

DECLARATION OF TINA PETERS

I, Tina Marie Peters, declare under penalty of perjury under the laws of Colorado that the following is true and correct:

1. I am the Appellant in Colorado Court of Appeals Case Number 2024CA1951. I am the Defendant in Mesa County District Court Case Number 22CR371. I am serving a sentence to imprisonment of eight years nine months at LaVista Women's Correctional Facility in Pueblo, Colorado. Before 2022, I had never been accused of committing any offense.
2. The offenses of which I was convicted are non-violent. As a non-violent first offender, DOC regulations classify me as a level 1 offender, who should be housed in a minimum-security facility with other non-violent first offenders. Colorado Department of Corrections does not have minimum-security facilities for women. It operates four minimum security facilities for men, but none for women. DOC has only two correctional facilities for women, and both facilities mix non-violent first offenders with violent repeat offenders. DOC treats women differently than men based solely on their sex. I am 70 years of age, which makes me an at-risk adult. Before January 18, 2026, I was assaulted four times and threatened numerous times by younger inmates with a history of violence.

I reported all these assaults to security officers at LaVista. Housing me with young, violent criminals puts me in danger, especially because I am a controversial high-profile inmate. My political enemies in state government openly oppose clemency by Governor Polis and they refuse to honor President Trump's Pardon of me. They want me to die in prison.

3. On Sunday, January 18, 2026, at approximately 9:00 pm, I was assaulted again, this time by a 29-year-old inmate in a common area of Unit 3 at LaVista. Unit 3 is the building where my cell was located. I learned later that the woman who assaulted me is serving a six-year sentence for aggravated assault and is eligible for release in 2026. According to the police arrest affidavit, my assailant stabbed her fiancé three times in the lower back with a knife. The emergency room doctor who treated the man's wounds certified that he sustained serious bodily injury which could have resulted in death. My assailant also stabbed her own brother in the hand. When interviewed by police, she denied stabbing her fiancé.

4. The assault began while I was pulling a portable swamp cooler into a closet. I wanted to fill the cooler's water tank from a hose in the closet. You may wonder, why is a swamp cooler necessary for LaVista

inmates in winter? The answer is that the prison's HVAC controls do not work, so the temperature of our cells in Unit 3 often exceeds ninety degrees at night, making sleep impossible. The only relief is from the portable swamp cooler, which the inmates share to cool their cells.

5. You can see most of the assault on a surveillance camera video available at:

Prison camera video: https://drive.google.com/file/d/1O-6vyvcwkNhUoc2-ZkaAFb_xKIs9so-z/view?usp=sharing

Same video in slow motion:

<https://drive.proton.me/urls/HVYP38XZ8G#vhe2ZDkXOnB9>

6. The assault begins with the dark-haired assailant initiating contact. There is no audio recording of words that were said. The assailant screams at me, "You disrespected me." I try to calm her down, saying, "Calm down, we can work this out, if you want to get in the closet, I can move the cooler."

7. The assailant lunges around the side of the cooler and tries to punch me in the face with her right fist. I raise my left arm and block the punch. The assailant's right fist strikes my left elbow, inflicting a painful bruise that is still visible eleven days later. The bruise is shown in the attached photo. The video shows the assailant lunging toward me, but the

right-fisted punch is off-camera, shielded from view behind the closet door. In the slow-motion video, you can see the assailant's hips rotate as she pushes off her back foot to throw the punch. I grip the assailant's right wrist with my left hand to prevent her from punching again. I extend my right arm and move the assailant backward into the middle of the room, where I disengage. At that moment, the assailant says, "You know you're on camera, right?"

8. I leave the room and report to the nearest DOC officer that I was assaulted. Several minutes later, multiple corrections officers come to my cell, place me in handcuffs and leg shackles, and tell me, "You are being charged with assault."

9. Two officers took me to the IDO unit, which stands for "Intake, Diagnostics, and Orientation." I am not an intake prisoner, I did not receive diagnostic tests, and I did not receive orientation. From the night of January 18 until approximately 1:30 p.m. on January 27, 2026, I was in solitary confinement, aka "the hole." The conditions were harsh. Lights were on in my cell 24 hours a day, seven days a week. My bed consisted of two inches of foam laid on top of a steel slab. I have degenerative discs in my back which were diagnosed by a prison doctor based on x-rays. I

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sustained neck and back injuries in two rear-end car crashes in the mid 1990's that were not my fault. Ever since then I have had chronic pain in my neck, shoulders, back, and hips. I left my job as a flight attendant because of the pain. Sleep is difficult for me unless I have a therapeutic mattress. Since early December, I was allowed to sleep on a four-inch mattress. However, after January 18, the prison refused to provide the four-inch mattress. Because of constant pain and the bright lights in my cell, I was unable to sleep more than 3-4 hours a night in the hole.

10. I asked why the inmate who assaulted me was not in the hole. I was told that my assailant suffered no consequence and is living in the general population. It is obvious that she initiated the incident to get me in trouble, and she succeeded.

11. By sending me to the hole, and publishing the video of the assault to the news media within 12 hours, and allowing my assailant to go free, Captain Cordova placed a target on my back. The message to every aggressive inmate is that if I am assaulted off-camera, there will be no consequence to the aggressor. On January 27, I was placed in Unit 5 and returned to the general population, of whom 50% have a history of violence. I am not safe at either facility operated by DOC.

12. Since arriving at LaVista, I have tried to protect myself by applying to Honor House and the Incentive Program. These programs do not accept inmates who are violent or use drugs. Residents of Honor House told me they were excited to have me join them, and they interviewed me three times. Residents later gave me written statements that, when my name came up, DOC Housing Captain Sarah Cordova said, "Vote no on this one."

13. In early December 2025, I was placed in solitary confinement and protective custody after a series of threats. I re-applied for the Incentive Program at the suggestion of the OIG investigator, but I did not receive a response, and I am aware that they accepted other people. I was returned to the general population in Unit 3, where I was assaulted on January 18th. If I had been living in Honors House or the Incentive Unit, the violent inmate would not have had the opportunity to assault me.

14. I am not a danger to the community, and I am not a flight risk. I appeared faithfully for every court proceeding in Mesa County for 31 months. I meet all criteria for release on bond pending appeal.

15. I ask the Court of Appeals to have compassion for my safety, and order my release on bond until my appeal is finally over. Thank you.

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I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.

Executed this 29th day of January, 2026, at Pueblo, Colorado.


Tina Marie Peters