

Texas After Violence Project

Interview with Ms. Linda Icenhauer-Ramirez

Date: February 11, 2011

Place: Austin, Texas

Equipment: Sony HD DV camcorder; Sennheiser external microphone

Recorded on: Sony mini-DV cassettes

Interviewer: Kimberly Ambrosini-Bacon

Videographer: Rebecca Lorins

Transcription: Erin Park Markert, Maurice Chammah

Audited: Maurice Chammah

Post-narrator
review
corrections: Virginia Marie Raymond

This version: August 16, 2011

MS. LINDA ICENHAUER-RAMIREZ: Mother's Name? Do you want that?

AMBROSINI-BACON: You know, it was something we were trying to think of that would distinguish you from people with the same name or the same birth date and that kind of thing, just another element to distinguish you.

MS. LINDA ICENHAUER-RAMIREZ: Okay.

AMBROSINI-BACON: Thank you, and I will fill out the top part.

MS. LINDA ICENHAUER-RAMIREZ: So there's not much biography about you on the website.

LORINS: Oh is there not?

AMBROSINI-BACON: There's not.

LORINS: I actually almost- I didn't follow the link. Okay, well, I earned a PhD from U.T. in comparative literature. My work was in Sudan, so I worked with a theater troupe. It was a human rights theater troupe so it intersects with this work in the sense of cultural responses to violence and the state violence. And I teach at Southwestern University. So nice to meet you.

MS. LINDA ICENHAUER-RAMIREZ: Nice to meet you too.

AMBROSINI-BACON: My biography's painfully old, so I have to update that. But we want you to have something so you can get a sense of who's coming to talk to you and that sort of thing. But I guess we can go ahead and get started?

MS. LINDA ICENHAUER-RAMIREZ: Okay.

AMBROSINI-BACON: I'll just do a little introduction for our records. We're here in Austin, Texas with Ms. Linda Icenhauer-Ramirez on February 11, 2011. Myself, Kimberly Ambrosini-Bacon is doing the interview, and Rebecca Lawrence is doing the videography. So I guess to go ahead and get started if you wouldn't mind telling us just a little bit about yourself, your background.

MS. LINDA ICENHAUER-RAMIREZ: Okay, I'm Linda Icenhauer-Ramirez, and I actually married that whole last name, it's a mouthful, but I married another defense attorney, so that's where that name came from.

But I'm originally from Wyoming, and we moved around a lot so I lived in the upper-northwest, kind of Midwest part of the country. I went to high school in North Dakota and came to Texas to go to college and ended up at U.T. I have a bachelor's degree from U.T. and the law degree is from U.T., also.

After law school, my first job was at Staff Council for inmates in Huntsville. I worked as an attorney for inmates. We represented any kind of legal problem they might have. I did a lot of family law kinds of things, a little criminal law. And then I worked at East Texas legal services in Beaumont as a legal aid lawyer doing family law.

My husband and I knew we wanted to come back to Austin, so we both were trying to get jobs to come back here and I ended up getting a job at the Texas Court of Criminal Appeals, which is the highest criminal appellate court in the state. I worked for one of the judges and I was there for about six and a half years. That's where I fell in love with criminal law. We reviewed convictions from all over the state. That's where I got hooked on the criminal law.

I have three children. When my oldest child became a first grader I decided I didn't want to work eight to five any more and so I went into private practice. That was in 1988. So I've been a criminal defense attorney since 1988. So that's about it.

AMBROSINI-BACON: So what was it about criminal defense that drew you to it?

MS. LINDA ICENHAUER-RAMIREZ: Well, it's funny because in law school, I didn't like criminal law. I didn't have any interest in it. But when I started working at the court- well, working in Huntsville- I met the people. You know, those were our clients. I learned that they're human beings just like everybody else. I can say- I've been licensed now for over thirty years, and I've met maybe one person who I thought was truly evil. And I've represented people who have done terrible, terrible things. But they're human beings and I think there's good in everybody. And a lot of them have just had terrible, terrible lives. They've made terrible choices. Yet when you get to know them on a one-to-one basis, there's something good in everybody, and they all deserve to be treated fairly.

So I think that's what has kept me in criminal law is getting to know these people. I love the people, I love dealing with the people. I like listening to them, getting to know them. And a lot of our clients, like I said, they've done very, very- some of the worst possible things that a human being could do. They still appreciate somebody who cares about them. Because a lot of these people never had anybody that cared or stood up for them, or listened to them, or treated them fairly. So they appreciate that. I feel like I've been called to do this.

AMBROSINI-BACON: Definitely. I guess, would you mind talking a little bit more about being on Staff Council for the inmates in Huntsville? What that was like?

MS. LINDA ICENHAUER-RAMIREZ: Well this was back in 1979, was when I went there. Back then, I think we had an office of- I think it was about ten of us, about ten attorneys. We were each assigned to cover certain units of the prison system. I was assigned to the Ferguson Unit, which at that time was for young offenders. So if the inmates had a legal problem they could request to see an attorney.

I would drive out to the Ferguson unit which was like eighteen miles from Huntsville and just interview inmates and then just handle whatever kind of problem they had. My- most of my clients were very young guys, but they'd done everything from third-degree felonies. There weren't state jail felonies back then, but third degree felonies were the lowest, all the way up to murders. It was just very interesting. I was very young and naïve, and to meet these guys and to interact with them. It was a good place for me to be at.

AMBROSINI-BACON: Mmhm. And then you went to work—

MS. LINDA ICENHAUER-RAMIREZ: Legal Aid in Beaumont.

AMBROSINI-BACON: Do you want to talk about that a little bit?

MS. LINDA ICENHAUER-RAMIREZ: Yeah. It's interesting. I mean, I grew up in the Midwest where everybody is white and homogenous. Living in that- you now, I had come to Austin and had gone to school, but I really hadn't had any interaction with minorities or poor people. In North Dakota there's really no economic diversity. Everybody is the same. Everybody's very middle class. That's what I grew up around.

Then I went to Huntsville and you know, most of our clients are minorities. They are from poor places, a lot of people from Houston. Then when we moved- we lived in Port Arthur but we worked in Beaumont, and I worked for Legal Aid. So we were dealing with the poorest of the poor. I had never seen discrimination before, and I saw it over there. That was really eye opening to me.

I did family law. I represented a lot of families in termination cases, where their parental rights were being terminated, a lot of child custody kind of things. Again, that office was wonderful because I was with a great group of lawyers who really taught me how to try cases and represent people. So that was good training for my later career, I think.

AMBROSINI-BACON: What were some of the things you learned?

MS. LINDA ICENHAUER-RAMIREZ: Well, I think trial preparation. You know, the key to winning a trial is preparation, and working hard, and knowing your case, and knowing your client and all those things. Courtroom presence, that kind of thing.

AMBROSINI-BACON: Courtroom presence. Could you talk about that?

MS. LINDA ICENHAUER-RAMIREZ: Well, just- I believe, after doing this for so many years, trials are won by who controls the courtroom. And it's real important that when you go into a courtroom, that from the very first time a juror sees you, you need to be in control and you need to be confident. That's something- I think some people have a knack for that, but it also takes practice. So I think I started learning that in Beaumont and it's kind of carried over. And that's one thing that I've always prided myself in when I do a case is that I'm in control. It intimidates the prosecutors if you can be in control. It shows the judges you know what you're talking about and you just need to be really prepared. Especially in the criminal field, these prosecutors are so overworked. They don't have time to prepare. If you can walk in and know your case better than they know their case it's a big advantage.

AMBROSINI-BACON: I was curious about being prepared and going against the prosecution and thinking about resources that the defense has, and thinking about that the prosecution will have, and I was wondering maybe if you could talk a little bit about that.

MS. LINDA ICENHAUER-RAMIREZ: It's changed through the years. You know, when I first went into private practice here in 1988- and I've watched some of your other interviews that you've done, I've seen other people talking about this- back in 1988—

[Tape cuts]

MS. LINDA ICENHAUER-RAMIREZ: Most of the cases I do are court-appointed, so my clients don't have any money, you know we can't pay for investigators so you have to go to the court and you have to ask for those things. And back then you would be lucky if you could convince a judge to give you several hundred dollars for an investigator. If they didn't then we did our own investigation and that's the way you learn your case. I always tell young lawyers, "You need to go visit the crime scene, and you need to go visit your family and go to their houses. See who these people are. Just looking at paper isn't going to help you understand what was going on out at a crime scene that particular day."

Now there has been all kinds of changes in the law in court cases where now they have to give us some resources. They are not adequate and the judges hate paying for those things, but I've gotten really good at being persistent. I'm pretty good at getting what I need when I have those kinds of cases. So it's gotten a whole lot better. Now we use the investigators, we have mitigation experts that we use, psychologists, all those kinds of things. These cases have become more complex it seems like, and to do them well you need to be really, really, prepared. It's a big job.

AMBROSINI-BACON: Yeah, you mentioned going and talking to families and meeting the people who are involved and visiting the crime scene. Are there other things you do to prepare?

MS. LINDA ICENHAUER-RAMIREZ: Well, you know, a lot of people are really surprised- in Texas- Texas is a very strange place. In Texas, a defendant is not entitled to a police report, which most people are like, "What?" If you're doing civil litigation, you get everything. With a civil lawsuit, each side gets discovery. By the time you get to trial, you're going to know everything that the other side has.

It's not like that in criminal law. In criminal law, the law is that you're entitled to anything that's exculpatory, which might show your client is innocent. And so every county is different. Right now, I practice in Williamson County. I go up there on a case, I'm never going to see an offense report unless they feel like it's a slam-dunk case for them. Then they might let me go up to their office and read an offense report but I'm not going to get a copy of it and sometimes I may never even see it.

Travis County used to never give us copies of offense reports. In the last few years they've changed their policy so that we can get copies of non-violent offense reports, but in a big murder case, generally you're not going to get a copy of the offense report. So I've spent literally hours at the Travis County D.A.'s office- and this was before we had laptops- handwriting notes from an offense report. Now we can take our laptops over and do it.

In Hayes County, they give you everything. It's wonderful. But every county is different. Defendants are really at a disadvantage. A lot of criminal defense attorneys are too lazy to go sit up at a D.A.'s office and copy. But that's the only way you're going to know your case is if you figure out a way to get that offense report and look at it and really know your facts. That's a big part of preparation. It scares me because I see young attorneys now, trying cases when they don't know what the facts are. They haven't spent the time to investigate, and I see a lot of really bad things happening during trials sometimes.

AMBROSINI-BACON: Would you mind talking about that?

MS. LINDA ICENHAUER-RAMIREZ: Well, just- I don't want to mention names, but I see people trying cases that shouldn't be trying cases. They're not prepared. I just hope that a good outcome comes out of it.

AMBROSINI-BACON: I had several cases that I wanted to ask you about specifically, and I also encountered some of your work about using mitigation specialists in non-death penalty cases. I was hoping that was something you would talk about as well, but I wanted you to be able to take the interview anywhere you want to go so if there were certain cases that you would like to talk about in particular, or that other work?

MS. LINDA ICENHAUER-RAMIREZ: Well, it's just- I was thinking last night about what I would like to talk about. This has been really interesting. The human nature is just fascinating, and sometimes I wish I had a psychology degree because you just come across all different kinds of people- from not only the defendants but also the victims, the prosecutors, and even the judges. It's fascinating to watch the different personalities.

One thing I found really interesting is the way victims react to some of this stuff. You know, I've been in trials where they hated me as much as the defendant, and it was very open and they are hostile. That's really sad, because I think they didn't understand what the role of the defense attorney was.

I've had other cases- I have one person on Death Row that I've represented. During that trial the prosecutors explained to the family why we were doing what we needed to do. At the end of that trial, when they gave my client the death penalty, afterwards the victim's family came up to me and they thanked us for the job that we did. It was a really hard time and a really emotional time, but they understood that we needed to put up a good defense for this person. That was really wonderful that they did that.

I've seen cases where victims are so hateful and so horrible. I've seen cases- I remember, this was in the nineties, I represented a sixteen-year-old kid named Leroy Mitchell who basically executed a cab driver. Leroy was a very cold person. Very dangerous person. Because he was only sixteen when the offense was committed, they couldn't give him the death penalty. So it was going to be life. Automatic life. He was convicted. After the end of every serious trial like that, the victim's family can do an allocution, where they get to sit on the stand and they get to talk to the defendant and just say what they think. And in this case the parents of this young man were missionaries from Mexico. This mother got on the stand and told Leroy that she forgave him, and that she was praying for him, and that she hoped that this would turn out well for him. That was astounding, it was wonderful to hear. I don't know if he took it in, if it meant anything to him, but it meant a lot to me.

I've seen others where the people were so hateful and so full of vengeance and the conviction wasn't going to take that away from them. You always hear about closure. It's not closure. That was just really sad, that there was so much hate. I understand, because there's a lot that's been taken away. But I think that the D.A.'s office, in a lot of these cases, could do a lot more with victims about counseling them, and about helping them deal with their grief and their anger. So that's been interesting to watch, and see the extremes, because I've seen the extremes.

I watched Chris Gunter's interview last night. One thing they asked him about- I think Virginia Raymond asked him about- how he felt about the death penalty and he talked about how, due to his religious beliefs, he was against the death penalty, and I agree with that. I'm a Christian. I was raised in a very fundamentalist household. I'm not a fundamentalist anymore, but I always am amazed when I see

fundamentalist Christians being so pro-death penalty, because the Jesus that I know would not be for the death penalty. It's always interesting, and those are my family members, and so I hear them talking about that all the time. But as a Christian, there's no way a Christian could be for the death penalty. That's something that I've formalized in my mind.

AMBROSINI-BACON: What sort of- you mentioned your family- how does the way they feel about the work you're doing affect you?

MS. LINDA ICENHAUER-RAMIREZ: Well, it's funny. My sister, I have an older sister who is pretty rigid about the things that she thinks. We disagree on many things. I think she didn't really appreciate what I did. But I had a trial in the nineties, a young man named Joshua Masters [spelling?] who was eighteen years old and was charged with capital murder. From the very first time I met him I thought he was innocent. We got a great investigator who did a lot of work and everybody on our team was convinced that Joshua was innocent.

It came to be time for our trial and my sister- I asked her if she'd like to come watch it. She came and sat through the whole trial, and by the middle of the trial I think she thought he was innocent, too. I think she was astounded that something like this could go that far, and an innocent person could be caught up in the system like that. I am happy to say that he was found not guilty, and had a great outcome. Today he is living a very productive life in San Antonio.

So it was interesting for her to watch the system and understand that mistakes can be made. Fortunately in his case it worked out. Well, we had a great jury who did the right thing. So I think that's been eye opening for her. I think she shared that with a lot of my other family members, so it's good.

AMBROSINI-BACON: So you've worked on the trial level and also the appellate level. Would you mind talking about- sort of the differences in those two areas?

MS. LINDA ICENHAUER-RAMIREZ: Well, especially in the death penalty area- death penalty trials are horrible. I've- we're lucky we live in Travis county because they don't seek the death penalty very often. Places like Harris County it's routine. I've been on many capital murder cases. Most of them, we were able to persuade the D.A.'s office not to seek the death penalty, which was really good.

I did have one case where we went all the way through the trial and my client received the death penalty here. I can honestly say it's the worst experience I've ever had. The whole trial, it takes- you know, I think we were preparing for a year and a half. A little baby was killed by her babysitter- his babysitter.

Our client was kind of a difficult person to deal with, and then the actual trial process, it's just exhausting, and it's all encompassing. I mean, your whole life, that all you think about is this person, the responsibility you have. It's a hard thing. And

then when you lose, you blame yourself for it. I can just remember walking out of the courtroom with my co-counsel, just thinking, my gosh, what could we have done differently? We've talked it over many times since then, what we could have done differently, and I don't know that there is really anything that we could have done, because it was a really bad case. But that's something that will mark me forever, I think.

Being a trial attorney in those kind of cases is really hard. One thing about death penalty cases is, once you become the trial attorney, then you're always a target, because those cases never end until they execute a person. You're always going to be the target- ineffective assistance of council, and you open yourself up to attack. That's one thing they teach us in seminars we go to, is that- understand if you're going to take one of these cases, you have to be willing to stand up and bite the bullet when they attack you and criticize your performance and everything, and that's hard. So I think a person who does death penalty trial work has to be really committed to it if they're going to do a good job.

On the appellate end, I find that fascinating. I love reading and writing and research, and it's really fascinating to sit back and read somebody else's performance and critique it, and not have the pressure you had when you're doing the trial. But I think doing appellate work has made me a better trial attorney, and so that's been good.

AMBROSINI-BACON: Could you talk a little bit more about that? What do you see in the appellate process that helps you?

MS. LINDA ICENHAUER-RAMIREZ: Well, I'm working on some appeals right now. I was talking with one of the other attorneys here this morning. You read through these records, and you see some of the people doing great jobs during trials and you see people doing terrible jobs. So you learn trial techniques by reading what other people have done. It helps you keep abreast of the law. The law is always changing and so it helps you keep refreshed as to the law. It helps you articulate theories and be able to connect the law to actual facts and everything. Again, when I worked at the Court of Criminal Appeals, that's where I learned how to try cases, by reading hundreds of trial records and seeing how good lawyers did it and seeing how bad lawyers did it.

AMBROSINI-BACON: I wonder if we can maybe step back a little bit. You mentioned that the D.A.'s office should be doing more for victims. Would you mind talking more about that?

MS. LINDA ICENHAUER-RAMIREZ: No I don't mind doing that. A few years ago I had a case here where my client had killed his business partner. These families had been best friends. The wives had been college roommates. They lived together in the same neighborhood. Both families had little kids. The women were teachers, first grade teachers at an elementary school in adjoining classrooms, and these families were totally meshed.

These two men had become business partners, and it was not a good mix at all. Things happened, and my client kind of cracked and shot his best friend and killed him. I have to say that that trial- that was the most emotional trial because there was so much hatred in that courtroom. I know the D.A.'s office has a victim witness coordinator, and I think their job is to help and counsel those victims and see them through the process and in that case there was no evidence of that being done at all. The victim's family was egged-on by a Baptist minister who- we read his church newsletter and it was so full of hate and vengeance. That was perpetuated throughout the whole trial, and it was just a really ugly thing.

That was one of the hardest trials I've ever been on. It was really sad for both families because both families were put through a lot of stress and emotion that they didn't have to be put through. The case could have been resolved with a plea bargain. We were willing to plead. We offered to plead to twenty years. The family was so caught up with- I don't know what it was, but they wouldn't accept a plea bargain.

I just felt like the D.A.'s office could have done a lot to make that situation better for everybody. It was very, very sad. I think it's real important that people reach out to victims. Defense attorneys now are beginning to do that, kind of short-circuiting and going around the D.A.'s office. There's a project at U.T.- have you heard of the D.I.V.O. Project?

AMBROSINI-BACON: I haven't, no.

MS. LINDA ICENHAUER-RAMIREZ: I don't know exactly what that stands for, but David Gonzales, who works here, is involved in it. It's basically helping attorneys and mitigation experts reach out to victim's families and letting them really see what's on the other side, because I think a lot of times the D.A.'s office don't want us to talk to them and they try to stop that. I think a lot of cases could be handled in a more humane fashion if we were allowed to speak to them and kind of reach out to them. I think it would help the defendants. A lot of these defendants need to be able to express remorse for what they've done. That's important for them, I think.

AMBROSINI-BACON: I'm curious- my knowledge of what goes on in the trial, having sat in on a few trials and that sort of thing- but I'm curious about the affect that the family will have in a trial, and how a minister- I'm just curious about all the different elements that sort of influence the environment of the courtroom-

MS. LINDA ICENHAUER-RAMIREZ: Of the victim's family?

AMBROSINI-BACON: Or the defendants.

MS. LINDA ICENHAUER-RAMIREZ: Well, in the case that I was talking about- before a trial happens, there is going to be many, many court appearances. In most cases,

no one ever comes to those court appearances. They're just routine case settings where information is exchanged or dates are checked or whatever.

In that case, that courtroom was packed for every one of those routine court appearances. So we would walk into those docket calls where nothing was going to happen and you'd be besieged by all these angry people. There was no point in that, but it kind of just made them fester more. All along there should have been some talking going on with those people, some counseling, things like that, but they just were getting more riled and more riled. So by the time we got to the trial the atmosphere in the courthouse was horrible.

My client's wife basically had been run out of town. They fired her from her job. She didn't do anything wrong, but she got fired from her job at the elementary school where she taught with her best friend. She had to move out of town because the people in the neighborhood were so mean to her. She moved up to Cleburne. She didn't want to come back for the trial because of what she and her children had been put through already. She didn't do anything wrong. These families had been close, they'd been best friends. We persuaded her to come back and testify at the punishment phase. She was very upset with her husband too, for what he had done. It was extremely hard for her. She walked into that courtroom and you could just see the- and feel the tension and the hate. It was horrible, and for us- riding down the elevator, I got pushed. I've never seen anything like that, even the death penalty cases I've been involved in.

This was just a first-degree murder, but even in the capital murder cases I've been involved in, I've never been treated like that before. No one had talked to them about what our role was as the defense attorneys, about how to relate to my guy's family, anything like that. I understand them being mad at him. He did a horrible thing. But, you know, the way that that family was handled by the D.A.'s office didn't help anybody. I'm sure to this day they're probably really bitter and angry. There's probably not been any kind of healing or any kind of movement to help them deal with what happened to them.

AMBROSINI-BACON: That's really fascinating, yeah.

MS. LINDA ICENHAUER-RAMIREZ: It's hard, yeah. It's really hard.

AMBROSINI-BACON: I'm sure. I don't know if you want to segue into a case you worked on that wasn't death penalty and I don't know if you want to discuss a little bit- using mitigation experts in non-death penalty cases. That's something I'd never come across personally. Maybe you could talk about that.

MS. LINDA ICENHAUER-RAMIREZ: Well- mitigation experts- you know what a mitigation expert is, don't you?

AMBROSINI-BACON: Mmhm, but maybe for the record-

MS. LINDA ICENHAUER-RAMIREZ: Well, in the last, probably fifteen years- the United States Supreme Court has said that attorneys are ineffective, especially in death penalty cases, that was where it first came, if you don't investigate your client.

There's two parts to every trial. The first part is the guilt/ innocence part. Did they do it? The second part- what's the punishment? In the death penalty, about who is the person and what makes this person tick, and are their mental health issues that have affected this person? The jury needs to know all of that before they make such an important decision before they make such an important decision, life or death.

Courts began saying that as a good defense attorney, as a properly prepared defense attorney, you had better get a mitigation expert, someone that can help you, because we're not experts in mental health. We don't know all these different areas. So we began using mitigation experts.

I have a person that I used here in Austin, a guy named Gerry Byington, who would be a great person for you guys to talk to. Gerry is a social worker by trade and he's worked in the mental health field for years. He is excellent. He can find unbelievable things, but he basically is our investigator for the punishment phase of a trial.

Like I said, I've basically only had one that actually went all the way through trial where they were seeking the death penalty, but we've used him- I probably have used him in ten or fifteen other cases, capital murder cases, where because of Gerry's work we were able to persuade them not to seek the death penalty.

He's amazing because he goes to the jail, he does a life history of your person, and he relates really well to people. He'll find out everything he can about the person. Then he goes and interviews everybody who knows that person- all their family members, their employers, anybody. He collects records, which is a big pain to do. He can do all of that. If you need a mental health expert, he can tell you what kind of mental health expert to get, and he knows these people, so he can connect you with them. He does amazing work, and so we've used him a lot.

One case that he did an exceptional job in- Carlos Garcia and I were appointed to represent a guy named Melvin Hale. Melvin was seventy-seven, and he had some mental health issues. We learned later that he was delusional. He thought he was the anti-Christ. Some things happened in his life. He had lived with his mother his whole life, never married. Three weeks before our case started, his mother had broken her hip. They lived down in Kyle. His mother had broken her hip and had to go to the nursing home and Melvin was left at home.

All the structure in his life disappeared. Well, Melvin was driving down I-35 one day and got pulled over for not wearing a seat belt by a D.P.S. trooper, and he- God told him to kill that D.P.S. trooper, and he pulled out his rifle and shot the D.P.S. trooper

and killed him, right along I-35. The D.A. at that time decided Melvin needed the death penalty. Melvin was seventy-seven years old.

We got Gerry on the case and Gerry was able to trace his delusion of this anti-Christ behavior thing all the way back to 1943. Gerry found people that Melvin had talked to- old girlfriends, people in his life, and so we were able- we ended up having a competency trial before we actually started the death penalty trial. We were able to put on mental health experts, people who knew Melvin and knew of this delusion, and explain to this competency jury that this guy had really severe mental problems. The jury found him competent, but by the end of the competency trial the D.A. had decided not to seek this death penalty. So we were able to plead that case out, which was really good. That's the kind of work that mitigation people do. They bring that evidence in and help us present it. It's excellent.

Mitigation experts have been used in death penalty cases for a while, but in the last few years the Fifth Circuit Court of Appeals- the Federal Fifth Circuit- has told us that, "Attorneys, you're ineffective if you don't use mitigation experts in non-death penalty cases."

That's not something the judges want to hear because they have to fork over more money. I've had a battle with the Travis County judges about using mitigation experts in non-death penalty cases. Some of them understand that and will give us the money when we need it. Some of them still fight with us every time we ask. It's a battle. More and more, they're letting us use the mitigation experts. It's really important.

I had a case here a few years ago, where I got appointed to represent a young girl that was charged with arson. When I went out to the jail to visit her they treated her like the worst possible person. They were like, "Do you feel safe with her? Do you want to be alone with her?"

I was like, "Well, sure." I went in to visit her and she was this young, nineteen-year-old girl, sweet as she can be. She had some mental health issues and some alcohol issues but she was- she just needed help. I got Gerry involved with that.

She was charged with four counts of attempted murder and arson. The theory was that she had tried to burn her house down and kill her family. By the time Gerry got done with it and we had her into alcohol treatment, I got it reduced to misdemeanors, criminal mischief. You can do great things with mitigation.

AMBROSINI-BACON: I'm curious- so I know that in the death penalty trial you'll have the mitigation expert's work presented in the sentencing phase. How do you incorporate that into cases where you don't have that two-part?

MS. LINDA ICENHAUER-RAMIREZ: Well, even in non-death penalty cases, there's two parts to every trial. There's still the guilt/ innocence part where you might use a

regular investigator, but then the punishment part, if they're convicted of that crime, there's still going to be a punishment trial.

At the punishment trial you're allowed to bring in anything you want about that person. So we use a mitigation person during that part of the trial, anything good that we can dig up. On the murder case where the man shot his business partner, you know, my client had actually been an ex-police officer. So we brought in people he worked with at the police department. Gerry Byington found all those people. We brought in other employers that he had worked with. We brought in college friends of his. The mitigation expert finds all of these people. Gerry suggested that we have him evaluated by a neuropsychologist, so we brought in a neuropsychologist.

The jury hears all of that along with all of the bad stuff that the D.A.'s office puts on and then they make their decision what the penalty should be. In that case, it was murder, so it was five to life was the penalty range. He ended up getting forty. That's important, that they get the whole picture.

As an appellate attorney, one thing that is really sad for me to see is when you do a case- and I think a lot of us, where we went to school, they taught us all about guilt/innocence, you try to win at guilt/innocence, but they neglected to tell us about the punishment part. So, especially when I started, you would read these records, and the attorney might have done a great job at guilt/innocence, but for punishment he hadn't done anything. He hadn't done any kind of preparation or work or anything. In these cases, where your client is guilty and you know he's going to be convicted, it's really important to be prepared for that second half.

AMBROSINI-BACON: Are we doing okay Rebecca?

LORINS: Yeah . [inaudible]

AMBROSINI-BACON: It's a sensitive microphone. I wanted to ask you- we talked a little bit about peace officers. I wanted to ask you about Keith Ruiz. I know you worked with Edwin de la Mora, who was prosecuted for that killing. So I was curious- we have a few interviews that are sort of around that case and I was hoping you could fill in a different perspective of that.

MS. LINDA ICENHAUER-RAMIREZ: Well I was just- I just did his appeal, so I didn't do the trial. That was a really sad case, really sad case. I don't want to talk a lot about that because I think there could be some issues. I think there's still some litigation that could come up with that.

AMBROSINI-BACON: Okay.

MS. LINDA ICENHAUER-RAMIREZ: My contact with Edwin was very limited. As an appellate attorney, we don't- I met him one time, and then they are taken off to the prison. We corresponded after that, but I haven't had any real personal contact. I

just think it was a tragic, really tragic case. I don't think it should have been a capital murder case. I think if it had been litigated differently it might have had a different outcome.

AMBROSINI-BACON: I just wanted to ask you- and feel free to not answer this because it's about his case- but I'm curious about the D.A.'s decision to prosecute someone like Melvin, and then in this case to not prosecute for death in this case.

MS. LINDA ICENHAUER-RAMIREZ: Well it's just- the way that the death penalty in Texas is administered, it's very political. It differs from county to county, which makes no sense whatsoever, which makes no sense, and it's one of the reasons the death penalty is so bad, because it's very arbitrary. Each county has a different way of deciding which cases are going to be prosecuted as death penalty cases. It's totally up to the district attorney's office.

In Travis County, we have a committee of prosecutors that meets together and they decide whether a case will- whether they will receive the death penalty. I'm not sure how the other counties do it.

I know that in Harris County- well, they changed the law a few years ago, so now we have life without parole, which I think has made a big, big difference. Before that, in Harris County, any time there was a capital murder, which is a murder during the course of another felony- a murder committed during, like, a robbery or a burglary or a kidnapping or a sexual assault- that makes it capital murder.

In Houston, any convenience store robbery where someone was killed, they were going to seek the death penalty. That would never happen here. You know, in Travis County in the nineties, people- I helped- either first chaired or second chaired probably twenty cases where those kinds of crimes occurred, but they never even thought of seeking the death penalty. So it's very arbitrary and very unfair, the way it's administered, I think.

AMBROSINI-BACON: Would you mind talking a little bit more about Harris County, and sort of- why they chose to prosecute these types of cases?

MS. LINDA ICENHAUER-RAMIREZ: Well I don't really know. I've never really practiced in Harris County, so I don't know. I don't know. It's just- I think it depends who the D.A. is, and I think what kind of political coverage he wants out of these things. Even here, the cases that in the last twenty-five years they have decided to seek the death penalty, a lot of it is politics. What kind of political coverage can they get out of it? Which is really sad, because that shouldn't have any bearing on it. I think we saw that. We've seen that.

AMBROSINI-BACON: Are there other cases you'd like to talk about? Experiences that you've had?

MS. LINDA ICENHAUER-RAMIREZ: Well, it's hard to remember. I was trying to think of things last night. I just think that this is- people don't realize how hard this is. It's always interesting when you're doing jury selection in these cases. It's very easy for the common guy off the street to go, "Yeah man, I'm for the death penalty." And yet when they're confronted with the idea that they may have to make that decision, they change their minds.

In the one death penalty case that I did, we saw that, because what happens is, the jury selection in death penalty cases can take a month or six weeks or longer. What they do is they bring in a large group of people, several hundred people, for kind of a basic, general jury selection, where they begin informing them of what the case is, what the law is. They tell them, "This is going to be a death penalty case." They say, "Is there anybody here who is against the death penalty?"

And very few hands would go up. Back then very few hands would go up, and again my experience was in 1995. But then they bring the people back for individual jury selection. They've heard this general discussion and then they've gone and it may be a week before questioning. At that point it's the judge, the defense attorney, the prosecutor, and the defendant sitting in a room alone with this juror. And then you begin asking this person about the death penalty, and whether they could answer the question so that a person could get the death penalty.

It was encouraging to me how many people said, "You know, I've thought about it, and I don't think I could do this." And so I think that's really good. It kind of gave me faith that jurors really are thinking about what they are doing and that people were really interested. Here you have the defendant sitting right here and they realize that you are going to be dealing with someone's fate. So I was pleasantly surprised at how many people changed their minds once they got to confront the possibility that they might be making that decision. That was interesting.

AMBROSINI-BACON: Could you talk more about the process?

MS. LINDA ICENHAUER-RAMIREZ: It's grueling. It's grueling because you have to, you know, you bring in your large groups and it can take days of large groups coming in, and each side gets to have a time where you talk generally about the law. Then each juror has to be brought in and questioned individually. Usually, you have developed a little script that you go through, because you know the kind of jurors you want on your case. You have information about this person and you kind of know if you want to keep them or if you want to get them what is called "struck." When we did ours, it was Judge Jon Wisser, and he would make- we'd have twenty people a day. We were there a long time every day. It's really stressful because you're trying to see if you can get good people.

I don't know if you guys understand jury selection. In jury selection we don't get to pick who we want, we knock people off, and then the first twelve people that are left over are the people on your jury. So you have to be strategic about the kinds of

questions you ask, and real thoughtful about how you're analyzing a person, because you don't want to knock someone off that might be a good person for you. So it's a long process and it might take weeks to get a jury in a death penalty case. A lot of time goes into that, a lot of time and thought.

AMBROSINI-BACON: What kind of questions do you ask? What's your strategy to get a sense of- ?

MS. LINDA ICENHAUER-RAMIREZ: Like I said, I've only had to go through that one time, but I've read records of other people doing it. Carlos Garcia would be an excellent person to talk to about this because in the last few years there's been a method that he's helped train a lot of attorneys on how to rate jurors. It's called the Colorado Method. I'm not versed in it. I've watched him demonstrate it but I've never actually had to use it. But you know, you're gonna ask questions. In those cases, they usually have a long list of questionnaires that you're supposed to fill out and you give each juror a numerical rating, and then based on where they fall on that scale you know whether you want to try to get rid of them or keep them.

So your questions are all geared towards what you want to do with that, beliefs on the death penalty, could they answer questions in a way that would give the person the death penalty? Would they consider mitigating circumstances? You're going to have some people that would come in and say, "I don't care what happened in this person's childhood. If he killed somebody, he needs to die."

You're trying to figure out what does this person think? Are they going to be reasonable? Are they going to listen to the evidence? Are they going to be receptive to certain kinds of evidence? Those kind of things. I would suggest that you call Carlos. He can tell you how that system works.

AMBROSINI-BACON: Okay, great. I want to know how are we doing on time?

LORINS: We have seven more minutes.

AMBROSINI-BACON: Is there anything else that you want to—

MS. LINDA ICENHAUER-RAMIREZ: I can't think of anything. After you leave I'll probably think of a lot of things.

AMBROSINI-BACON: I was actually curious, one other case that I read a little bit about was Lacresha Murray. I was wondering if you would want to talk about- or if that's a case you can discuss, or not—

MS. LINDA ICENHAUER-RAMIREZ: Yeah. Lacresha was a young girl who was accused of killing a baby. She was eleven when it happened. When it first happened, she was represented by Cameron Johnson, who is with the Juvenile Public Defenders here. Cameron did a good job at trial, but it was in the juvenile system, which

operates differently from the adult criminal system. The judges are different. The rules are different.

Cameron did a good job, but the judge there- Cameron had asked for a medical expert but the judge did not give him money for a medical expert, so his defense was really hampered. Lacreasha got convicted and after that trial, myself and Keith Hampton, the other attorney. who does a lot of death penalty work, he would actually be a good person for you to talk to, were appointed to represent her.

We filed a motion for new trial, and the judge realized that he had messed up. So he granted Lacreasha a new trial, which was really good. After that, some things happened where the judge appointed a friend of his to lead the defense team and there was a second trial. There was some disagreements about how the case should be handled. The other attorney, his name was Bill White, was the lead attorney on that, he pretty much ran the show and Lacreasha was convicted again and given twenty-five years, a twenty-five year determinate sentence.

We believed- Cameron and Keith and I believed- that she was innocent. We thought that this baby- her family was the babysitters for this child. We felt like the injury- the child's liver was lacerated- we felt like the injury probably occurred before the child ever got to Lacreasha's house. So Keith did the appeal, I helped him with that, and it got reversed on appeal because they had improperly interviewed her. She didn't really confess, but they- she was eleven years old. They twisted her words and the kept her isolated from everybody.

On appeal, the appellate court found that they had questioned her improperly and everything so the case got reversed again and it was sent back. Again it is Keith and Cameron and I on the case. Keith Hampton, who is a wonderful lawyer and is so persistent, did a ton of research and found a pathologist in Miami who was able to look at tissue samples, the medical examiner here had kept tissue samples from this child's autopsy. They were able to look at the tissue samples, and I don't know all the scientific terms, but they were able to look at the samples, and based on the growth of some kind of, I guess cell restructuring in the liver, they were able to determine that the injury actually happened hours before the child ever got to the Murray household. After much, much persuasion of the D.A.'s office, they finally dismissed the case. She spent three years in the Texas Youth Commission facility. That really affected her. She's twenty-five now, and she's here in Austin, and she's had some problems because of that. But can you imagine that? An eleven-year-old kid falsely accused of something. That's a case, I think, where some political gain was to be had, and the D.A.'s office used it, and there's a lot of politics involved in that. But in the end she was exonerated, so that's good.

AMBROSINI-BACON: I'd like to ask you more about that. Maybe we can stop and change the tape really quickly.

MS. LINDA ICENHAUER-RAMIREZ: Okay.

[Tape 1 ends]

[Tape 2 begins]

AMBROSINI-BACON: Cuts off the first couple seconds of every tape so I try to fill it with mindless chatter. So you were talking about the effect that being incarcerated, or being in T.Y.C. at a young age can have on people, or being falsely imprisoned and getting out. I don't know if you could maybe talk a little more about-

MS. LINDA ICENHAUER-RAMIREZ: Well, I can remember when we, the day that she got out of T.Y.C., or let me backtrack, before that, Keith, and Keith really is the main guy on this case, I was just kind of helping him, but T.Y.C., it's all about rehabilitation, and a big part of that, or it was, and a big part of that was for the child to go through this process where they admit what they did, and they express remorse for their victims and they have to write all this stuff. Well, she couldn't do that, because she didn't do anything wrong, and so when Keith and Cameron would go visit her at T.Y.C., her case worker and stuff would say, "She doesn't really belong here, because we don't think she's guilty."

And she can't- And they have to progress through these steps before they make it on to the next, they call them phases, and she couldn't do that because she didn't do anything wrong, so she couldn't write letters to the victim's family. And the people at T.Y.C. were hopeful that one day she would be exonerated, because they didn't even think she had done it. And I just- I can't imagine- I have kids, and I can't imagine what that would have done to one of my kids if they had been taken away at the age of eleven, and put in T.Y.C. with a lot of kids who've done really horrible things, and you haven't done anything wrong.

And so- Actually I was talking with an attorney the other day who knows her. They were talking about how she has, today, has a great sense of humor and I think she's managed to go through all of this and come out- She has some issues but she's a strong person, and so, yeah.

AMBROSINI-BACON: This is a little unrelated, but I had recently read something about, you mentioned autopsies, and that's why I'm thinking of it, but poorly done autopsies and autopsy reports, how that affects whether something is prosecuted as a murder or not, and if that, I guess I imagine the autopsy, excuse me, on the young child, they assumed it was murder. In another case I came across, a child had been dropped on its head accidentally, or purposefully hit, and these sorts of things, I don't know if you could talk about that at all.

MS. LINDA ICENHAUER-RAMIREZ: Yeah. On Lacreasha's I think it was murder. I mean I think something happened to her. It was just when did it happen, and in her trial we even had, there was so much publicity about it. When she was first arrested, the D.A. stood on the front steps of the courthouse and was bragging about how this was the youngest capital murder defendant ever, in the country. So there was so

much publicity, by the time it got to trial, everybody in Austin knew what she was accused of, and everything.

And during that trial, so I think the idea of presumption of innocence in her case was really hard to accept, and we even brought in, at the second trial, we had like emergency room people who said, we probably had looked at some of the damage to this child, we did C.P.R., some of the bruising, things like that. It didn't make a difference to the jury then. They still convicted her.

But you mentioned like head injuries and everything. That's a really interesting area because for years people have been convicted on shaken baby evidence, and now there's so much discussion in the medical community whether that can actually happen, whether a baby can be shaken hard enough to cause that kind of damage.

I actually was in a trial, I second-chaired another attorney on another murder case a few years ago, where we found an expert who brought in all kinds of biochemical evidence and testimony that it would be impossible for a human adult to shake a baby hard enough to cause that kind of brain injury. Otherwise you would see a broken neck or something like that. So there seems- I was reading something on the internet last night. We have a listserv, Texas Criminal Defense Lawyers Listserv, where we're passing articles back and forth and discussion, and there's a lot of discussion now in the medical community about whether there can be such a thing as shaken baby. A lot of doctors don't think so. But you have other doctors who say "Yes, you can."

And if the doctors don't even know, how do we expect jurors to make accurate decisions about whether somebody has harmed a baby in that way. So it's- Everything's not black and white. That's one thing I've learned about this job, is very little is ever black and white. There's a lot of grey in a lot of different areas.

AMBROSINI-BACON: You mentioned the publicity in Lacreasha's case. I don't know if you can talk about the effect media coverage has when you're working on these cases.

MS. LINDA ICENHAUER-RAMIREZ: Well it's usually bad for us. There's ethical rules that we're supposed to abide by about not talking about our cases, but it's very common in some of these really high profile cases to have prosecutors talk and police officers talk and that's really damaging to a defendant, especially when there's supposed to be a presumption of innocence. And so when you're questioned jurors during voir dire that's one thing you ask them. "What have you heard?" and "Have you formed a decision about the person's guilt?"

But it's hard to undo that damage once it's done. Again, you see, in our state, where we elect judges and prosecutors, I think you see a lot of careers built on publicity built about these high profile cases, and that's not good for our criminal justice system, I don't think.

AMBROSINI-BACON: Definitely, and even a lot of my research is reading those newspaper articles

MS. LINDA ICENHAUER-RAMIREZ: Yeah, which are not accurate. You know, you can believe about fifty percent of what you read in a newspaper, usually.

AMBROSINI-BACON: Did you have any questions?

LORINS: Well I guess you had mentioned, early on in the interview, about how people in the criminal justice system, and maybe even outside of lawyering, don't understand how difficult it is, jurors in particular. And then you mentioned some of the cases that you've worked on, and you called your profession a calling. I'm just wondering if- It also sounds to me like there can be a toll on a life, and I'm wondering if you can talk, either in your own life or others you know.

MS. LINDA ICENHAUER-RAMIREZ: It can be a very stressful life, and we have seminars all the time, we have to do continuing legal education. And I was at one a few months ago where - There's a lot of lawyers with drug and alcohol problems. This is really stressful, and you're dealing with people's lives, and that's a really heavy responsibility. I've seen that. I've seen lawyers who can't handle the stress and the pressure, so I think that's a toll.

I think, for me, I've been licensed for over thirty years, and I've been doing defense work for over twenty, and it's hard. And you get tired. I used to have a whole lot more energy than I do now. I think now I have some wisdom, but I don't have the energy I used to have, and that's partly a function of age, but I think it's really hard work, and to do it well.

For defense attorneys, most of these big cases, our clients don't have money, and so they're going to be court-appointed cases. The pay scale is horrible. What we pay court-appointed attorneys is just a joke, and to think that- I think in Austin we're very lucky, because we have a lot of wonderful, wonderful attorneys who do court-appointments, and so people generally get good representation, but I see some that I just, I wonder how can a judge let this person take this case, when they obviously have no idea what they're doing. And that bothers me a lot.

And I know in other counties, in other parts of the state, where they don't have the quality of attorneys, it must be horrible, and I've heard stories. So I think for people that do this work and do the big cases, the big murder, the capital murder cases, they're going to all be court-appointed, and you have people who are making a big sacrifice, a financial sacrifice, to do this kind of work because they believe it's important to do. So that's a big cost, I think. Most criminal defense lawyers are not real wealthy, but that's okay. I do it because I enjoy it, and I like it, and I think it's important work, so that's good.

But if you're ever in a situation where you can lobby for increased court-appointed attorney fees, everyone would appreciate it. But I've had cases- A murder case where I was told by a judge, we went to this judge and asked for money for an expert, and she told us, "If I give you this expert, I'm going to have to cut your voucher."

And we told her, "Go ahead."

And she did, but we got our expert, and you know that's what they do, so.

AMBROSINI-BACON: Just to clarify, cut your voucher?

MS. LINDA ICENHAUER-RAMIREZ: Yeah, cut our pay.

AMBROSINI-BACON: Okay.

MS. LINDA ICENHAUER-RAMIREZ: We'll dock your pay to pay for this doctor, so I mean the judges, and I know the judges here very well. They feel like they're under a lot of budget pressures, which to me, and I've told them all this, shouldn't be their concern. Their concern is to see that justice is done, and it shouldn't matter to them if the county commissioners are going to be mad because they spent too much money. I mean, they're supposed to make sure people get fair trials and are treated fairly. But they're elected, so they have to cater to their constituency, so, I don't think judges should be elected.

AMBROSINI-BACON: Do you want to talk more about that?

MS. LINDA ICENHAUER-RAMIREZ: Well it's a terrible system. You have people who are judges, who have no business being judges. You have judges who are sitting in these courtrooms and never tried a case. They've never managed their own office, they've never had to work for a living, because they've been government employees. They don't know- Some of them aren't smart. The only requirement for becoming a judge in Texas is that you can get elected, which is pretty scary, you know.

So I think it would be better if we had a system where qualified people were nominated by the State Bar, and then appointed by the State Bar, or the Legislature, or the Governor, or somebody like that. But the idea of electing judges, where they're politicians and they have to politic every time they have a jury sitting in front of them, I don't think that's right. That doesn't sound like a good system to me.

AMBROSINI-BACON: Which I guess is sort of based on public sentiment that is pro-death penalty. In your career have you noticed a change in the trends publicly, what people are saying about capital punishment, feelings about it?

MS. LINDA ICENHAUER-RAMIREZ: I'm hopeful. I'm getting the idea that people are changing their mind about the death penalty. Unfortunately, I still think the majority

of people favor it. But I think people are questioning it a little bit more, and I think as there's more publicity about wrongful convictions, and I think that's gonna change, and I think the life without parole institution. I mean, I think that has helped a lot, because death penalty cases are terribly expensive, and it's all about the money, saving counties money, and I think the counties are discovering that they can save money if they'll just go with life without parole, and they seem to be happy with that outcome.

I have to tell you, there is one thing that is kind of cool. I have a daughter that's in law school right now, and Sister Helen Prejean, who I admire greatly- My death penalty lady is Cathy Henderson, who is the lady who was the babysitter who killed her baby. And Sister Helen has worked on Cathy's case, and Cathy has been on Death Row since 1995, but my daughter is in law school up in Oregon, and Sister Helen recently went up there and gave a speech and my daughter went, and I told her, "Go talk to her. Tell her that I know she worked on Cathy's case."

And so Sister Helen wrote me this wonderful note in a book. It's a book she wrote, but she wrote me a wonderful note about working on Cathy Henderson's case. And when my daughter gave that to me for Christmas, it's like, I cried, it was wonderful. It's just nice to know there's people out there trying to change the system, I think, so that's wonderful.

AMBROSINI-BACON: What was your relationship with Cathy like?

MS. LINDA ICENHAUER-RAMIREZ: We got along very well. She was a very difficult client, but we got along very well. And again, I felt horrible when they gave her the death penalty. Just, very discouraged, you know?

AMBROSINI-BACON: Have you been to visit her on Death Row since?

MS. LINDA ICENHAUER-RAMIREZ: No, because once again, once you do that then you're the target, and I've been the target in her case, and that's fine. I've bargained for that. You know, you accept that when you take those cases. And whatever, I don't want her to be killed, and so whatever they need to do to stop her from being executed, that's okay, and I can be the target, and so I'm willing to do that. It's hard.

Her case is an interesting one, because in that one the baby died of a head injury. And it's amazing these big civil law firms now will take up these cases after the appeals are over, and so she has a firm out of San Francisco, I can't remember the name of it, but they have just done an outstanding job of bringing up new medical evidence that shows that this accident might have, this injury might have been accidental.

And they've been having hearings, where they've introduced medical testimony, and they even got Doctor Bayardo, who was the medical examiner here at the time, to testify that if he had known then what the research what the research has shown

about head injuries in babies, that he might not have testified that it was an intentional act, and so there was a very good chance that she may get another trial, and that will be wonderful. That will be very good. So, I'm hopeful for that.

AMBROSINI-BACON: I'm wondering if I could maybe get back to Rebecca's question a little bit, because you we're talking about the stress and the toll that it can take personally.

MS. LINDA ICENHAUER-RAMIREZ: Yeah.

AMBROSINI-BACON: And I was curious if you had things that you do that help you manage the stress.

MS. LINDA ICENHAUER-RAMIREZ: Well, I think my religious faith, I think, has helped me a lot in this. And I'm a pretty calm person, but I believe in exercise. Exercise has been great for me. Because I don't drink a lot. I drink a little, but not a lot, so I think I've been able to get rid of that stress by exercising.

And I think having children. When I did the Cathy Henderson case, my kids were little, like four, seven, and nine, and going home to them every day kind of makes you sane. So I would do my work and then go be a mom, and I think that's helped me be able to handle a lot of the stress. And so that's really good, just kind of brings you back to reality, to the good reality. So that's it.

AMBROSINI-BACON: Did you have other questions, Rebecca, you wanted to ask?

LORINS: I think I'm okay.

MS. LINDA ICENHAUER-RAMIREZ: Okay.

AMBROSINI-BACON: Well is there anything we haven't talked about, maybe for the public record, things that people should know about the death penalty, about being a defense attorney, things you've learned, reflections, that kind of thing?

MS. LINDA ICENHAUER-RAMIREZ: I can't think of anything else. I think we've talked about everything that I've thought about. I was trying to think of things last night, so, I don't think so. But I'd encourage you. Carlos Garcia, I think, would be a great person to talk to.

AMBROSINI-BACON: We'll definitely follow up with him.

MS. LINDA ICENHAUER-RAMIREZ: He'd be good. David Gonzalez, who offices here, is also a great guy. He's done a lot of work with the DIVO project at U.T., the victims, reaching out to victims

AMBROSINI-BACON: DIVO?

MS. LINDA ICENHAUER-RAMIREZ: DIVO

AMBROSINI-BACON: D. I.V.O.

MS. LINDA ICENHAUER-RAMIREZ: I think so.

LORINS: Is your daughter planning to specialize in criminal?

MS. LINDA ICENHAUER-RAMIREZ: You know I think she is. When she was little she loved watching trials, so she would come watch, because her dad is a criminal defense attorney too, so she would hang out at the court house and watch trials. She's in her second semester of law school. The first semester she was like, "I'm not going to do criminal law."

But she's taking criminal law this semester, and I was talking to her the other day, and she- "This is really interesting."

Yes. So we'll see.

AMBROSINI-BACON: That just made me think, because I forgot your partner was also doing this work. I don't know what that's like, to have both.

MS. LINDA ICENHAUER-RAMIREZ: Well we're divorced now.

AMBROSINI-BACON: Okay.

MS. LINDA ICENHAUER-RAMIREZ: Yeah, so, but we're still very good friends, and it's been interesting, because when we were together, we talked about cases, and our poor kids, that's why they stayed out of trouble, because they've heard all of the bad things that can happen. But we still talk. I had lunch with him yesterday. We still work on cases together. We try cases together still. We've tried many capital murder, non-death penalty capital murder cases together. We worked really well together. I think that was probably a stress-reliever too, because there was someone to talk to who understood what was going on. So that was good.

AMBROSINI-BACON: Yeah. Well thank you so much. I feel like I've learned so much just from sitting and listening.

MS. LINDA ICENHAUER-RAMIREZ: Well I hope it wasn't too weird.

AMBROSINI-BACON: No, no, not at all. It was really good. I'm just thinking I learned a lot. Thank you.

MS. LINDA ICENHAUER-RAMIREZ: Well if you could talk to Gerry Byington, he'd have a whole different perspective. He's a mitigation expert, and he does death penalty work all over the state.

AMBROSINI-BACON: How do you- B-Y

MS. LINDA ICENHAUER-RAMIREZ: I-N-G-T-O-N

[Tape 2 ends]