____ day of ____, 20__, by

NOTARY PUBLIC

My Commission Expires:

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT

AFFIDAVIT

STATE OF _____)
)ss.
COUNTY OF _____)

I, Albert Duran, after first being duly sworn upon my oath do hereby depose and state as follows:

1. I am over the age of eighteen, am competent to testify, and have personal knowledge of the following.
2. I am a current employee of New Mexico Department of Corrections at the Central New Mexico Correctional Facility.
3. I have worked for Central New Mexico Correctional Facility since August 14, 2014.
4. While employed for Central New Mexico Correctional Facility, I served as Sergeant.
5. Over the course of my employment, I have witnessed and been subject to multiple safety/policy violations.
6. These violations have taken place with the department's full knowledge of the problems at hand, with a complete lack of corrective action.
7. There is a lack of staff to correctly run the shift and the responsibilities of vacant posts being forced onto other staff to pick up the slack without any compensation.
8. The Master Control post is arguably one of the most crucial roles in the facility.
9. Master Control oversees all external agency communications, is accountable for all inmates in CNMCF custody, manages inmate transfers, and has several other vital responsibilities.

10. Given the role's importance, undivided attention is paramount.
11. Recently, facility administrators decided to terminate two mandatory security posts and reallocated their responsibilities to the Master Control Sergeant.
12. Traffic Control, the facility's primary security and defense line, is no longer manned. Its duties have been passed onto either the Master Control or the Vehicle Patrol – both of which have their primary responsibilities.
13. The second decommissioned post, B-Control, is essential for staff accountability and verification.
14. The absence of these two posts and the consequent overburdening of the Master Control Sergeant clearly compromises the facility's security. There's now no proper verification process for individuals entering or leaving the facility.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing document are true.

FURTHER AFFIANT SAYETH NAUGHT.

ALBERT DURAN

SUBSCRIBED AND SWORN to before me on this ____ day of ____, 20__, by

NOTARY PUBLIC

My Commission Expires:

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT

AFFIDAVIT

STATE OF _____)
)ss.
COUNTY OF _____)

I, Lisbet Carrasco, after first being duly sworn upon my oath, do hereby depose and state as follows:

1. I am over the age of eighteen, am competent to testify, and have personal knowledge of the matters contained herein.
2. I am currently employed by the New Mexico Department of Corrections at the Central New Mexico Correctional Facility.
3. During my tenure, I held the position of Correctional Officer 1.
4. As a Corrections Officer, I have observed and experienced the perilous and unsafe working conditions due to understaffing at the CNMCF Facility.
5. On numerous occasions, I have been placed in potentially hazardous situations while on duty, such as overseeing multiple units simultaneously.
6. There have been instances where all officers are reassigned to different locations, leaving only me and the shift commanders on the compound. In these scenarios, I am tasked with managing responsibilities for up to eight units at once, compromising my safety.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing document are true.

FURTHER AFFIANT SAYETH NAUGHT.

LISBET CARRASCO

SUBSCRIBED AND SWORN to before me on this ____ day of ____, 20__, by

NOTARY PUBLIC

My Commission Expires:

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT

AFFIDAVIT

STATE OF _____)
)ss.
COUNTY OF _____)

I, Israel Velasco, after first being duly sworn upon my oath do hereby depose and state as follows:

1. I am over the age of eighteen, am competent to testify, and have personal knowledge of the following.
2. I am a current employee of The New Mexico Department of Corrections at the Central New Mexico Correctional Facility.
3. I have worked for Central New Mexico Correctional Facility since September 18, 2010.
4. While employed for Central New Mexico Correctional Facility, I served as Correctional officer 1.
5. As of the current date, I am assigned to 2B control A shift nights.
6. During my time at CNMCF, I've identified multiple concerns:
 - a. There are maintenance issues in my unit, such as roofs that leak when it rains.
 - b. Some cell doors do not secure properly.
 - c. There are instances where no rovers are assigned.
 - d. The air system in the control is not functional.
 - e. Medical rounds are sometimes conducted as late as 8:45pm with minimal

staff on the compound when inmates should be secured in their cells.

7. On September 30, 2023, I was tasked with managing the LTCU control and serving as the rover simultaneously.
8. During this shift, I was offsite for MHTC A Pod and observed that no officers were assigned to supervise a 4-point restraint and a rubber room inmate.
9. This meant I had to supervise A pod inmates and the 4-point/rubber room inmate simultaneously.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing document are true.

FURTHER AFFIANT SAYETH NAUGHT.

ISRAEL VELASCO

SUBSCRIBED AND SWORN to before me on this ____ day of ___, 20__, by

NOTARY PUBLIC

My Commission Expires:

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT

AFFIDAVIT

STATE OF _____)
)ss.
COUNTY OF _____)

I, Ben Soto, after first being duly sworn upon my oath do hereby depose and state as follows:

1. I am over the age of eighteen, am competent to testify, and have personal knowledge of the following.
2. I am a former employee of The New Mexico Department of Corrections at Central New Mexico Correctional Facility.
3. I worked for Central New Mexico Correctional Facility from November 21, 2011 to September 18, 2023.
4. While employed for Central New Mexico Correctional Facility, I served as Correctional officer 1.
5. As the LTCU rover, I have witnessed understaffing by Wexford medical personnel.
6. Medical nurses have been compelled to do tech MRI Pod due to the lack of medical assistants.
7. Medical staff were required to handle biohazard laundry.
8. There's a notable nursing staff shortage.
9. I observed discrepancies like regular trays being substituted for inmate medical trays or dental trays.
10. I noticed diabetes trays that aren't compliant with a diabetic diet.

11. Several inmate medical appointments were cancelled because of the insufficient transfer staff.
12. In my role as LTCU rover, I've had to manage both the control and rover posts, which exposes me to danger.
13. In a hospital post, I've been responsible for overseeing Level 3 or higher inmates on my own.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing document are true.

FURTHER AFFIANT SAYETH NAUGHT.

BEN SOTO

SUBSCRIBED AND SWORN to before me on this ____ day of ____, 20__, by

NOTARY PUBLIC

My Commission Expires:

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT

AFFIDAVIT

STATE OF _____)
)ss.
COUNTY OF _____)

I, Chad Buck, after first being duly sworn upon my oath, do hereby depose and state as follows:

1. I am over the age of eighteen, am competent to testify, and have personal knowledge of the matters set forth herein.
2. I am currently employed by the New Mexico Department of Corrections at the Central New Mexico Correctional Facility.
3. I have been employed by the New Mexico Department of Corrections at the Central New Mexico Correctional Facility since 2012 and continue to work there to this day.
4. During my tenure, I have served in the capacity of Sergeant.
5. I have personally witnessed and experienced the dangerous and unsafe working conditions at the CNMCF Facility due to understaffing.
6. The lack of sufficient staffing has resulted in increased responsibilities, workload, and mandatory overtime on a daily basis.
7. A key position in the NMCD, master control, has extensive responsibilities, which include radio communications, maintaining logs, and ensuring accurate inmate counts across all units in CNMCF.
8. Additionally, master control is tasked with performing both routine and emergency counts, managing inmate transport (including medical and emergency transfers), and facilitating

inmate housing.

9. Master control is now also in charge of security for traffic moving in and out of both the prison facility and B-Control (the compound). This divided attention compromises the execution of their primary duties, raising significant security concerns.
10. On multiple occasions, officers, myself included, have been placed in situations where we oversee multiple units or work in hospital settings without adequate support staff.
11. Mandatory posts have been at times closed down to meet the needs of other mandatory or even non-mandatory posts.
12. To make up for a lack of physical officer presence, security cameras have been placed in critical security areas.
13. I have faced informal reprimands and have been removed from my designated post without receiving any formal documentation.
14. Instead of adhering to policies as written, they are often subjectively interpreted by supervisors.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing document are true.

FURTHER AFFIANT SAYETH NAUGHT.

CHAD BUCK

SUBSCRIBED AND SWORN to before me on this ____ day of ____, 20__, by

NOTARY PUBLIC

My Commission Expires:

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT

AFFIDAVIT

STATE OF _____)
)ss.
COUNTY OF _____)

I, Vieonka Mendoza, after first being duly sworn upon my oath do hereby depose and state as follows:

1. I am over the age of eighteen, am competent to testify, and have personal knowledge of the following.
2. I am a current employee of New Mexico Department of Corrections at the Central New Mexico Correctional Facility.
3. I have worked for Central New Mexico Correctional Facility since October 17, 2020
While employed for Central New Mexico Correctional Facility, I served as Correctional officer.
4. I have been assigned to 5A Rover on A-graves.
5. It is my belief that the Department of Corrections is not adequately supporting its officers.
6. Due to the severe understaffing, I have experienced overwhelming stress.
7. I fear for my safety and the safety of my colleagues.
8. There have been occasions where I was responsible for supervising multiple units simultaneously.
9. At times, I had to oversee the entire compound on my own.
10. Being a female officer, overseeing dozens of inmates and escorting them to the

clinic alone, poses significant safety concerns.

11. I have been pulled from my designated post.
12. I have had to manage responsibilities across four units.
13. This has made it challenging to complete my hourly rounds in a timely manner due to the excessive workload.
14. Given the circumstances, I constantly worry about the well-being of inmates under my watch.
15. I am concerned about the potential repercussions on my job if any issues arise.
16. It is nearly impossible to carry out my duties fully and efficiently under these conditions.
17. In the event of an emergency or altercation, the facility lacks the necessary number of officers for a prompt response.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing document are true.

FURTHER AFFIANT SAYETH NAUGHT.

VIEONKA MENDOZA

SUBSCRIBED AND SWORN to before me on this ____ day of ___, 20__, by

NOTARY PUBLIC

My Commission Expires:

EXHIBIT C

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT

AFFIDAVIT

STATE OF _____)
)ss.
COUNTY OF _____)

I, J. William, after first being duly sworn upon my oath do hereby depose and state as follows:

1. I am over the age of eighteen, am competent to testify, and have personal knowledge of the following.
2. I am a current employee of New Mexico Department of Corrections at Central New Mexico Correctional Facility.
3. I have worked for Central New Mexico Correctional Facility since 2010.
4. While employed for Central New Mexico Correctional Facility, I served as Correctional officer 1.
5. I hold the conviction that safety and security are paramount in a correctional environment.
6. Throughout my service, there have been numerous instances where I was reassigned from mandatory posts, such as the Tower, which supervises the prison's external perimeter.
7. Often, external posts are closed to ensure the staffing of essential internal positions.
8. Non-compliance with these reassignments would result in disciplinary actions against officers.
9. There have been numerous instances where officers are compelled to undertake

tasks meant for multiple personnel.

10. For example, a single rover is often responsible for security checks across 2 to 3 compounds, each housing 48 inmates, within a tight timeframe.
11. Such conditions pose security risks to officers, inmates, and the general public.
12. On certain occasions, I was directed to conduct security rounds in a unit as a control officer, necessitating the opening of all pod doors.
13. This protocol also involved access to the main control unit which stores weaponry and explosives meant for incident responses.
14. The work conditions are characterized by excessive workload, inadequate compensation, and a general absence of safety.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing document are true.

FURTHER AFFIANT SAYETH NAUGHT.

PRINTED NAME

SUBSCRIBED AND SWORN to before me on this ____ day of ___, 20__, by

NOTARY PUBLIC

My Commission Expires:

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT

AFFIDAVIT

STATE OF _____)
)ss.
COUNTY OF _____)

I, Jonathan Garcia, after first being duly sworn upon my oath do hereby depose and state as follows:

1. I am over the age of eighteen, am competent to testify, and have personal knowledge of the following.
2. I am a current employee of New Mexico Department of Corrections at the Central New Mexico Correctional Facility.
3. I have worked for Central New Mexico Correctional since April 18, 2009.
4. While employed for Central New Mexico Correctional Facility, I served as Corrections Officer, Maintenance Officer, Recreational Officer.
5. I have dedicated 14 years of service to the Central New Mexico Corrections Department.
6. Over this period, I have worked across three distinct departments.
7. Repeatedly during my career, I've been reassigned from my primary duties to cover other posts due to staffing shortages at CNMCF.
8. Many of my colleagues have faced similar reassignments, creating an environment that compromises our safety.
9. Despite the inherent risks associated with correctional facilities, our working conditions fail to uphold basic safety standards.

10. On multiple occasions, I've observed doors held by broomsticks.
11. The facility's main entrance has been left unattended far too often.
12. I have witnessed colleagues perform rounds in units where doors are insecure, even with inmates housed within.
13. The prevailing working conditions at the department contribute to a hostile environment, which in turn adversely impacts staff morale.
14. If the department's current practices persist, I anticipate further deterioration in staff morale, increased safety concerns, challenges in staff retention, and funding issues, unless significant changes are implemented.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing document are true.

FURTHER AFFIANT SAYETH NAUGHT.



JONATHAN GARCIA

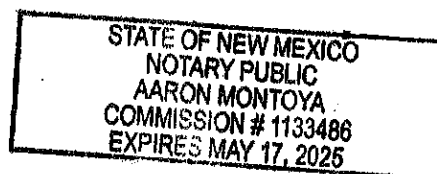
SUBSCRIBED AND SWORN to before me on this 24 day of 10, 2023 by
Jonathan Garcia



NOTARY PUBLIC

My Commission Expires:

May 17, 2025



STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT

AFFIDAVIT

STATE OF _____)
)ss.
COUNTY OF _____)

I, Mason Cuaron, after first being duly sworn upon my oath, do hereby depose and state as follows:

1. I am over the age of eighteen, am competent to testify, and have personal knowledge of the matters contained herein.
2. I am presently employed by the New Mexico Department of Corrections at the Central New Mexico Correctional Facility.
3. I have been employed by the New Mexico Department of Corrections from April 2023 to the present.
4. During my tenure, I held the position of Correctional Officer 1.
5. As a novice in the role and as a mentee before attending the academy, senior officials directed me to supervise units alone despite not being certified. This was due to staffing shortages. The fear of retaliation and possible dismissal compelled me to oblige, leading to undue stress and anxiety, which also affected my family.
6. I regularly notice that the primary entrance and exit remain unmanned. This poses a severe risk to the public, staff, especially being adjacent to a major freeway and expansive housing developments.
7. There have been numerous instances where my colleagues have been reassigned from essential positions to cover other duties.

EXHIBIT C

8. Officers are often threatened with disciplinary actions or reprimands for not adhering to these demands, even when they conflict with established policies.
9. Inmates with mental health concerns are sometimes supervised by fellow inmates who also have mental health issues.
10. Based on my limited tenure, I believe the department's approach to management is compromising the facility's safety for the general public and staff. Without intervention, I foresee the situation deteriorating.
11. The chronic understaffing has led officers, including myself, to juggle multiple roles, jeopardizing the safety of officers, other staff, and inmates.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing document are true.

FURTHER AFFIANT SAYETH NAUGHT.



MASON CUARON

SUBSCRIBED AND SWORN to before me on this 23rd day of 10, 2023 by
Mason Cuaron



NOTARY PUBLIC

My Commission Expires:

May 17, 2025

STATE OF NEW MEXICO
NOTARY PUBLIC
AARON MONTOYA
COMMISSION # 1133486
EXPIRES MAY 17, 2025

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT

AFFIDAVIT

STATE OF _____)
)ss.
COUNTY OF _____)

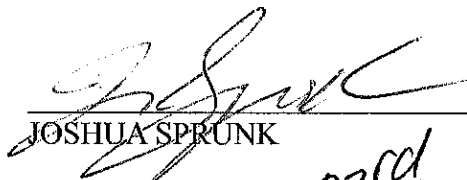
I, Joshua Sprunk, after first being duly sworn upon my oath do hereby depose and state as follows:


1. I am over the age of eighteen, am competent to testify, and have personal knowledge of the following.
2. I am a current employee of The New Mexico Department of Corrections at Central New Mexico Correctional Facility.
3. I have worked for Central New Mexico Correctional since November of 2021.
4. While employed for Central New Mexico Correctional Facility, I served as Correctional officer.
5. Throughout my employment, there were instances when I was removed from mandatory posts, including:
 - a. Mandatory rover posts
 - b. Level 2 vehicle patrols
 - c. Main vehicle patrol 9150
 - d. DVE.
6. I believe such decisions put both the facility and the general public at risk.
7. I have faced disciplinary actions, including being written up, for refusing to comply with such changes due to safety concerns.

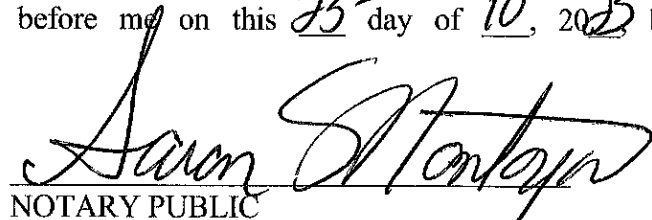
8. There were instances when I was sent home for not complying with directives provided by superiors.
9. I feel my safety isn't prioritized by my superiors.
10. The ongoing situation adversely affects my mental health.
11. It also impacts my physical health and disrupts my home life, particularly with my wife and child.
12. One significant factor affecting my well-being is the excessive forced overtime.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing document are true.

FURTHER AFFIANT SAYETH NAUGHT.

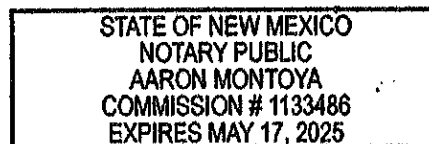

JOSHUA SPRUNK

 SUBSCRIBED AND, SWORN to before me on this 23rd day of 10, 2023 by
~~JOSEPH~~ JOSHUA SPRUNK


NOTARY PUBLIC

My Commission Expires:

May 17, 2025



STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT

AFFIDAVIT

STATE OF _____)
)ss.
COUNTY OF _____)

I, Ricardo Ramirez, after first being duly sworn upon my oath do hereby depose and state as follows:

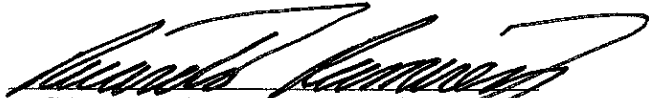
1. I am over the age of eighteen, am competent to testify, and have personal knowledge of the following.
2. I am a current employee of New Mexico Department of Corrections at the Central New Mexico Correctional Facility.
3. I have worked for Central New Mexico Correctional Facility since October 2011.
4. While employed for Central New Mexico Correctional Facility, I served as Sergeant.
5. I have been employed by NMCD since October 2011 and, in my 12 years with the department, have witnessed numerous changes that have jeopardized our safety.
6. Previously, there were three officers assigned when an inmate was transported to the hospital. Now, there are only two.
7. Upon the admission of an inmate to the hospital, only a single officer oversees the inmate.
8. On numerous occasions, only one Rover was available at multiple hospitals.
9. When multiple hospitals are staffed with a single Rover, officers often have to wait up to an hour for breaks.
10. Previously, the presence of two officers per inmate at hospitals avoided such delays.

and inmates.

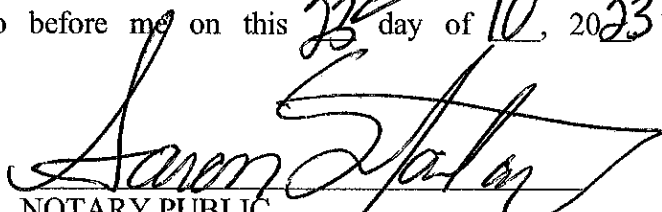
37. The administration's attempts to justify these staffing cuts and other cost-saving measures have created a hostile work environment for employees. It has led to increased workloads and stress levels for the remaining staff.
38. I have personally witnessed incidents in which officers were injured while attempting to save an inmate's life, such as when an inmate attempted to hang himself. Despite their heroic efforts, some of these officers continue to suffer from injuries that have left them unable to walk, and they were not given the opportunity to medically retire.
39. There have been instances where units in our facility have malfunctioned, resulting in officers being shocked. In one particular case, an officer had to undergo surgery due to injuries sustained from such an incident.
40. I am deeply concerned that the shortcuts being taken by the department in terms of staffing and safety measures are putting not only the staff but also the public at risk. If these issues persist, it has the potential to lead to dangerous situations within the facility, jeopardizing public safety.
41. It is not only our facility but also several other facilities across the state that are experiencing similar issues, making it clear that these problems are widespread and need urgent attention.

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing document are true.

FURTHER AFFIANT SAYETH NAUGHT.


RICARDO RAMIREZ

SUBSCRIBED AND SWORN to before me on this 23rd day of 10, 2023 by
Ricardo Ramirez


NOTARY PUBLIC

My Commission Expires:

May 17, 2025

