

The Andrea Mims Story: "Rape of an Angel"

Part 4

There were two troublesome spots. The first was the jailhouse witness, whom Stafford did not want to deal with...Richard. He had failed a polygraph test at least once, but Hawkins still wanted to use him. He finally passed a very sloppily administrated polygraph, answering only nebulous questions. Andrea was insisting she'd turned over all her phone records to Gary Scherotter, her first attorney, and these records would prove she had no phone contact with him prior to Sand's death.

He had Laura, his investigator, call Scherotter to see if such records might still be in his office.

Gary didn't find the bills, and insisted he'd forwarded them to Stafford, but he did find 3 or 4 letters Richard had written to Andrea, and which she'd turned over to him, along with one very questionable letter.

Let me explain. When Andrea first received word that Richard had indeed followed through with his threat to phone the DA, she felt hurt and confused. In a somewhat disassociated state, and remembering Richard's stories of his alcoholism, she sat down and composed a letter to herself. Writing as Richard, remembering things he'd told her about himself, and in a very sloppy rambling mess, she wrote the following:

"Dear Andrea,

Thanks, you're gonna [going to] be a big help with my problems. (SORRY) But, that's the way it is. You were right, Andrea, I am bad. I don't blame you for not visiting me. (I don't care [about] the hurt that you are going through.[experiencing]) (I hate myself) when I get so badly drunk....I can't write this...I probably won't remember that I wrote this...I am depressed...I am (rotten person) your beautiful person. I have never you...but I may get to meet you now. (I want to end my life) if I don't see you. I [am] not your problem. I [am] ugly. I (very [am] unhealthy).

(Thank you for your pictures and letters). You are person...I [m]not gonna [going to] pay for all the collect calls. I[m] gonna [going to] use you to get out and I have heard rumors up here that you can't have killed him. I've cared for years here (becomes ugly) (I hate myself) drunk. Andrea. That's when I do bad. I can't control myself. I don't [want] to change, really. I [am] so drunk. (For God's sake) I love you and I can't have you. I tried. (crazy) I'm a sinner. I [m] gonna [going to] lie to hurt you.

Love always,

Your friend, (SORRY)

Richard

Andrea, after writing the letter, stuffed it in an envelope earlier addressed to her by Richard, wadded it up, and threw it in the trash. The next morning, as Joe was taking out the trash, he noticed the envelope. He was peeved, since Andrea had broken off the relationship...why was she still getting letters from him.

He straightened out the letter as best he could, and when he read it, confronted Andrea with it. Andrea could no longer remember how the letter came...only that she'd been upset and thrown it out. Joe, thinking it to be evidence, immediately drove to Gary's office, and turned it in. Gary took one look at it, and decided it was something he should never use. He realized it was just Andrea acting out her pain, so he filed it away and forgot it.

Now, when he received the request to take one more look for any additional evidence, especially for Andrea's phone bills, he located all the letters from Richard. He forwarded them to Stafford, with a brief note explaining that he did not believe the letter quoted above was genuine, and advising him not to use it.

Along with the letter, were several genuine letters from Richard, including the first letter he'd written after Sand's death. The letter, dated June 4th, 1981, 3 weeks after Sand's death, stated"

"I was deeply saddened to hear of the loss of your husband. Because of my deep respect and concern for you, you can depend on me to share your grief and pain. I told you once effort that my shoulders are large and I can understand your need for companionship. When I lost my 11-year-old boy my world seem to crumble around me but I knew that I had to remain strong. Andrea, you MUST do the same you have a lot to keep living for, your sons are a part of you that you must consider. I found the best way to deal with such a loss is not to say anything at all. You have my prayers.

I have just arrived at this new location at Jean, Nevada. I still have yet to unpack my personal belongings they are still laying in boxes on the floor. I'll get to them later, you come first.

Jean, Nevada is located 246 miles out of LA, and 40 miles from Vegas.

This is a brand new prison which is very modern; one who must be contained here would get the impression he is attending a college. My lawyer worked hard to get me down here. They were reluctant to transfer me here for fear that I might escape again. I convinced them that I wouldn't do anything that foolish...so here I am!

(Here's the most important paragraph) I TRIED TO PHONE YOU BUT YOUR PHONE IS DISCONNECTED. SO, IF YOU CAN PLEASE SEND ME YOUR NEW PHONE NUMBER.

I would really like for you to visit me, now that we are a great deal closer. Will you? I think it would be a healthy experience for both of us. Please try, OK?

Andrea, you mustn't forget that you are a very beautiful and intelligent woman and it would be sad to see you fall apart at the seams. We need you.

May God stay with you and remember that you are in my constant thoughts.

Love Always,

Richard

Please note, for accuracy I have typed both letters with misspellings and grammatical errors exactly as they were written.

Editor's note: For people in foreign countries to understand, spelling is important as is grammar.

Richard had escaped from prison during the period Andrea had been with Bob Sand, and made his way to New Jersey, where he'd gotten drunk and been arrested attempting to rob a bank. The robbery was so bungled, he was probably attempting to be re-arrested, as he claimed. Now, he was facing an additional 5 years in Nevada (he was in prison for armed robbery there also), and upon completion, would be sent to New Jersey to face trial for the robbery attempt.

Additional letters over the next year continued to express sympathy and concern for Andrea, not only for the killing of her husband by intruders, but also for her continued abductions and rapes.

The disconnected phone number Richard was referring to was her phone at her old condominium in Tarzana, California, which he had attempted to call when he received her first letter. The phone records proved she had not changed her phone number when Sand died.

In addition, subsequent letters showing concern, showed that at no time had Andrea told him she'd killed Bob Sand, so, despite his claims, he was obviously lying.

Next, was a rap sheet showing over 30 offenses in 4 or 5 states since 1950, including at least 5 felonies. Scrawled across a cover sheet were the words from Gary Scherotter's investigator, Joe Jones "When Hawkins sees this, he'll be wearing brown shoes!"

Richard, had no credibility, so Stafford didn't want to waste too much time with him. He asked Andrea about the first letter, she told him she didn't know where it came from, but she honestly didn't believe Richard had written it. She told Stafford that she'd probably scribbled it out in two minutes and forgotten it. She thought she'd thrown it out, and this

was the first time she knew that Joe had saved it and turned it in. Stafford sent the letter to an amateur handwriting analyst, along with samples of Richard & Andrea's handwriting, and unbelievably, the "analyst" said Richard had written it. Stafford decided he'd use it even though Andrea was insisting it hadn't come from Richard. But, Stafford convinced her that his handwriting expert knew best.

Andrea pointed out the second letter, in which Richard stated he didn't have Andrea's phone number. Stafford said "You must have changed your phone number after Bob died." Andrea told him that she'd never changed her phone number from the time she'd moved to Rancho Mirage right up until the time she was arrested. She begged him to get copies of her phone bills, as they'd prove the calls could not have taken place. He refused, stating the first letter (the fake one) would suffice.

When Andrea asked him if he was going to use the rap sheet to discredit Richard, Stafford simply said "No, we wouldn't want to embarrass the poor guy!"

Finally, Stafford made the fatal mistake of not calling to testify the attorney who had drawn up the new Will, which would have greatly increased Andrea's inheritance. He would have been invaluable in discrediting the financial motive Bob Dunn was planning to fabricate.

As the trial drew near, Andrea grew more despondent. The psychiatric reports were attacking the core of her being. Even her delightful laugh and smile were being characterized as "inappropriate." Andrea had the quite common habit of laughing to relieve stress when confronted with an uncomfortable situation...and now she was being called "borderline psychotic" because of it.

She'd lost all confidence in Chuck Stafford, but in an effort to make him feel appreciated, she wrote him a poem. He kept telling her that he knew what he was doing, and what was best for her. Andrea wanted desperately to believe him, because he was holding her life in his hands.

To Chuck

"I am here day to day, dealing with time

In my own special way.

Someday, soon, my time will end,

But, 'till then I know I've got you as a friend.

The pain, tears, and fear I have to bear

But, knowing I have you to care

Makes it easier being in here.

I know you're doing what you can for me

But, for now, I know this is where I must be.

It isn't easy, I must admit

Living in this awful pit.

As days pass by, it's plain to see

I mustn't let this destroy me.

The newspapers are lying and tearing me down

But, I know I have you around.

The truth will come out in the end

All because I have you as a friend.

I yearn for a warm hug and a friendly kiss

And to go out and play tennis.

But, talking to you, Chuck, has helped ease my time.

So, I'm writing you this little rhyme.

As the trial began, Andrea was alone. Although many friends wanted to visit, and one in particular, Suzanne Brent, wanted to testify that Robert Sand had made advances toward her, Chuck felt that Andrea would be more cooperative if she were told her friends had deserted her in disgust. Even her second son Doug, whom she loved dearly, was told his mother didn't want to see him, as she ached for just a few moments talking to him through glass.

Her older sister Barbara offered to fly out and testify on Andrea's behalf....Andrea's history of abuse would be important in showing why she'd stayed with Sand, and why she feared for her life. But, despite Barbara's pleas, Stafford decided the only family that should testify on Andrea's behalf were her mother, and her older son Guy. Barbara warned Stafford that her mother would lie rather than make herself look bad...especially when it came to how she forced her daughter to marry a rapist, but Stafford would hear none of it.

After 14 months in the county Jail, Andrea's trial began on January 17th, 1984. It would last until April, and be the most heavily covered trial in the history of Riverside County. Andrea had been kept drugged throughout her time in the jail, and, to insure her cooperation, Stafford asked the jail staff to step up her dosage so she'd be subdued throughout her trial. But, the real trial for Andrea had already occurred in the newspapers, and the small community of Indio was solidly against her. Why wouldn't Chuck ask for a change of venue. Gary Scherotter had promised he was going to?

Joe would be there, but Andrea didn't know it. Chuck Stafford had told her that Joe did not want to talk to her and was disgusted with her. And, despite his earlier insistence that he'd never testify against her, Stafford said they'd force him to do it. He'd been tricked into filing for the annulment, which meant the marriage had never existed. This meant he could be compelled to testify.

Bob Dunn, who was to go on to be named California Prosecutor of the year was delighted with the jury selection of two men and ten women. While the jury would seem to the press to be predisposed as sympathetic to Andrea, these were mostly elderly women on social security...church-going women who would never be able to understand Andrea's lifestyle. Andrea felt one older woman staring at her in contempt...she told Chuck to get rid of her, as she knew she'd met her somewhere, but could not remember where...but Chuck merely patted her on the had, and told her it was her imagination. He was happy to have a mostly female jury. And, he told her that they'd exhausted their preemptory challenges, failing to inform her that they could still dismiss jurors for cause.

In fact, Judge Moore even informed Andrea that she had the right to dismiss jurors she felt uncomfortable with, even over the objections of her own attorney, but drugged into submission, she simply remained silent. She never realized she'd had this option until I read the transcripts many years later and told her. She did not remember.

The judge had offered to grant a change of venue because of the intense pre-trial publicity in a relatively small community, but to Andrea's consternation, he had refused the offer on the grounds that Laura could not travel with him. And, although the judge had offered a change of venue, Stafford argued that he believed Andrea could get a fair trial in Indio, despite the constant publicity. Then, he told Andrea to sit on the opposite side of Laura, and if she wanted to pass notes to him during the trial, they'd have to go through her.

Dunn began by calling the security guards and the investigating police...beginning with lead detective Fred Lastar. It was awkward for Fred, since during the investigation he'd developed some romantic interest in Andrea, and had to be counseled for it. Andrea, in turn had looked to him as her protector, the "Starsky & Hutch" guy who would catch Sand's killers. Against her attorney's advice, she called him time after time, believing him to be her friend. It was with an

extreme sense of betrayal that she finally realized he was trying to build a case against her, the real reason why he kept encouraging her to call him. (In all fairness, I ought to point out that Fred has said he was extremely dismayed at the outcome of Andrea's trial. He had thoroughly investigated the case, and while he always suspected Andrea had done the killing, he was just as convinced she was not aware of it. He knew she'd have to do some prison time, but never believed she'd receive a life sentence.)

For the purposes of this narrative, I want to be as brief as possible, so, I'm only going to mention seven or eight prosecution witnesses.

Most important was the elderly Dr. Rene Modglin, a forensic pathologist who'd performed over 10,000 autopsies in his career. Up until it was announced that Andrea would admit to the killing, he'd been her staunchest supporter, never believing she could have inflicted the wounds on Sand.

He carefully described the abrasions on Sand's head and hands from the paddle board. Then, he described the knife wounds...all very shallow, mostly on the upper back and shoulders, with the top of one of Sand's ears cut off, and a flesh wound to the scalp. All wounds indicated forward motion on Sand's part. Then, he stated that the final two wounds, which went through the breastbone, partially penetrating Sand's heart and aorta, could not have been done by one woman, considering the knife was very small (3 1/2 inches), and very dull. It also had a bent tip, but this was probably from penetrating the bone.

On prodding on the part of Dunn, Modglin conceded that Andrea could have inflicted the final two wounds, but only if Sand had contributed to the force with his own weight. He would have to be on his feet and running at her in order for the knife to be driven through the bone.

He went on to say that there was no physical reason why Bob Sand could not walk. The only thing he could find medically wrong with the man was a severely arteriosclerotic heart. (Note...I suspect the lack of circulation may have been the cause of Sand's lack of equilibrium...but it's just my opinion. He was clearly in need of a bypass...yet his own doctor does not seem to have ever informed him of it.)

Clearly, this was one prosecution witness who helped Andrea far more than hurt her.

Next, came an old attorney acquaintance named Marvin Chesebro. Chesebro had drawn up the original codicil to Sand's Will that had bequeathed \$150,000 to Andrea. He testified falsely that Sand had complained to him constantly about Andrea, and how he planned to divorce her. Phone records showed that Sand called Marvin exactly once while they were living at Rancho Mirage, but again, Stafford had refused to get the bills. It has since been learned through Garthe, the attorney in Portland, that Marvin had a financial interest in Sand's former company, Sand Door and Plywood, and did not want Andrea to come into any of the proceeds of the estate. He was also very close to Sand's first wife, Florence, and Sand would never have trusted him with any details about his marriage to Andrea.

On cross-examination, Stafford asked Marvin "Were you aware that a new will was taken out?" Nervously, Marvin answered "Well, yes, I may have heard something about that." Then, Stafford mysteriously dropped the line of questioning and let him get away unchallenged.

Andrea asked Chuck "Why didn't you expose his lies?" Chuck responded "You're the one on trial here, not him."

Florence Sand, AKA "Foy" took the stand, and repeated what Marvin had said....that Bob used to constantly call her and say he'd made a terrible mistake and wanted a divorce. No mention of the new will ever came up, but Florence spoke of the time Andrea was poisoned, stating that she, Marvin, their daughter Sylvia, and Dr. Marxer, Sand's physician all had urged him to move Andrea out of the house, telling him how bad it would look if Andrea died there. Could Foy have been involved in arranging Andrea's poisoning? She's deceased now, so we'll never know. What I do know is that the new Will drawn up in Oregon cut Foy completely out of all inheritance, yet, once again, none of this was raised on cross-examination.

Sylvia Berger, Sand's daughter, took the stand and called her father a "pervert." When Dunn asked her why she considered Sand a pervert, she said it was because of his predilection for prostitutes. Indeed, he'd been forced to sell his interest in his company because his addiction to expensive call girls was draining the cash reserves.

She went on to say that after Bob married Andrea, he used to call her and cry because he could not see his beloved granddaughter, Alex. When asked why, Sylvia said "Because I won't have my daughter in the same house as a prostitute." The little ladies in the jury smiled knowingly, but Sylvia, if you ever read this, I would like to remind you that the closest thing Jesus Christ ever had to a girlfriend was a reformed prostitute. In any case, I've read a great deal about Sylvia's obsession with not allowing her father to ever see her daughter unchaperoned, and can only surmise she suffered molestation at his hands when she was young. If fact, in some of the sex games Andrea acted out for Bob, she was supposed to be Sylvia being raped! On other occasions, Andrea was supposed to be Sylvia so Bob could spank her. He was always complaining about "Sylvia's flat ass," which he attributed to horseback riding.

Sylvia again repeated the lie that her father was very unhappy with Andrea, and was especially upset when she'd leave him alone to play tennis. She said she believed he planned to divorce her.

Chuck again brought up the new will, but without explaining it to the jury. Sylvia did seem aware of it, but it was left at that. Stafford then filed the new Will as an exhibit. The jury might have perused it, and questioned it's significance, but he must have known they never would. The newer Will, unsigned, would have greatly enhanced Andrea's inheritance. It makes no sense whatsoever to think Andrea would kill Sand to collect on a \$150,000 codicil, when she could have waited only a few days longer and collected far more after the new Will was executed!

Andrea has told me that Bob actually was very upset with Sylvia for refusing to visit and bring her daughter. He had actually told her a day before the Will arrived, and before he was killed, that if she would not let him see Alex, he would cut her entirely from the will, and Andrea would get 100%. Obviously, I have no way of proving this, but I believe it to be true. On the other hand, Sylvia may have been justified in not allowing her father to see his granddaughter. His behavior suggests that he may have been capable of child molestation. Florence, Sand's first wife, had been loathe to leave him alone with Sylvia when she was a child, and Sylvia had followed her mother's example.

Betty Jo Crane was a very nosey woman who used to hang out at the Tennis Courts when Andrea would come for her lessons in one morning per week. She'd also observe Bob Sand at the courts with Andrea, berating and cajoling her for her mistakes on the court. One day, Andrea seemed very down and depressed. When Betty asked her what was wrong, she replied, "It's my husband, Bob. He told me last night he's dying of multiple sclerosis." Betty smiled and said, "Andrea, he won't die from that. He may loose some coordination, but he could live for years yet." Delighted with this news, Andrea ran home and told Bob he wouldn't die, and that she'd always take care of him. Bob simply replied that he also had cancer and WOULD soon die.

Note: Bob Sand neither had cancer NOR multiple sclerosis.

Betty Jo Crane, in a police interview, related the event, and told them that Andrea seemed surprised when she told her that Bob wouldn't die from MS. Now, over two years later, and in the trial, Betty said that Andrea was very upset that morning, and insisted that Bob would die soon. I do not know if anyone (like Jim Hawkins) had convinced her to lie and change her testimony, only that she changed it. Perhaps busy-body Betty just wanted her 15 minutes in the limelight.

Sand's physician, Dr. Marxer was called to the stand...but as he approached the stand, he suffered a massive stroke, and was unable to speak. He was rushed to the hospital, and died shortly thereafter.

Finally, the day arrived for the prosecution's piece du resistance, Richard, arrived. By now, he was serving time in a New Jersey prison, and had been flown out at great expense to testify.

As Andrea waited to be led into court that morning, she stood in shackles. Richard, being held in the Indio Jail, was led to the courtroom, and amazingly made to stand in front of Andrea. Andrea's feet weren't shackled. She thought of planting her foot in Richard's groin, but just as she made up her mind to do so, Richard was led into the courtroom. She'd missed her big chance.

Andrea thought Richard a mess! He looked nothing like a picture he'd sent her a few years back, and had a very long, scraggy beard. As he took the stand, he reached his right arm around the back of his head, and scratched his left cheek.

Dunn began by asking him why he'd come forward. Richard maintained that his conscience had bothered him for years after Andrea had admitted the killing to him. He claimed he'd discussed the whole thing with his "friend" David, and David had urged him to come forward. (David denies this and claims Richard never discussed Andrea with him.) He went on to say that Andrea held many phone conversations with him while she was with Sand, telling him she'd been

trying to poison him to no avail, and that she had to do something to get rid of Bob, as she felt like a slave, waiting hand and foot on the old cripple.

When Bob was killed Richard said he asked Andrea if she killed Bob, and she said, "That's right, I stabbed the old bastard, then I took a nap on the couch." He went on to say that he was receiving, and had asked nothing for his testimony. If Andrea had napped on the couch, there would have been blood on it...and there was none. Andrea did, however, spend the rest of the night at her neighbor, Betty Hawkins' house, sleeping on her couch. It is possible that Richard merely twisted what Andrea had told him about sleeping on her neighbor's couch, but that was only after the police had left.

When Chuck began his cross-examination, he asked Richard about his demand that David be moved back to the same prison and cell with him, and he said yes, David was a younger guy he was looking out for, and he'd been concerned for him after finding out he'd been beaten up in another prison.

He also managed to elicit the fact that Richard was having trouble remembering when conversations had taken place. In exasperation, Richard remarked "I've lost a lot of brain cells...I'm an alcoholic, you know."

Stafford then proceeded to break out 4 or 5 letters that Richard had written to Andrea, never asking him to read them back....not even the one that said he didn't have Andrea's phone number. Richard has recently admitted that this letter was genuine, and that he must have been mistaken when he said he had conversations with Andrea prior to Sand's death.

Andrea could never have told Richard she was planning to kill Sand, or had earlier attempted to poison him! He admitted to writing them all, until Stafford got to the last one...the one Andrea wrote. When Richard said he had not written the letter, Bob Dunn immediately asked to see it, asked for, and received permission from Judge Moore to send it to the US Postal Inspector for handwriting analysis.

I have made a case here that Bob Dunn presented enough easily discreditable witnesses, that any defense attorney who cared about his client could have won the case without ever presenting a defense.

But, Chuck Stafford, for whatever reason I cannot surmise, did such a shoddy job of cross-examination, that he gave credibility to lying witnesses. It has been said that he focused so much on the insanity angle that he couldn't see the forest for the trees, and ignored opportunities for Andrea to be either acquitted outright, or found guilty of a far lesser offense.

Would it surprise anyone to know that I've long suspected something far more nefarious?

Stafford announced that Andrea would take the stand as his first witness. This was rather unprecedented, as defendants are almost always the very last to take the stand, and then only if absolutely necessary. This is especially important if any other witnesses lie or make mistakes, because the defendant can come forward at the end to set the record straight.

Even Andrea, long a fan of mystery books, especially by Lawrence Sanders, understood this. But Chuck said, "We'll do things differently. Let's put you on first, then all the other witnesses can corroborate what you say."

Andrea took the stand, and remained there for two days. She went through her life from the age of 13, when her father abandoned the family. She spoke of lack of affection from her parents, her rape by Wes Denike, followed by the forced marriage. She detailed her years of captivity in Cuba, her near killing at the hands of Batista's soldiers because Wes resembled Fidel Castro, and her work as a maid for Cuba to earn the little bit of food she was able to feed her son, Guy or herself when she was pregnant with him. Wes would abandon her and Guy for days on end without food, leaving her to go begging. But, she'd learned Spanish, and came to love the Cuban people.

When Andrea was about 7 1/2 months pregnant, Wes beat her and raped her so roughly and savagely she began going into labor. He refused to take her to the doctor, but the next day she was very sure, so he took her to some Cuban neighbors. She was so thin from not eating they said she didn't even look pregnant, so he took her to the base doctor. Not knowing the proper word, she told the doctor "I'm having erections." The Navy doctor told her it was probably false labor pains, and sent her away. Angered, Wes made her drive the car back to Guantanamo City. After having "erections" all the way home, she could barely get out of the car. Wes took her into the house, and went for a Cuban doctor.

When the Doctor returned, he saw Andrea lying on the kitchen table with a laundry basket at the foot of it, to collect any afterbirth. Andrea had 4 pots of water boiling on the stove, so he asked her what they were for. "They always do it in the movies," she said. The doctor said "fantastico!" then told her the boiling water is what they used to do to keep the men busy, and served no real purpose. He helped her finish delivering the baby, but was amazed at the way she'd set up the kitchen, including having sheets nearby to pull on. Wes told the doctor to "sew her up real tight like a virgin!"

She told of a second pregnancy that Wes had beaten out of her, flushed down the toilet, and refused to let her consult with a doctor. She went to the base Chaplain to ask for assistance in trying to get away from Wes. The chaplain appeared concerned, but when he put his hand on her knee, she got up and left. Later, the chaplain did some checking on Wes, and discovered the neighbors had been complaining about the loud fights with Andrea screaming in pain. He arranged for Andrea to be flown back to New Jersey, and Wes was forced to accept an honorable discharge.

She became pregnant a third time, and at 7 months along, she was beaten to near unconsciousness, and this time, Wes punched baby Guy, who was crying. When Andrea had seen Guy convulsing, something had clicked in her mind, and she knew that if she and her babies survived this beating, she'd leave Wes forever. As soon as Wes had left the house, she grabbed Guy, bundled him up, and put him in a stroller. It was several miles through the snow to find a pay phone, but she called her mother and got her to agree to let them move in. Her aunt came over and helped her pack her things before Wes came home. Ellen had only agreed when Andrea cried she was going to be killed, and never let her forget what she was doing for her.

Andrea spoke of working in a restaurant as a waitress, trying to make ends meet...only to be gang-raped on leaving...a Greek cook being almost beaten to death. When she reported the attack to the Police, they simply laughed and tore up the police report when she told them she was divorced. She had learned very early that she could not trust the police. And, while telling a man, Eddie, whom she'd reluctantly accompanied to a wedding reception about the attack, he became excited, and had thrown her down a flight of stairs and raped her when most of the guests had left. Afterward, he'd told her that by telling him about her previous rape experience, he thought she was telling him she enjoyed rape and wanted it from him!

Again, she became pregnant from the rape, but this time, having two kids, she agreed to put the baby up for adoption. She lived in a \$45-per-month "Railroad Apartment" with her children until the baby was born, then returned to her mother's. She put this baby up for adoption, but has thought of him every day ever since.

Her father showed up from back east, and she traveled to California to try living with him. She spoke of an early career at a Savings & Loan, an accident, followed by a modeling career, and introduction to acting.

Her nose and teeth were fixed from all the breaks Wes had inflicted on them, and she began to get acting jobs. And, while she never had the confidence to succeed, she did do well enough to support her kids while she studied for her real estate license. But, after a fall from a horse while filming her first lead role in a "B" movie, "Brand of Shame," her doctor suggested she become a call girl. Thus, she found her self-esteem, being wined, dined, and flown all over the world by rich and famous men.

She had two other brief marriages, and one to the nephew of a business associate...a very young man from Jordan who needed a green card, but whom she took into her home and treated as a son.

She led up to her meeting with Sand, and the marriage, finally explaining in great detail how and why she killed him.

On cross-examination, Bob Dunn was unable to break her. He got her to admit that several times during the struggle she had the opportunity to escape the room, but she said that she thought the fight was over, and she wanted to patch things up. In any case, self-defense does not require the victim to escape if the opportunity arises.

Dunn quickly realized his best chance to hurt Andrea was to resort to character assassination, so rather than dwell on the actual killing, he attacked her career as a call girl. Every time he used the word "prostitute," he'd draw the word out, pointing an accusing finger at her. "Did you know it was illegal to be a puh-ROSS-ti-tute?" He'd scream at her rhetorically, pointing a finger at her, while staring at the jury in disgust!

On re-direct, to her credit, Andrea said she did not believe Richard had written the letter under analysis, and told how he'd threatened to hurt her over the phone. But, she maintained she'd never told him she'd killed Bob. She also stated that although she now knew the rapes and abductions hadn't taken place, she absolutely believed them at the time.

All in all, I felt she'd held up, even to Bob Dunn's brutal battering cross-examination. But, it would be the later witnesses who would hurt her the most.

Stafford called his handwriting analyst, who made a half-hearted effort to convince the jury that Richard had written the fake letter, but he was easily discredited.

Andrea's mother took the stand, told of their early life. But, when Stafford asked her if she'd forced Andrea to marry a rapist, she could not face the jury and admit it. In a phone conversation with me before she died last year, she told me that she was too shocked and unprepared for the question. She thought Stafford had called her out to testify about jealous outbursts she'd witnessed from Bob, and about how Andrea had told her that Bob was "kinky."

But, Andrea tells me that she herself spoke to her mother the night before her testimony, and that Ellen (her mother) had promised to tell the truth about Wes. She was tired after flying out from New Jersey, and Andrea told her that if she couldn't remember something, to just say she couldn't remember, and to please not ad lib.

When the day's testimony was done, Andrea asked her mother why she'd lied. Ellen said, "Oh, I just couldn't admit that in front of the jury. They were smiling....they liked me. What would they have thought of me? I wanted them to like me!"

On cross-examination, Bob Dunn had few questions...once again, Stafford had undermined his own case by not preparing his witness. But, he didn't miss the chance to ask Ellen "Did you know your daughter was a puh-ROSS-ti-tute?", as he pointed an accusatory finger at Andrea and stared at the jury. Andrea would have laughed if it weren't so serious...the contortions Dunn could twist himself into when he felt religious fervor were truly comical!

The next morning, the headlines of the Riverside Press Enterprise, and the Desert Sun screamed "Mother says daughter is a liar!"

Bob Scott, Andrea's stepfather, and Ellen's husband, testified about Bob's extreme possessiveness, relating an incident in which Sand tossed a salesman out of the house for looking too closely at Andrea when he was there to measure the mantle over their fireplace for a mirror.

Bob Dunn asked him, "Did you know your step-daughter was a puh-ROSS-ti-tute?"

Betty Hawkins, Andrea's neighbor at the springs who first introduced her to Joe Mims, and who had taken Andrea in after Bob Sand was killed, talked about discovering the massive wound on Andrea's head a few days after the killing. The doctors at the Emergency had never examined Andrea other than to stitch her cut toe, and Andrea herself only realized it after applying hair color and feeling the burn.

Andrea had gone to the hospital, submitted to a Ct-Scan, and been diagnosed with a severe concussion. Mysteriously, the records disappeared before the trial.

She also spoke of Bob's harsh treatment of Andrea, and of bringing her close to God...as defined by the New Evangelical Church. She spoke of the Godly work she'd done for Andrea, helping her burn her Satanic astrology books.

Bob Dunn, on cross-examination, asked Betty, "You mention that Andrea possessed Satanic Books...did she ever tell you she'd given her soul to Satan?" Betty stammered "no," after which Dunn asked "Did you know Andrea was a puh-ROSS-ti-tute?" pointing that accusing finger at Andrea, and twisting his body into contortions.

Andrea's older son, Guy, took the stand. He spoke of his childhood, and how, even though his mother was a baby raising babies, she had always tried to do the best by them. He admitted he wanted nothing to do with his younger brother. (Doug was not even aware the trial was ongoing at this time.) He spoke of a time he'd fallen on a water sprinkler when he was 8 years old. He'd torn open his side, and part of his intestines were exposed. Andrea panicked, and rather than rush him to a hospital, ran some hot water and almost put him in a hot bathtub, in order to clean the wound. Fortunately, a friend had dropped in, and helped her get Guy to the hospital before infection could set in.

And, Guy spoke of his mother's dark, depressed moods when her period had set in. It had run in his mother's family, and his grandmother Ellen had also suffered through it. Ellen had cried constantly when Andrea was young, never understanding why, and Ellen's mother had ended up being institutionalized because of it. It was Joe Mims who would

finally discover the cause was PMS after listening to a radio show. Andrea also knew something about it, but when she was young, her mother and grandmother could never have benefited, since the problem wasn't understood until the early 1980's. Even today, there's some debate about the cause. It can be effectively treated with proper hormone therapy, however.

PMS had only recently been defined, and was still being denied by many doctors, but it seems to have been one of Andrea's ailments. In fact, Bob Sand had been killed when Andrea was about to start her period, and all the false rapes had occurred when Andrea was beginning her period.

Was her problem PMS all along? Guy only knew that when he was a kid, there were times of the month it was better to leave his mom alone as much as possible.

He spoke of Bob Sand's refusal to let him or his brother visit for more than an hour, and only later realized it was because she had her clothes on, and he wanted her naked.

He remembered visiting his mother a week before Bob Sand was killed, and remembered how stressed she seemed. She said she was in trouble, and that he shouldn't be surprised if something terrible happened to her soon. Guy urged his mother to get in the car and come home with him, but she refused, saying she had to stay and work things out. Guy says he's always felt responsible for not forcing his mother to leave with him. Although she denied it, he suspected from day one that his mother had done the killing, but always felt she was justified.

Bob Dunn began his cross with his favorite question: "Did you know your mother was a puh-ROSS-ti-tute?" As Guy watched Dunn go into his bodily contortions, he took a deep breath and replied "Well, I always suspected she might be...especially with the limos constantly coming around, but I tried to put it out of my mind." All in all, Guy held up well under cross-examination, but this was the first time he'd ever been told definitively that Andrea had been a call girl...and the first time he learned that he was a product of violent rape.

He had told all his friends that his mother had died the day after Andrea was arrested, and even called her mother, sister, and the rest of her family in New Jersey telling them she was dead. They went through a mourning period. It was two months later that they discovered that she was alive, but in jail when she was able to write to them.

During the prosecution phase, Bob Dunn had decided not to call any of the officers who had investigated the false rapes. While they might have been considered as evidence of consciousness of guilt, it was very clear that Andrea believed the rapes were real at the times they occurred. He was afraid the "rapes" would only serve to corroborate Andrea's insanity defense.

Stafford, however, decided to call several of the investigating officers, beginning with Colleen Word, who responded to the very first report around July 15th, 1981, approximately one month after Sand's death.

When I read the transcripts a cold chill ran up my spine. This looked very real. Word spoke of finding Andrea with shallow knife wounds, and tied very tightly in a hog-tie. Her legs were pulled up so tightly behind her back, with the rope around her neck, that she was choking when Word found her. A knife was protruding from her rectum, and her hands were bound tightly behind her back. She described very tight knots she could not undo...so she went to the kitchen to find a knife to cut Andrea loose. Once she'd freed Andrea, she quickly found a robe to cover her nakedness.

Andrea had traveled to New Jersey to spend two weeks with her mother, and had returned to be met by an old boyfriend who lived in Santa Monica. She did not have vaginal sex with him, but had admitted to giving him head, spitting his semen out. (The man in question in a separate police interview corroborated this, but was not called as a witness.) She had taken a limo home, and the driver, who had several other passengers in his car, last reported seeing her fumbling for her keys at the door. As he had other passengers, he was in a hurry to leave.

Andrea reported that on walking into the house, she was hit over the head with a bottle of Chivas Regal, and tied up. A gang (presumably, the same one that had killed Bob Sand) told her they were looking for Mrs. Sand.

She said she was Mrs. Sand's sister Phyllis. They said they wanted the old Mrs. Sand. They also demanded the pictures, but she had no idea what they were talking about. She told them her nude pictures had been taken by Fred Lastar, and she no longer had them. A girl with the gang told them to "cut her tits off", but they had taken turns raping her (at least 3 men), then left her.

A hospital report stated that Andrea suffered substantial vaginal scarring from the incident, and that they had removed 15cc's of a whitish fluid...probably semen...from her vaginal. Yet a report six weeks later said "no evidence of spermatozoon," leading the police to assume the whole thing was staged.

Could Andrea have squirted Jergens' lotion up her vagina? That's absurd! None of this makes sense to me unless Andrea was really attacked.

On cross examination, Dunn only asked Word if Andrea's knife wounds could have been self-inflicted...to which she answered yes. As I read the transcripts, I waited for the next obvious question. Dunn should logically have asked Word if Andrea could have tied herself up in the way she was found, but he never did ask. Why? Was he afraid of the answer?

According to Aram Saroyan's "Rancho Mirage," Michael Leitmann asked Andrea later how she could have tied herself in this fashion, to which she replied "You'd be surprised what you can do when you believe someone else is doing it to you." Andrea does not remember this conversation, and I have my doubts as to whether it occurred.

Leitmann was often heard joking with jail guards after he left his counseling sessions with Andrea, and would sometimes ask them "So, what are you going to do to her to drive her further over the edge tomorrow?" All the while, he'd be laughing it up. And, he was a close friend of most of the prosecutors in the DA's office, often meeting them for golf. One of the female officers at the jail had told her that "Leitmann is not for you! He's at all the sheriff's and DA's picnics and you can't trust him!"

Here's my question: By some bizarre quirk, could this rape attack have been real? When I discovered this account in the transcripts, I phoned Aram Saroyan, and told him about it, asking him to check it out. He got back to me, and said the police had told him that Andrea was tied with slip knots, and she could certainly have done it herself. Because of my inquiry, he mentioned slip knots in "Rancho Mirage," but nowhere in the police reports do I find anything described other than very tight knots that required cutting to free Andrea.

If the rape was real, then what are the implications? I only ask this question rhetorically.

Probably a dozen more rapes were described out of a total of approximately 30. All of them are obviously staged, and none are anything like the first. In a couple, Andrea was tied, but only loosely by the wrists.

Is it possible that Andrea was raped, and after being told she'd faked the event, proceeded to fake a series of other false rapes? I've asked her, and although she's intrigued by the question, she simply cannot tell me. It's all like a very bad dream to her, and she can't put her finger on any of it. She believed them all to be real, but thinks she may possibly have been acting out actual rapes and beatings from her past, incidents which for her had never had closure.

Now, Stafford called a long line of psychiatrists, and psychologists. I won't deeply go into it, as I don't really have the educational background to make any independent evaluation....and for the most part it would bore most of you. It certainly bored me.

But, there were a couple of shrinks who impressed me. Morton Kurland, one of the first doctors Andrea ever saw, did a terrific job describing and explaining what he called "learned helplessness," in an effort to make the jury understand why Andrea would have stayed with Bob Sand when she was in fear for her life. Learned Helplessness is a very important ingredient in Battered Women's Syndrome, an _expression later coined by Lenore Walker in her groundbreaking books *The Battered Woman*, and *Terrifying Love*. In fact, Ms. Walker has at one time expressed an interest in Andrea's case, and almost agreed to appear with her on *Geraldo* and she has always sworn she'd never appear with *Geraldo Rivera*.

Unfortunately, Kurland also went so far describing Andrea as delusional, he said she probably never traveled overseas, and never acted in any movies. As you can see from the pictures in these pages, Andrea's travels were extensive, and you have seen some evidence of her movie experience. And her passport, confiscated early on in the case by detectives, was full with an extra full page added in, all stamped in various countries around the world.

I was also very impressed with Dr. Proud's testimony...and he held up the very best under Bob Dunn's withering cross-examination.

In comparison, Michael Leitmann's testimony was very rambling and disjointed, and although he was the psychologist who'd spent the most time with Andrea, he seemed to know the least about her. He kept waffling between describing her as suffering from "multiple personality disorder," to being a "borderline psychotic." An elderly psychiatrist recently told me that "borderline" is something "those young whippersnappers fall back on when they have no idea what's going on!"

Andrea drew a sketch while in the county jail for Dr. Michael Leitmann. It depicts Andrea being devoured by monsters all around her who represent those who are trying to hurt her, and who hurt her in her past. Michael Leitmann, Joe Mims, and two of her attorneys sit idly by and watch. They are in a position to help, but won't budge.

It also possibly represents what Andrea might have been seeing coming out of the moon when she inadvertently struck Joe Mims with the hammer.

Finally, Joe Mims testified, explaining that he alone found the fake letter from Richard in the trash, and had mistakenly believed it to be legitimate evidence. He had turned it over to Gary Scherotter without Andrea's knowledge. Andrea herself had never meant for it to be used.

Why should she? It should have been the easiest thing in the world to prove Richard was lying with her phone bills, the letters he actually wrote, and with Richard's criminal history...which included one prior instance of perjury in a murder trial...all of which Stafford refused to expose for fear of embarrassing Richard!

The defense rested, and it was time for Dunn's rebuttal.

Under the trial laws of most states, if not all, when the defense closes its principle case, the Prosecution (known usually as "The People") is allowed to present a rebuttal, which may often last as long as its opening phase. The purpose is to discredit or refute what has been presented by the defense. Afterward, the defense is allowed to rebut the prosecution's rebuttal, and this is known as "Sur-rebuttal." This, in turn, may even be rebutted again by the prosecution in a "Sur-sur-rebuttal," ad infinitum, ad nauseum.

Bob Dunn needed to call out his big gun to overcome the psychological evidence presented by the Defense indicating Andrea truly believed her life was in danger the night Sand was killed.