

**STATE OF NEW MEXICO
COUNTY OF COLFAX
EIGHTH JUDICIAL DISTRICT COURT**

REBECCA MARTINEZ,

Plaintiff,

v.

No.

**CORRECTIONAL OFFICER CHRISTOPHER
JAMES PADILLA, in his individual capacity;
FORMER WARDEN JOHN SANCHEZ, in
his individual capacity; FORMER DEPUTY
WARDEN CHRISTOPHER BIDDLE in his
individual capacity; and SECURITY CHIEF
ROBERT GONZALES, in his individual
capacity,**

Defendants.

COMPLAINT FOR VIOLATIONS OF CIVIL RIGHTS

Plaintiff Rebecca Martinez brings this Complaint for damages resulting from the deprivation of her civil rights under the Eighth, Fourth, and First Amendments to the United States Constitution pursuant to 42 U.S.C. Sections 1983 and 1988, and for spoliation of evidence. As grounds for this Complaint, Ms. Martinez alleges as follows.

INTRODUCTION

Women in state prisons are confined in an environment over which they have little to no control, making them especially vulnerable targets for predatory correctional officers, who are given profound authority and power over the women they are intended to guard and protect. As an officer at Springer Correctional Center (“SCC”), Christopher Padilla (“Defendant Padilla”) has the power to control where prisoners go, who they communicate with, what they eat, and whether they may be employed. He has the power to extend the time that women are locked up by taking away

their rightfully-earned good time credits. Most significantly, Defendant Padilla has the power to control whether women in SCC custody feel safe – or whether they are terrified and traumatized.

Defendant Padilla chose to use the power with which he was entrusted to abuse, harass, and terrorize Plaintiff Rebecca Martinez (“Ms. Martinez”). He used his position as her job supervisor to threaten her with extended incarceration if she refused his sexual advances or if she reported him. Defendant Padilla’s vulgar and illegal behavior forced Ms. Martinez to live in fear and caused her extreme emotional distress. Even after she was transferred from SCC, Ms. Martinez continued to suffer isolation, humiliation, and abuse at the hands of other prison employees and prisoners. Because she was confined in a state prison, there was no way for Ms. Martinez to escape the continued emotional impact of what Defendant Padilla did to her.

Defendant Padilla did not act alone. Each Defendant in this case actively fostered the culture at SCC that emboldened, enabled, and empowered Officer Padilla to sexually abuse and terrorize Ms. Martinez. When he did, SCC Defendants refused to punish him for his criminal acts or to take any action to prevent him from repeating his destructive behavior. In the months after Ms. Martinez reported Defendant Padilla, he sexually harassed, threatened, coerced, and assaulted several other women in SCC custody. Still, Defendants did nothing. Today, over two years after she reported his abuse, Ms. Martinez is forced to live with the knowledge that Defendant Padilla remains a correctional officer at SCC, where he continues to victimize the women confined there.

Every individual employed by the New Mexico Corrections Department (“NMCD”) had a constitutional, legal, and moral duty to care for Ms. Martinez and others in its custody and to protect them from violence and abuse. Defendants grievously failed to fulfill that responsibility. Sadly, Ms. Martinez’s story is not unique. Defendant Padilla’s blatant abuse of power and illegal conduct is symptomatic of the general culture and pattern in SCC of ignoring, dismissing, and

mishandling allegations of sexual abuse, and of retaliating against women who report such allegations. Defendants have created an environment at SCC where sexual abuse is normalized and dismissed, and women like Ms. Martinez suffer as a result. Ms. Martinez comes before the court to redress her injuries, to shed light on Defendants' wrongdoing, and to give voice to other women like her who have been unable to speak out.

PARTIES

1. During the incidents complained of herein, Plaintiff Rebecca Martinez was incarcerated at the Springer Correctional Center, located in Springer, Colfax County, State of New Mexico.

2. SCC is a state government entity, which at all material times employed Defendant Christopher James Padilla as a Correctional Officer, Defendant John Sanchez ("Defendant Sanchez") as the facility Warden, Defendant Christopher Biddle ("Defendant Biddle") as Deputy Warden, and Defendant Robert Gonzales ("Defendant Gonzales") as Chief of Security.

3. Ms. Martinez contends that at all material times Defendant Padilla was acting within the course and scope of his duties, and he is sued in his individual capacity.

4. Ms. Martinez contends that at all material times Defendant Sanchez was acting within the course and scope of his duties, and he is sued in his individual capacity.

5. Ms. Martinez contends that at all material times Defendant Biddle was acting within the course and scope of his duties, and he is sued in his individual capacity.

6. Ms. Martinez contends that at all material times Defendant Gonzales was acting within the course and scope of his duties, and he is sued in his individual capacity.

JURISDICTION AND VENUE

7. This Court has jurisdiction over the subject matter and parties to this action because New Mexico district courts are courts of general jurisdiction and have original jurisdiction in all

matters and causes which are not listed as exceptions in the New Mexico Constitution. N.M. Const. art. VI, § 13.

8. Venue is proper in this judicial district because the acts complained of herein occurred in Springer, Colfax County, New Mexico.

FACTUAL ALLEGATIONS

I. Defendant Padilla

9. Ms. Martinez arrived at SCC on October 4, 2016.

10. The following day, she began her job working on the evening shift in the prison kitchen.

11. On February 8, 2017, Ms. Martinez switched to the morning shift, which was supervised by Defendant Padilla.

12. On the morning shift, Ms. Martinez worked from approximately 4:00 a.m. to 1:00 p.m.

13. Immediately after Ms. Martinez switched onto his shift, Defendant Padilla began to make inappropriate sexual comments to her.

14. One day when Ms. Martinez went to Defendant Padilla's office to ask him a question about her job, Defendant Padilla grabbed her buttocks as she was leaving.

15. Ms. Martinez told Defendant Padilla, "Don't do that."

16. He just laughed and walked away.

17. In the months that followed, Defendant Padilla continued to make vulgar and inappropriate sexual comments to Ms. Martinez.

18. For example, Defendant Padilla said things like, "I want to touch your pussy" to Ms. Martinez while she was serving food.

19. A few days after he grabbed her butt, Ms. Martinez asked Defendant Padilla to unlock the walk-in refrigerator for her so that she could put away her kitchen cart.

20. Prisoners were not able to open the locked walk-in themselves and always needed a staff member to do it.

21. Defendant Padilla opened the walk-in for Ms. Martinez and she put her cart away.

22. But when she turned around to leave, Defendant Padilla stepped in front of the doorway, blocking her exit.

23. Defendant Padilla told Ms. Martinez that she had to do what he said, otherwise he could report her and say she was not doing her programming (her kitchen job).

24. He told her that he could write her up and take away her good time credits, which would extend the time she would have to remain behind bars.

25. Then Defendant Padilla, who continued to block her exit from the walk-in, demanded that Ms. Martinez show him her breasts.

26. He told her that if she showed him her breasts, he would not write her up.

27. Fearful that he would make good on his threat to take away her good time, Ms. Martinez lifted her shirt and showed her breasts to Defendant Padilla.

28. When Defendant Padilla finally stopped blocking the doorway, Ms. Martinez grabbed her jacket and left the kitchen for the day.

29. After he trapped and threatened her in the walk-in refrigerator, Defendant Padilla continued to make vulgar and increasingly aggressive sexual comments to Ms. Martinez while she was at work.

30. On several occasions, Defendant Padilla told Ms. Martinez that he wanted to take her somewhere where there were no cameras, such as the basement, so that he could have sex with her without getting in trouble.

31. One day while she was working in the kitchen line, Defendant Padilla told Ms. Martinez that he wanted to “bend [her] over the table and fuck [her].”

32. On another occasion, Defendant Padilla told Ms. Martinez, “You don’t know what I can do to you. I have a big dick. You probably wouldn’t know what to do with it.”

33. In early March 2017, Ms. Martinez went to Defendant Padilla’s office to retrieve a tool she needed for her work in the kitchen.

34. While she was sitting in the chair in his office, Defendant Padilla purposefully and deliberately rubbed his clothed penis against Ms. Martinez’s hand.

35. He then asked her, referring to his penis, “Do you like what you feel there?”

36. After he rubbed his genitals against her, Defendant Padilla told Ms. Martinez that he would probably get in trouble because it had been in view of the office security camera.

37. While she was working with him in the kitchen, Defendant Padilla told Ms. Martinez often and repeatedly that he would get her in trouble if she told anyone what he had done.

38. He told her that no one would believe her even if she did report him.

39. Ms. Martinez was afraid of the further abuse she might suffer at her job if she reported Defendant Padilla’s inappropriate and illegal conduct.

40. She feared that Defendant Padilla would retaliate against her by writing her up – just as he had threatened to do – if she reported him.

41. Ms. Martinez also felt embarrassed and ashamed about what Defendant Padilla had done.

42. She did not think anyone would believe her if she reported it, just as Defendant Padilla had said.

43. Ms. Martinez also knew that correctional officers often do not believe prisoners when they report misconduct by other officers and that they often retaliate against the prisoners who report.

44. In March, Defendant Padilla was promoted to Maintenance Supervisor for SCC.

45. In his new role as Maintenance Supervisor, Defendant Padilla could roam around with unfettered access to the entire prison facility.

46. As Maintenance Supervisor, Defendant Padilla was able to interact with prisoners one on one, without any supervision from other correctional officers or staff.

47. As a result, Ms. Martinez was still forced to see him almost every day, even though they no longer worked together.

48. On March 27, 2017, Ms. Martinez was discharged from her job in the kitchen for medical reasons unrelated to Defendant Padilla.

49. Once she was no longer working in the kitchen, Ms. Martinez finally felt safe enough to report the illegal and abusive behavior Defendant Padilla had engaged in when she was working under him.

50. Despite being afraid that Defendant Padilla would retaliate against her, Ms. Martinez felt compelled to report what he had done, partly in the hopes of preventing him from continuing to do the same to other women.

51. She first attempted several times to report Defendant Padilla's actions through the Prison Rape Elimination Act ("PREA") hotline, but the hotline did not work.

52. On March 29, 2017, Ms. Martinez reported Defendant Padilla to Lieutenant Correctional Officers Brashear and Rosenbarker.

53. Upon information and belief, Ms. Martinez is not the only woman whom Defendant Padilla sexually harassed, abused, threatened, coerced, and/or assaulted.

54. In fact, almost five months after its investigation into Ms. Martinez's case, the New Mexico Department of Public Safety ("DPS") investigated Defendant Padilla's alleged abuse of another woman housed at SCC, Christina Martinez.

55. As part of this investigation, DPS interviewed at least three other women, each of whom detailed the extensive ways in which Defendant Padilla had sexually harassed, abused, coerced, intimidated, assaulted, and battered them and others in SCC custody.

56. Upon information and belief, Defendant Padilla has not been subjected to adequate, if any, disciplinary action or consequences for victimizing the women he was responsible for protecting.¹

57. As the date of this filing, upon information and belief, Defendant Padilla is still employed as Maintenance Supervisor at SCC and continues to have unsupervised access to all SCC housing pods.

II. Retaliation Against Ms. Martinez for Reporting Sexual Assault

58. Ms. Martinez made her report in the evening of March 29, 2017. By the next morning, other women at SCC were already talking about her and the fact that she had reported Defendant Padilla for violations of PREA.

59. Some of the women were angry with her for having done so and at least one of them threatened her with physical violence.

60. When Ms. Martinez told Defendant Biddle that she feared for her safety, he did not take it seriously.

¹ Per NMCD Policy CD-150100, "[f]or matters of sexual abuse, termination should be the presumptive disciplinary sanction for staff who engaged in sexual abuse."

61. Inexplicably, Defendant Biddle told Ms. Martinez's mental health counselor that he had instructed some of his favored prisoners to protect Ms. Martinez.

62. In doing so, Defendant Biddle effectively admitted that he had breached his duty of confidentiality surrounding reports of sexual misconduct.

63. In order to have her fears taken seriously, Ms. Martinez was forced to speak with her counselor and also had to request to be placed on a mental health watch.

64. Additionally, about a week before Ms. Martinez made her report, she and several other women in her pod had been written up for failing to report to their early morning jobs.

65. This was the first write-up Ms. Martinez had ever received.

66. The SCC hearing officer dismissed these write-ups because prisoners do not have clocks in their cells and the housing unit manager who was responsible for waking the women up at 4 a.m. for their jobs had not done so.

67. Therefore, it had not been the prisoners' fault that they had failed to report to their jobs.

68. However, two days after Ms. Martinez made her report against Defendant Padilla, Defendant Biddle overruled the dismissal of Ms. Martinez's write-up.

69. This meant that Ms. Martinez no longer qualified as having "clear conduct," a status that affects whether prisoners get certain privileges.

70. It is extremely rare for Deputy Wardens to overrule the decisions of facility hearing officers.

71. Upon information and belief, Defendant Biddle took this action in retaliation for Ms. Martinez having reported Defendant Padilla.

72. On March 31, 2017, Ms. Martinez was transferred to Western New Mexico Correctional Facility ("WNMCF").

73. When she arrived, the correctional officers at WNMCF already knew that she had filed a PREA report against an officer at SCC.

74. For example, when she went to her unit manager's office to make a request, the unit manager told her "oh, you're the one from Springer with the PREA."

75. On another occasion, Ms. Martinez learned that an officer had told one of the prisoners that Ms. Martinez was "scandalous," and that the other woman should "watch out" and not talk to her because she had made a PREA allegation at SCC.

76. After having met with her attorney about her potential case against Defendant Padilla, Ms. Martinez began keeping a record of relevant dates on a calendar she had received from the prison chaplain.

77. However, WNMCF officers performed a shakedown of Ms. Martinez's cell, took the calendar, and threw it away.

III. Emotional Distress

78. Defendant Padilla's ongoing and unchecked abuse in her workplace caused Ms. Martinez to suffer trauma and emotional distress.

79. Ms. Martinez suffered emotional distress as a result of Defendant Sanchez, Biddle, and Gonzales's failure to protect her from being sexually abused by Defendant Padilla.

80. Before she began working on the kitchen morning shift, Ms. Martinez felt safe and socially engaged at SCC.

81. Defendant Padilla changed everything for her.

82. Defendant Padilla robbed Ms. Martinez of her sense of safety and her ability to develop trusting, supportive relationships.

83. Ms. Martinez experienced severe depression and insomnia as a result of the prolonged and serious abuse that she suffered.

84. Ms. Martinez lost over thirty pounds in three months as a result of her emotional distress.

85. As a result of Defendants' misconduct, deliberate indifference, and reckless disregard for her rights and wellbeing, Ms. Martinez no longer felt safe at SCC and she began to isolate herself.

86. Ms. Martinez became unable to attend her educational programs because of her acute emotional distress and fear of retaliation.

87. The trauma Ms. Martinez experienced was exacerbated by the fact that, even after Defendant Padilla was no longer perpetuating daily abuse against her in the kitchen, she was forced to see him on a regular basis, at unpredictable times, and without warning in his role as Maintenance Supervisor.

88. Ms. Martinez became so fearful and isolated that another prisoner, Melissa Perez, offered to escort her when she had to travel to different parts of the facility so that she would not be alone when she inevitably encountered Defendant Padilla.

89. Even after she reported his illegal conduct, Ms. Martinez's abuser remained in a position of significant power at SCC.

90. On March 31, 2017, because of the significant deterioration of her mental health, Ms. Martinez was reclassified and transferred to WNMCF.

91. In September 2017, a member of the WNMCF staff told her she would be transferred back to SCC.

92. The distress and anguish that Ms. Martinez had suffered at SCC was so severe that the prospect of returning drove her to cut her wrists.

93. As a result, she was placed on suicide watch.

IV. Enabling and Fostering a Culture of Sexual Abuse at SCC

94. Upon information and belief, Defendants have fostered a culture that emboldens and empowers correctional officers to use their positions of power to sexually abuse women in SCC custody.

95. Upon information and belief, sexual harassment, coercion, and assault by correctional officers at SCC frequently goes unreported because victims know that their grievances will not be taken seriously or investigated in good faith, and because the victims of sexual abuse are afraid that they will be retaliated against for reporting.

96. Additionally, upon information and belief, even after reporting sexual assaults and harassment by correctional officers, women in SCC custody are often forced to remain in close contact with and under the control of their abusers.

97. Further, upon information and belief, victims of sexual abuse in NMCD custody are often themselves punished for reporting or for allegedly having “inappropriate relationships” with their abusers.

98. Like Defendant Padilla, the offending officers are often serial offenders because they know that women cannot leave the facility and will remain under their control.

99. Serial offenders are further emboldened because they know that allegations against them will not be believed or taken seriously and that, like Defendant Padilla, they are unlikely to face consequences for their illegal and abusive behavior.

100. Defendants have fostered a sexually abusive culture by:

- a. negligently hiring, training, supervising, and retaining correctional officers who commit violence, harassment, and abuse against women in NMCD custody;
- b. failing to maintain sufficient camera placement around SCC and, upon information and belief, by purposefully erasing or failing to preserve security footage from existing cameras;
- c. failing to properly screen correctional officers entering SCC, allowing them to bring special items to curry favor with certain prisoners;
- d. failing to follow PREA protocols and procedures;
- e. refusing to keep prisoners' PREA complaints and grievances confidential, leaving victims open to retaliation and further harassment from correctional officers and other prisoners; and
- f. other acts and omissions in willful, deliberately indifferent, and/or reckless disregard of the constitutional rights of women in SCC custody.

101. The sexually abusive culture Defendants fostered at SCC emboldened and enabled Defendant Padilla to terrorize Ms. Martinez in her workplace for months without repercussion.

102. Upon information and belief, numerous SCC officers have been investigated by the state police for sexual misconduct involving women prisoners.

103. Upon information and belief, several other women at SCC have reported Defendant Padilla for sexual abuse in the two years since Ms. Martinez reported him.

104. The culture of sexual abuse at SCC poses a threat and risk of harm to the entire community of women who are imprisoned at the facility.

CAUSES OF ACTION

COUNT I: FALSE ARREST AND SEIZURE IN VIOLATION OF THE FOURTH AMENDMENT

Against Defendant Padilla

105. Ms. Martinez incorporates by reference all preceding paragraphs as though they were stated fully herein.

106. Ms. Martinez had the right to be free from false arrest and unreasonable seizure under the Fourth Amendment to the United States Constitution.

107. When Defendant Padilla blocked the door to the walk-in refrigerator in order to sexually harass, coerce, and intimidate Ms. Martinez, he physically prevented her from escaping a confined space.

108. When Defendant Padilla used his position of power as Ms. Martinez's programming supervisor to threaten her with a write up and more prison time, he likewise prevented her from making a physical escape.

109. Additionally, Defendant Padilla used his position of power to prevent Ms. Martinez from verbally protesting or calling out to others for assistance.

110. When Defendant Padilla sexually harassed, coerced, and threatened Ms. Martinez, he did not have a legitimate purpose for her detention.

111. Defendant Padilla's sexual harassment, sexual coercion, and threats violated Ms. Martinez's Fourth Amendment right to be free from false arrest and/or unreasonable seizure.

112. Defendant Padilla's actions were intentional, wanton, malicious, sadistic, and in gross and reckless disregard of, or deliberately indifferent to, Ms. Martinez's constitutional rights.

113. Defendant Padilla acted with the purpose of causing harm to and victimizing Ms. Martinez.

114. Defendant Padilla did not act with the purpose of achieving any legitimate goal.

115. Ms. Martinez suffered damages as a result of Defendant Padilla's conduct.

**COUNT II: CRUEL AND UNUSUAL PUNISHMENT IN VIOLATION OF THE
EIGHTH AMENDMENT
Against Defendant Padilla**

116. Ms. Martinez incorporates by reference all preceding paragraphs as though they were stated fully herein.

117. Ms. Martinez had a right to be free from cruel and unusual punishment under the Eighth Amendment to the United States Constitution.

118. Ms. Martinez had the right to be secure in her bodily integrity and free from sexual harassment and battery.

119. Defendant Padilla violated Ms. Martinez's Eighth Amendment rights when he used his position as a correctional officer to inflict cruel and usual punishment on her by sexually harassing, coercing, battering, and threatening her.

120. Defendant Padilla's acts were knowing, intentional, malicious, sadistic, willful, wanton, and in gross disregard of Ms. Martinez's constitutional rights.

121. Defendant Padilla acted with the purpose of causing harm to and victimizing Ms. Martinez.

122. Defendant Padilla did not act with the purpose of achieving any legitimate goal.

123. Ms. Martinez suffered damages as a result of Defendant Padilla's conduct.

**COUNT III: FAILURE TO PROTECT IN VIOLATION OF THE EIGHTH
AMENDMENT
Against Defendants Sanchez, Biddle, and Gonzales**

124. Ms. Martinez incorporates by reference all preceding paragraphs as though they were stated fully herein.

125. Ms. Martinez had the right to be protected from serious harm under the Eighth Amendment.

126. Defendant Padilla seriously harmed Ms. Martinez when he sexually harassed, coerced, threatened, and battered her in violation of the Fourth and Eighth Amendments.

127. Defendants Sanchez, Biddle, and Gonzales violated Ms. Martinez's Eighth Amendment right to bodily integrity and freedom from cruel and unusual punishment when they failed to protect her from sexual harassment, abuse, coercion, and battery.

128. Defendants failed to protect Ms. Martinez from sexual harassment, coercion, and battery when they facilitated a toxic culture of sexual abuse at SCC.

129. Defendants knew that this toxic culture put Ms. Martinez and other women at SCC at substantial risk of serious harm.

130. Defendants further failed to protect Ms. Martinez and other women at SCC when they refused to address and remedy the toxic culture among correctional officers regarding sexual harassment and abuse.

131. Defendants refused to take reasonable actions to reduce Ms. Martinez's risk of being victimized.

132. Defendant Sanchez's acts and omissions were willful, wanton, deliberately indifferent, and in reckless disregard of Ms. Martinez's constitutional rights.

133. Defendant Biddle's acts and omissions were willful, wanton, deliberately indifferent, and in reckless disregard of Ms. Martinez's constitutional rights.

134. Defendant Gonzales's acts and omissions were willful, wanton, deliberately indifferent, and in reckless disregard of Ms. Martinez's constitutional rights.

135. Ms. Martinez suffered damages as a result of Defendants' acts and omissions.

COUNT IV: RETALIATION IN VIOLATION OF FIRST AMENDMENT
Against all Defendants

136. Ms. Martinez incorporates by references all preceding paragraphs as though they were stated fully herein.

137. Defendants retaliated against Ms. Martinez for reporting Defendant Padilla's misconduct, sexual harassment, sexual coercion, threats, and unlawful actions as previously alleged.

138. Defendants retaliated against Ms. Martinez by:

- a. refusing to keep her PREA report confidential from other prisoners and NMCD staff;
- b. failing to appropriately investigate her claims;
- c. refusing to remove Defendant Padilla from his position of power over her and other women at SCC;
- d. refusing to review and preserve camera evidence that would have supported her claims;
- e. overruling the dismissal of her "failure to program" write-up; and
- f. other retaliatory acts and omissions.

139. Ms. Martinez's ability to complain of and seek redress for the ongoing harassment and abuse she suffered is an activity protected under the First Amendment to the United States Constitution.

140. Defendants' retaliation was unlawful and would chill an ordinary person in the exercise of her First Amendment rights.

141. Ms. Martinez suffered damages as a result of Defendants' conduct.

COUNT V: SPOILIATION OF EVIDENCE
Against all Defendants

142. Ms. Martinez incorporates by reference all preceding paragraphs as though they were stated fully herein.

143. Defendants learned of Ms. Martinez's allegations against Defendant Padilla on or before March 29, 2017, when Ms. Martinez made her report.

144. During the course of the DPS investigation into Defendant Padilla's illegal conduct, Defendant Gonzales mentioned the existence of security video footage that could corroborate Ms. Martinez's allegations.

145. At all times material hereto, Defendants knew that the security camera footage from the kitchen and Defendant Padilla's office may have captured the misconduct alleged by Ms. Martinez.

146. Defendants knew, or should have known, that there was the potential for a lawsuit stemming from the events that Ms. Martinez reported to them on March 29, 2017.

147. Additionally, having referred Ms. Martinez's case to DPS for investigation, Defendants knew that the security camera footage would be material to a potential criminal prosecution.

148. Upon information and belief, Defendants disposed of, significantly altered, and/or failed to preserve the security camera footage in question, which would have been material evidence in any potential lawsuit.

149. In so acting, Defendants' sole intent was to disrupt or defeat a potential lawsuit.

150. The destruction and/or alteration of the subject video footage hinders Ms. Martinez's ability to prove the full extent of liability and damages suffered in this case.

151. Ms. Martinez has suffered damages as a result of the destruction and/or alteration of the subject video footage.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Rebecca Martinez respectfully requests that the Court enter judgment in her favor and award:

- A. Damages in an amount a jury deems to be sufficient to compensate Ms. Martinez for Defendants' conduct;
- B. Damages for the nature, extent, and duration of Ms. Martinez's injuries;
- C. Punitive damages in an amount a jury deems sufficient to deter Defendants and NMCD staff from acting in gross and reckless disregard of, or deliberately indifferent to, the rights and safety of Ms. Martinez and other women in NMCD custody;
- D. Reasonable costs and attorneys' fees incurred in bringing this action, pursuant to 42 U.S.C. Section 1988;
- E. Pre- and post-judgment interest; and
- F. Such other and further relief as the Court deems just and proper.

Dated: July 29, 2019

Respectfully Submitted,

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