

The Andrea Mims Story: "Rape of an Angel"

Part 6

Stafford's closing statement was disjointed and subdued. At some points, he spoke so quietly that the jury seemed to be straining to hear him. His entire demeanor was one of defeat. To make matters worse, when he turned to Andrea, speaking in defense of her, his facial expression reflected open contempt for his client, and he normally kept his back turned to her, refusing to even accept notes she'd try to pass him during the proceedings. If he did not care about his client, how could he have expected the jury to care?

The jury, after receiving instructions from Judge Moore, deliberated for 5 days, returning deadlocked. Rather than dismiss them, the judge gave them the day off, asking them to go back and deliberate some more. The next day, Andrea again attempted to commit suicide, somehow slashing her wrists in the jail. Finally, at 4:45PM on Friday, three days later, the jury announced it had a verdict. Andrea was brought to the courtroom with her wrists bandaged.

"We, the jury, find that at the time of the commission of the crime, the defendant was sane."

In one horrible moment, Andrea realized her life was over. She would be sent to prison for life with little chance to live to see parole. As the room spun around her, Robert Sand's ghost seemed to mock her from above the spectacle. "You're nothing but a whore...I told you I'd kill you," screamed Sand from the depths of Hell! "I always knew you were a whore," taunted an apparition of her mother. "A stupid whore from beginning to end."

Pain! Andrea had no idea why her mother had called her a whore as early as age 7, but she remembered the pain it caused her. And, Sand had not been a father figure to her...he had been her mother! The pain was real, and it was the same at the beginning and at the end.

In exasperation, and before the world, Andrea screamed at the jury "I killed him because he called me a whore!" Again, she recalled Sand's last words to her: "You're dead, whore!" Andrea looked accusingly at the jury and begged them: "Why didn't you give me the death penalty???" She picked up a box of Kleenex, slammed it down on the table, then fainted back into her chair. As the gallery reacted in shock, Andrea's body began to convulse.

There remained the problem of the hammer attack on Joe. Bob Dunn knew he could not take the case to trial, but with the obvious errors on Stafford's part in the murder case, he wanted Andrea to stand convicted of something, in case the murder verdict was overturned.

But, Joe was simply refusing to budge, threatening instead to go to the press and say he had been coerced. In addition, The Desert Sun and Riverside Press Enterprise, not to be denied the soap opera aspect of the case, had gotten wind of the fact that Joe had resumed his relationship with Andrea.

Finally, Dunn offered to Stafford a plea bargain, in which Andrea would plead guilty to assault with a deadly weapon, and be sentenced to 4 years, to run concurrently with the 26-to-life sentence she'd already received.

Stafford presented the proposal to Andrea, explaining it would not affect her eligibility for parole date, and she accepted readily. He lied to her, and told her that Dunn intended to proceed with attempted murder charges and a new trial if she refused to accept. A conviction on attempted murder would bring a second life term, making any chance for parole nil at any time in the future. She could not take the stress of another trial, and she could not bear the thought that Joe would be on the stand attacking her, especially with Stafford as her P.D. (Prison Deliverer?)

Sadly, he failed to inform her that if she refused the plea bargain, Dunn would have no choice but to drop the charges entirely if he could not get Joe's cooperation. Joe went to court with Andrea, begging that she not be sent to prison, but the request was moot.

Andrea now needlessly had two felony convictions. The Assault conviction, while seeming meaningless, would insure any future parole board would look on her as a potential serial killer, and Andrea would die in prison.

All that remained was for Andrea to be transported to the California Institute for Women, at that time California's only women's prison. Another prison in Norco, California, CRC, was a drug treatment prison, and housed both men and women...a fact that had earned it the nickname "Hotel California."

One morning, she was loaded on a bus, and transported to Frontera, California, which sits on the boundary between Corona, and Chino, California, and straddles Riverside and San Bernardino Counties.

The prison, built in the 1950s, sits in the middle of many dairy pastures. The water is hopelessly contaminated, and the flies are constant. If this were not bad enough, 2 years ago, a compost plant, mixing human and animal waste was opened across the street. The stench at times is unbelievable, yet the Prison System refused to fight the opening, as did the guard's union. The entire complex sits in the middle of one of the worst air-pollution areas in California. When I would drive into San Bernardino down Highway 15, the brown stench from a higher elevation made the entire valley look uninhabitable.

Andrea was sent to receiving, and placed on what's called "close custody." In this situation, she was not allowed to go anywhere on the prison grounds without personal escort.

While it was good to walk outside, Andrea was still under heavy psychotropic influence, so that she could not feel the ground under her feet. But, after being processed in, she could finally visit with old friends, her children, new grandchild, and of course, Joe Mims.

Andrea has told me the first real romantic love she ever knew in her life was with Joe Mims, but only after she was in prison. With sex, and even affectionate touching not a possibility, Joe had no choice but to talk to Andrea and listen to her. He found out who she really was, and no longer saw her as the beautiful Hollywood starlet he never knew he could attract. And in turn, Andrea listened to him, and learned who he really was as a person.

Women from the Joe's Free Evangelical Church came to visit her, but rather than comfort her, they only brought her down. "It's all over now," they said. "Give yourself to Christ. You're never getting out of prison." Andrea, after years of devotion, decided to completely break with the church, and devote herself to private Bible study. For a time, she converted to Catholicism, and even became an "alter person" for the priest. Later, she'd explore Judaism, and become active in a Jewish Women's group called "Shalom Sisterhood." Finally, she tired of the dogma of organized religion, and decided to spend her time in private spiritual development by learning about all the world's religions and philosophies. At least the prison had a decent library. (Andrea tells me that at the newer prison she's been transferred to, the Library is quite well-stocked. She never tires of it.)

Joe heard a radio report on Pre-Menstrual Syndrome, and began to wonder if this was the real cause of Andrea's insanity. Together, he began a long lobbying effort to have her provided progesterone, known to be effective in British studies, but largely unheard of in the US at the time. He also contacted an attorney to handle Andrea's direct appeal.

Now, Andrea wondered, had Joe diagnosed her affliction when an army of shrinks had failed? She had forgiven Joe...she knew she loved him. For once in her life, she felt loved for herself and not for her attractiveness. Together, they'd beat this thing. Joe began talk of a miracle he'd found that would soon free her from prison.

Finally, Andrea agreed to re-marry Joe. She'd balked at first, wondering what kind of future they'd have together. True, conjugal visit were permitted at the time, and maybe this would help. She was pessimistic about the "miracle" Joe said would free her. She told Joe she didn't know if she could handle sex, and she might never make love with him, but he didn't seem to mind. She told him if she ever could get comfortable with sex, it would only be if he would be willing to try oral sex...especially on the giving end. And, he'd have to go slow and engage in lots of foreplay. After going through so much, Joe was beginning to distrust his Church's admonitions against this, so he said he'd be willing to try. He'd been receiving counseling from a younger, more progressive minister who assured him that it was normal, and in no way forbidden. He'd been raised to believe that anything outside of straight intercourse was sinful, and that even kissing below the neck was condemned.

When visiting would end, Joe would cry bitterly, blaming himself for putting Andrea where she was. If he hadn't allowed himself to be tricked by Jim Hawkins, and stood by her, she would have kept her attorney and may have been acquitted. No matter how much Andrea told him she forgave him, it was never enough. How could she make him know? It hurt her to see Joe suffering so much when she'd told him over and over that she loved him and forgave him.

Joe and Andrea became so close that they'd often sit so close together, without touching, that they became like one person. Couples are very restricted as to how much they can touch in the day visiting room, and even holding hands is frowned on. But, they managed to get as close as possible and avoid any rule infractions.

One day, Joe walked into visiting, and after a brief hug and kiss, Joe said "You're innocent."

Andrea, nonplussed, simply laughed at him. "No, Joe, I killed Bob. Maybe it was self-defense, but I've accepted it with my heart. Please don't play games with my head like that."

"No, Andrea, it was Stafford who played games with your mind. I have proof." He went on to describe a meeting with a mysterious woman who claimed to have been with a gang of intruders who killed Bob Sand. She said she was leaving the country, and handed Joe an envelope full of pictures. Furthermore, the meeting had occurred before the trial, and he claimed the only reason he hadn't come forward with them was because he'd been assured Andrea would be found insane and sent to the hospital. And, he'd been warned that if he stayed married to her, that he'd have to pay for her mental care. Hawkins had told Joe it would run into the millions of dollars and he'd be ruined financially for life.

Joe was very mysterious, and said that when he came forward with what he had, many people would suffer. He also said he was afraid he'd be killed if many people knew what he had. And, he wondered if he could be prosecuted himself for having withheld exculpatory evidence during the trial.

Andrea begged him to take what he had to her appellate attorney, but he told her he wanted to wait until after they were married. She could not convince him otherwise. Joe insisted that on their first conjugal visit, he'd bring what he had and show it to her, then take it to the attorney afterward.

She was in a quandary. Could it be true? Was the gang she'd "imagined" real? What about the rapes? Could any of them have been real? She was more confused than ever. On leaving that day, Joe told Andrea, "I would never have pressed charges against you for the hammer attack if you'd been having sex with me."

Joe began calling Andrea's mother, her sons, and all her friends, talking about the evidence he had, and begging their forgiveness for withholding it through the trial. Only Guy, the oldest son, remained cold to him. Guy had all of Andrea's possessions, and was very reluctant to give them back to Joe. But, Joe promised Andrea would be free within the year, and he wanted to get his home in Escondido ready for her. Finally, Joe took all of Andrea's clothes, furniture, and jewelry, and set up house. He told Andrea that if anything ever happened to him, the evidence he had would be in her jewelry box, and that she should contact his son, Joel Mark Mims.

Under constant stress, Joe's weight began to shoot up. He was 59 years old, and working long hours, but had just passed a physical with flying colors, qualifying for a \$250,000 life insurance policy, set to take effect after they were married.

Joe's moods would range from manic joy to extreme depression and tears. "There's a lot of big people involved in Sand's killing. They're not going to like this. I may be killed." Still, he refused to produce what he claimed to have until they were married.

Joe and Andrea were originally married March 28th, 1982. They put in a request for a prison wedding for March 28th, 1985, their anniversary date. Unfortunately, two weeks before the wedding they were told their paperwork was not in order, and that they would have to submit a new request, with copies of all previous divorces, annulments, death certificates, and name-changes. Joe and Andrea were disappointed, but wrote to the courts and gathered all the paperwork. Even Andrea's mother assisted when Joe told her that he believed Andrea to be innocent.

The wedding was re-scheduled by the prison for May 13th, 1985. They were so happy and excited, neither of them even considered that this was the 4th anniversary of Bob Sand's death.

Andrea was seeing the prison Chaplain, Reverend Forteir, a former guard turned minister. He told Andrea he'd perform the marriage, then reneged. He told her he didn't consider her a good "Christian," and should not have a Christian wedding! He began talking to a staff psychiatrist, Dr. Jimakus, urging her to find a reason to stop Andrea's marriage. Andrea had been complaining of tinnitus. Ever since the night Sand was killed, she'd been experiencing a constant noise in her ears, sounding like the constant chirping of thousands of crickets and birds. He began telling

her she was crazy again, and tried to get her back on psychotropics, which she refused. She'd been taken off the drugs two weeks after arriving at the prison, and was not about to give up the first clear-headedness she'd experienced in years. And, while she did not know it at the time, the "chirping" in her ears was actually a symptom of the head injury that Sand had inflicted on her the night he was killed. The tinitus, though greatly reduced, continues to this day.

Fortier, in the meantime, was having sex with some of the women in the prison, and probably had his eyes on Andrea. He wanted the wedding stopped. But, Andrea was able to convince the prison Catholic Chaplain to sign the wedding papers, approving the marriage. Father Lawlor was a very kind man, Andrea thought, and she became attracted to Catholicism.

The last time Joe visited Andrea in the visiting room prior to the wedding, he left in tears. When Andrea asked him why he was crying, Joe said, "How can you ever forgive me for turning you over to Hawkins and letting you go to jail, and now prison?" Andrea assured Joe that if he could forgive her for hitting him with the hammer, she could forgive him for pressing charges. But, when he left, he just didn't seem to act as if he felt forgiven. Oh well, she knew she could make him feel better once they were married and alone.

She knew she'd have to go slowly with sex, but she knew that this time, Joe would be more understanding, and take things slower. They'd spent that whole year talking and really getting to know each other. In fact, Andrea felt as if she were in her first real relationship.

The morning the wedding was to take place, Father Lawlor received a phone call telling him not to come in. The exact words to the priest were "You're sick today. Don't come in." This is one of the greatest puzzles in this story. Who called Father Lawlor? Was it a prison official? Or was it something more sinister? Bob Dunn? Chuck Stafford?

Joe showed up on schedule at the administration building with his own minister for the wedding, and Andrea was brought into the entrance from the yard. She could see Joe standing at the entrance from the parking lot.

She could see Joe talking to one of the guards, who seemed to be shaking her head "no." Joe looked very distressed, and Andrea could see his mouth forming the words "Please, Please!" The guard kept shaking her head and shrugging her shoulders. An inmate clerk sitting behind a typewriter told Andrea the paperwork wasn't there, but Andrea was holding it in her hand. Andrea wanted to yell "Here it is, Joe!" and waived the form at him. But, Joe wasn't looking up, and didn't see her. Sweat was now covering his face, and his face flushed as he kept saying "PLEASE!!!!!" Andrea jumped and waived the paperwork frantically, but he wasn't paying attention.

Andrea with Joe Mims on their first wedding day, one day before she was officially charged in Sand's death.

As Andrea waived the form, a guard behind her said, "Keep your hand down...stop waiving, or you'll be written up and have to leave!"

Andrea turned to him to explain the problem, but the guard was no longer looking at her. He rushed past her, and out the door past her. Joe was no longer visible, but several guards were gathered around the floor where she could not see.

Another guard come in and told Andrea that Joe had just had a seizure, and she should go out to the yard and wait until she was called.

Andrea was very upset, but went back out as told. Joe had just passed a rigorous physical, and was in robust health for his age...59. He'd had no history of epilepsy, so she was mystified. But, the "seizure" the guard was talking about was actually a heart seizure. Why hadn't he gotten back up off the ground? "He'll be OK," she kept telling herself. "He'll be OK."

They'd just have to plan their wedding for another day. Andrea vowed to "602" the incident all the way to Sacramento if she had to ensure that the people who had destroyed the wedding were properly disciplined. (A "602" is an inmate grievance, or appeal.)

An inmate walked by Andrea, asking her if it was true that her fiancée had had a heart seizure. A heart seizure? Now, she was worried. "People don't just die like that," she told herself. "He has to be OK!" Finally, to her relief, she heard a page to report to her counselor's office. She went right in to Ms. Dominguez' Office.

Dominguez looked up at her, and asked her loudly but nonchalantly, "What was his name?" Andrea went numb. "Why are you asking me what WAS his name?", she thought. "He can't be dead!" Dominguez merely repeated "What-was-his-name?" Andrea couldn't think.

What-was-his-name? What-was-his-name?" She repeated the same question in monotone six times. Andrea finally found her voice and asked, "What are you saying?' Are you saying he's dead?" "Yes, that's what I'm saying," Dominguez sneered. Andrea broke down and sobbed uncontrollably until she passed out. The last thing she remembered hearing before everything went black was Dominguez saying "Get her out of here!" to someone.

She was carried back to her room, and left there with 4 Dimetabs for anxiety. Cold pills for anxiety! She took two of them, and her anxiety increased. She was taken to the infirmary again and given an injection of something...she was never told what...then carried back to her room. Upon awakening, she once again could no longer feel the ground beneath her feet.

On May 13th, 1984, Joe Mack Mims, age 59, was dead of a broken heart. Andrea was left alive with a shattered heart.

It was exactly 4 years to the day from the death of Robert Sand.

His name was Joe.

From Andrea's diary, May 13th, 1985:

Andrea awoke, and after the drugs wore off she wrote:

"Today was to be our big day. My darling had a heart attack in the Administrative Building.

They were telling him we were not getting married. He died instantly. I saw him, but he never saw me waiving the papers. I feel so awful, I can't believe this is happening. Joe's face looked pleading and perplexed as he was talking to C.O. Hodge. Her head was saying 'no,' he went down. Joe was strong as a horse, but this place was trying to break me. Instead, they broke Joe, and my darling is gone! I have to be strong. Joe would have wanted that. He's in heaven with our dear Lord. I will see Joe again in Heaven. I feel like he's still here with me. Joe and our Lord are going to help me through this tragedy. My heart is broken, and he had evidence to help me. Counselor Dominguez told me Joe was dead by saying "What was his name?" I said, "What was his name? What are you trying to tell me, that he's dead?" She said, "That's what I'm telling you, he's dead." All I could hear was a loud echo of her voice shouting "What_was_his_name?" The next thing I remember was someone giving me a shot. I was lying on a bed in the infirmary.

I went to group ("group" is prison lingo for what passes for therapy. Andrea has been in many psychology and battered women's groups) and tried to keep control of myself. I think I cried a lot today. It's all so confusing. How could they do that to us? They never had any intentions of letting us get married. I'm writing letters and ripping some up. I'm devastated. I feel like I'm in shock. The noise in my head is so loud. I feel numb and heavy, trying to reach some of my friends. I was to be home with Joe soon. How was Joe going to get me out this year? He had pictures of that night (Andrea's referring to the night Sand was killed), and the evidence is with my expensive jewelry.

Joe said "big box."

I went to Church and then typed the rest of the 602 (a 602 is an inmate appeal). I finally quit work at 9PM. I still have a little more to do, but I am just too tired tonight."

A week later, Andrea received a letter from Joe through her "wicket." Joe had been writing every day, and now it was like getting letters from a Ghost. You'd think they would have delivered the letters right to her, but they were holding them back and examining them.

Joe wrote:

Sunday Night, May 12, 1985

"My Sweet Adorable 'Drea,

Tomorrow is our day. At long last we will be married again, this time for life. It all seems too good to be true. You will be my precious wife again. I love you, Drea. I will do all that is within my power to make you happy. I want to be the man of God that He has for you.

Baby, we will be spending the next 30 years together. I love that, to think that I will get to spend the rest of my life with my beautiful Drea.

Happy Mother's Day, my love. I do hope you had a good day. I pray that Doug comes to see you. I thought about you so much today.

I didn't get any letter from you today. But, I do get to see you for a little while tomorrow, at least long enough to get married. I wonder if they will let us see each other afterward. Every minute will be a bonus.

Baby, my mind is so tired I can't think. I'll see you in my dreams and tomorrow.

All my love forever and ever,

Joe"

Andrea cried. The last time she'd seen Joe was in the public visiting room the day before. He'd been crying. "I know you haven't forgiven me for abandoning you!" he sobbed. No matter how much she'd assured him he was forgiven, he wouldn't stop crying. That was her last memory of him. Did Joe know he was dying, or was it instantaneous? She'd never know. But, what were his thoughts when he was told there would be no wedding. Did he think she was the one who'd cancelled it because she could not forgive him? Now, all she could do was pray, and hope that Joe would somehow hear her. They had both asked for and given each other forgiveness. They'd really needed the time alone they would have had in conjugal visits.

Andrea had been working on a book of love poems as a wedding gift for Joe. The book, nearly complete, would have been presented to him during their first conjugal visit. Now, she sat down, and made one final entry:

"My heart's shattered,

My life's a shred

Can't believe this has happened

My Love is dead.

Now, time goes even slower

My head and heart hurt bad

I'm grieved and angry

I feel I'll go mad.

My head is scattered

My life is a shred

Why did this happen to me?

My love is dead.

In that moment, he understood grace.

And so, he died, no longer seeking,

But, simply being in that moment."

She closed the book she'd begun six months earlier, tears falling on the sketched silhouette of her with Joe, looking into his eyes, with the words written above, "We may only live once, but together it's twice as beautiful." She placed it in a box to be mailed out to Doug for posterity.

Andrea, upon waking the next day, went out on the yard. The hardest of women had kind words for that day, and all offered her what they had to give...drugs acquired from dishonest guards, or sex, the former having never been of interest to Andrea, and the latter much too soon for consideration. But, she understood these women, many of whom had never had anything, were showing the very best of intentions.

Joe had told Andrea that if anything happened him, that she could call his son, Joel Mark Mims. Mark, who was a teacher in San Diego, had been living in Joe's house, but the two had never been close. Mark was being supported by Joe, and Joe was at times afraid of him. But, he would have custody of Joe's effects...and that included all of Andrea's furniture, jewelry, and clothing. She tried calling him collect, but the charges were refused.

She worried...if she could not recover her jewelry, the evidence Joe had protected for so long would disappear. She went back to her room to find one last note from Joe in her mail, just a brief one he'd dropped in the mailbox when he left for his wedding. The final note said,

"My Darling Drea,

I promise you a love that will be true, I will always put you first in my life. I will do all I can to meet your every need, while we are apart it will be hard, but our God will bring you home to me. I love you with all my heart,

Your Hubby,

Joe"

Joe could not die in vain. She had to get through to Mark. Again the charges were refused. The next day, she received a call to the counselor's office.

Dominguez told her that the Warden had received a call from Joel Mark Mims stating that Andrea had been harassing him. She was to cease all attempts to contact Mark, or she would be disciplined for harassment.

Again, Andrea went back to her room, all hope gone from her. Mark would not lift a finger to help her. She laid back on her bunk, oblivious of her roommate, who was lying on the top bunk watching Andrea's TV.

Andrea stared at the top bunk for awhile, then looked at the window. She told her roommate that her head was hurting, and asked her to lower the volume. She turned the TV and light off, and the room was quiet except for the buzzing in Andrea's head. It was 4 days after Joe's death, approximately 3PM.

Suddenly, the room began growing dark, and she grew fearful. Was she going blind again, like the night that Bob was killed? She felt pain, and feared she was having a heart attack. No...there was also a warm, calming feeling. As it grew darker, there was one small light in the corner of the room, by the ceiling. As the light grew brighter, she felt the most incredible warmth radiating from it. She felt herself rise to meet the light, feeling nothing but love enveloping her. She looked back and saw her body lying on the bed. Her pain was gone.

And, Joe appeared! Not the Joe she had known in his latter years, but a Joe robust and full of health and vigor. The lines in his face were gone, and he beamed with joy. She would later describe him as appearing "ageless." Not young, not old...but ageless!

"Come to me, Drea...we can be together now! There's no pain on this side, there's no worry, just love...we can be together now forever! Come to me!"

Andrea rose out of her body and rushed to embrace Joe! "Joe, I'm coming to you!" she cried as waves of happiness spread over her. "I'm coming with you! Joe! I'm coming!"

Then, another, far more powerful being approached, and placed himself between her and Joe. "You have to go back," said Jesus.

Joe was gone now. "I have work for you, it's not your time." In tears, Andrea asked, "What work?" Jesus replied "Helping other women with your affliction." "But Lord, I can't even help myself. How can I help others?" asked Andrea. "You will build a foundation," replied Jesus. Andrea found herself falling, and a nanosecond later was back lying on her bunk. She called to her roommate, "Did you see that?" "See what?" the girl answered.

Andrea wrote a "602," (prison terminology for an inmate grievance) explaining what had happened when the wedding was cancelled. Father Lawlor resigned as Prison Chaplain in protest, offering to help whenever he could. It was only a few months after that that Reverend Fortier was led off the prison grounds in handcuffs, after being caught having sex with another inmate. Whatever became of him, I do not know.

Andrea asked her older son, Guy to make contact with Mark Mims and try to recover her personal possessions. "Make sure you get the jewelry box, because Joe says there was evidence in it that could free me." Most of Andrea's things were in storage, but the jewelry had been kept at the house.

After a month of trying, Mark finally agreed to meet Guy at a storage unit where he'd moved all of Andrea's things. Her couches, antiques she'd restored with great love, had been axed up, and her clothes were thrown in a pile. Guy asked for the jewelry, but Mark refused, saying, "I'm keeping that as payment for my father's death." Guy, knowing he'd never convince Mark to turn over the jewelry said, "OK, but there's supposed to be an envelope with some very important evidence in it that could free my mom. Can I at least have that?"

Mark smiled smugly at Guy. "That's right," he said. "I have it, and you'll never see it. Now, take all this crap and get out of my sight."

Guy loaded what he could up, and drove home. that weekend, he held a yard sale, and began selling off his mother's \$100,000 wardrobe. Dresses that Andrea had paid \$100 to \$1,000 for went for \$20. In the end, Guy gathered what was he hadn't given away or sold, and stuffed them into large plastic trash bags. He called Doug. "I've thrown everything of mom's away that I couldn't sell. The clothes are out by the curb waiting for trash collection. If you don't come and get them, they'll be gone.

It was raining when Doug picked up his mother's clothes. Not having adequate room, he put them in storage where they remained for the next 8 years.

A few months later, Andrea was contacted by Walton Godwin, a man she'd never met, but who claimed to have worked with Joe, and was shown the evidence Joe had claimed to have.

Over a period of months, Walton himself found himself drawn to Drea. He knew what he'd seen would never help Andrea, but he began fighting to get her the progesterone she needed to combat PMS. Throughout 1986, he told her of what he'd seen, and how Joe had kept telling him he was going to be killed. Most shockingly, he told Andrea that Joe had held on to this exculpatory evidence throughout her trial. He could have come forward with it at any time. No matter how much she tried, Andrea could not get Walton to put anything in writing...he was afraid he would be killed too.

Andrea began to wonder if Joe had really died of natural causes. What had he eaten that morning? Did he accept a glass of water when he'd arrived at administration. Walton believed Joe had been poisoned, but no one had been with him the morning of May 13th, so it was impossible to say for sure. But, he'd passed a very extensive physical

exam, qualifying for a \$250,000 life insurance policy only days before his death. The policy, however, had never been paid for, since Joe had planned to execute the policy immediately after the wedding.

In mid 1986, Walton discovered he had cancer. Despite treatment, the cancer spread. Finally, Walton agreed to make a declaration of what he'd seen, and on January 22, 1987, he signed a notarized statement. After mailing it to Andrea, he proceeded to a new cancer clinic in Mexico, where he died.

Andrea's appellate attorney, Robert Howell, told her the declaration was hearsay, and could not be used for her appeal, but that she should hold on to it, in case Mark Mims ever had a change of heart and released what Joe had.

Andrea's direct appeal went all the way to the California Supreme Court, denied all the way. Andrea was in it for the long haul now.

The Prison

Life, the unsuspecting captive

Of a million dreams

Chains of desire bind so fastly to the earth.

Seeing the attachment formed

From knowing all those things;

Being alone and at one

With joys of rebirth.

Doesn't freedom look good?

Would you go if you could?

Fear keeps you locked up for good

Without keys.

But, do not you suppose

That you could be among those

Standing in the shadows of release?

by Michael Nesmith, from "The Prison."

In early 1987, Andrea received a notice from Joe Mims' group health insurance that a life insurance policy he'd taken out in her name was still valid and open for claim. They wanted her to sign a waiver of her beneficiary rights so that the money could be paid to his family. Joe's children were appealing the policy, and falsely claiming Andrea had killed him.

She knew Joe had planned to take out a \$200,000 policy in her name, but it was not to be executed until after their marriage, so what was this? Joe did wish for Andrea to be cared for if anything happened to him, so maybe it had been executed after all. Did he pay the premium without telling her. She wasn't about to sign away her rights, as she knew Joe wanted her to have something.

With her direct appeal exhausted, her last chance for freedom short of parole would be a Writ of Habeas Corpus, which would allow her to bring up new issues not allowable on her appeal. For any chance of success, very expensive investigation would be required, in addition to finding the very best of attorneys.

She didn't really believe the new policy had been executed, but any additional money would help her. Inmates are required to pay for all personal items, including stamps, and her pay as a culinary worker was only \$20 per month.

With Joe gone, the only other money she received regularly was \$10 per month from her mother. Visits from her sons were becoming infrequent, and old friends gradually drifted away.

She wrote to the insurance company demanding payment, but they wrote back saying they had information that she murdered Joe Mims, and that if she wished to peruse her claim, and if she denied that she'd killed him, she'd need to hire an attorney.

She told her roommate that Joe had planned a \$200,000 policy, but since they'd never remarried, she did not know where this policy was from, or how much it was worth. Her roommate knew someone she claimed could get the money for her, and referred her to a Stockton Attorney named Henry Jackson Zinn. Zinn agreed to help Andrea secure her claim for 10% of the policy amount. He traveled to Southern California to meet with her, and suggested she use the money to hire him with the money to do her Habeas writ in the future. Andrea quickly determined that he had no experience in the field, and told him she'd consider it in the future. Zinn offered to send her law books, and she said she might be interested later down the road. She felt very uncomfortable in his presence, and when she shook his fat, clammy hand, she felt sickened, as if in the presence of evil.

It was determined the insurance policy was only for \$3,000, and was from an old group policy that Joe had forgotten to remove her from when he'd annulled their first marriage. With back interest, would be around \$3,500, but it would be enough for Andrea to enroll in some college courses, buy a small TV, and a nice typewriter, plus leave her enough money on her books to supply her for several years if she could be frugal.

Andrea had signed a Power of Attorney for Zinn at his insistence, but against her better instincts. She now believes Zinn thought all along the policy was for \$200,000, probably because the roommate had told him. He was outraged at the small amount, and even more angry that he'd agreed to go after the insurance company for 10% of the policy value!

After several months, the policy paid out, but the day Zinn received the money he sent her a certified letter stating that he planned to keep all the money and continue to supply her with law books and advise her on preparing a "pro-per" Habeas petition. ("Pro Per" means you prepare the petition yourself without an attorney.) Andrea knew she did not have the expertise to prepare her own writ, and she did not want the law books from Zinn. She had considered paying him a finder's fee if he would help her locate the best writ attorney in California, but that would have been only if the policy really was for \$200,000.

Andrea was devastated. In tears, she phoned Zinn, who told her "You're in prison. I have a family to feed, and I need the money more than you do. I swear you will never see a dime!"

Thus began a long legal battle that continues to this day. A jailhouse lawyer helped Andrea prepare a claim against Zinn to the State Bar, which advanced her \$2,000 of the amount Zinn owed her, and ordered him to make reimbursement. Several judges slapped penalties on Zinn, increasing the amount he owed to \$6,800. Zinn declared bankruptcy to avoid payment, but the Bankruptcy court declared his debt to Andrea to have been acquired through fraud and be ineligible for discharge.

Only recently, Zinn has attempted to avoid payment by paying an old debt Andrea owed the Riverside County Public Defender's office. Unbeknownst to Andrea, he even took out a joint checking account with her name, and paid into it, then attempted to use it to pay the debt, which was now long past the statute of limitations. Finally, the State Bar said that if we can get a judge's order for him to cease attempting to pay Riverside County, they'd give him 10 days to pay Andrea (with back interest the debt now stands at \$6-8,000) or face immediate disbarment.

Judging from a recent notice from The California Bar Association, he allowed himself to be disbarred rather than pay, but for what reason, I don't know.

Andrea had earned her GED while awaiting trial before her bail was revoked. Now, she applied herself to earning a college degree, and came within 6 credits of earning a BA. In fact, she lacks only a language and one higher math class, and Chemistry with a lab to earn her degree. She also successfully completed a paralegal correspondence course, and began helping other women with legal document preparation.

She took child development classes and Business Education, graphic arts, word processing, data processing, and was eventually hired as a tutor, allowing her to earn an extra \$18 per month. She completed 800 hours of cosmetology before the class was cancelled, and eventually settled into hobbycraft, where for several years she improved on her first love in life...art. Many of the photos of artwork you see on the site were completed during her time in Hobbycraft, but are her property. Others, she completed in her small cell/room on her own time, and with supplies she was able to buy.

Finally, after 5 years in "Arts in Corrections," because of failing health (to be covered later) she was forced to give up art. She briefly went back to word processing, but with a declining equilibrium, she was declared medically disabled, and can no longer work any prison job.

Andrea always had a hard time getting any medical attention at the clinic, but really had no idea how bad things were until a full-scale investigation was launched by the Orange County Register dealing with not only medical neglect, but rape of female inmates by correctional officers.

I am in the process of obtaining permission from the Register, so that 18 articles I've obtained can be posted to the Web site, but here's a brief synopsis:

In 1987, Terry Lynn Waters successfully pressed charges against two correctional officers, Jesse Lee Harris, and Sgt. Harold Delon Anderson.

Anderson was actually the son of a former warden. Anderson is now serving time for rape, but I'm unsure about Harris. The ensuing investigations resulted in the discovery of 5 other inmates, and amazingly, 2 female guards who had been raped by male guards and had kept silent for years.

In addition, there were numerous accounts of consensual sex between inmates and guards, with a few pregnancies resulting, all being covered up through mandatory abortions. The California Legislature has only recently outlawed sexual contact between inmates and prison guards. Since the guards are in the position of authority, even consensual sex is prosecuted as rape.

In the late 1980s a series of mysterious deaths began taking place in the prison infirmary. Women were dying for lack of medical care, often from easily treatable maladies. Joyce Joanne Baeza, age 36, died of untreated Anorexia, weighing 76 pounds.

On Sept 4, 1989, Denise Yvette Davis, age 29, died of an acute asthma attack, after being refused an inhaler refill during off hours. She was eventually sent to Riverside Hospital, but it was too late to save her. She'd been in prison less than two months, having been arrested for drug possession.

In November, 1987, Terri Yvonne Lucas died in the infirmary at age 25 from complications arising from undiagnosed diabetes. Her body lay in the prison infirmary for 3 days, with meals being continuously brought to her, and piled one on top of another. Her body and untouched meals were only removed when the smell became unbearable for staff. Her family was eventually awarded over \$200,000 in damages.

November 22, 1987 marked the death of Mary Louise Winters, 35, again from an untreated asthma attack.

In all, Department of Corrections spokesman Tip Kindel, attempted to whitewash the neglect in the press, while backing out the names of CIW medical personnel in reports the press was able to obtain.

In June, 1988, Linda Faith Ballesteros, age 30, AKA "Sad Girl" was a lethal dose of morphine, injected into her right hand. Signs of a struggle proved the death was the result of foul play.

On July 31, 1989, Thi Thang Nguyen, age 32, was found hanging in her cell. Since her hands were tied behind her, and her feet also bound, murder was suspected, but the Coroner's office ruled it a suicide.

These are just a few of the many wrongful deaths in and around the infirmary. CIW's Chief Medical Officer, Krishna Srivastava, was suspended from his job at full pay (\$95,000), but was eventually relieved of his license to practice medicine. As you'll see from the articles, though, many of the staff were involved but unnamed, and it seems Dr. Srivastava took the fall as a scapegoat.

In all, it seemed the general complaint was that the prison was refusing to send critically ill inmates out to the hospital until it was too late.

In 1990, with Srivastava gone, inmates were more readily sent to Riverside General Hospital, but a dangerous new game seemed to be being played.

In April, 1991, Billie Jean Clark, age 65, was sent to Riverside General Hospital suffering from complications of diabetes.

A report was prepared by CIW Medical Staff stating "As a result of medical complications, inmate Clark failed to survive treatment." Clark was declared dead, yet she DID survive and was returned to the prison.

For some time, rumors have circulated that female prisoners are to be triaged, and denied life-saving treatment, or any medical care once they are beyond the age of 55. Designated "LOL's" (Little Old Ladies), they may be provided with some pain medication, but little else. You will never get anyone to admit to it, and it's not in writing anywhere. Yet, it seems to be the practice.

Would CIW have written up a death report on Clark after sending her to the hospital if they had not pre-arranged for lifesaving care to be withheld? It's a troubling question.

Judy Bracamonte, who first met Andrea on the set of "Bewitched" in the 1960s, later became a paralegal and private investigator. This gentle grandmother traveled the country and risked an interview with a drunken, armed "Richard," and came away with evidence that makes a reversal of Andrea's conviction mandatory.

As the years drifted by, Andrea realized no one was going to be there to help her, and that if a writ was ever to be submitted, she'd have to do it herself. With volumes in the library, and advice from friends, she began to attempt to compile her own pro-se writ.

She would obviously be limited in investigation, but she had to attempt to compile as many documents as she could. She wrote to Chuck Stafford, in an attempt to recover her defense file. To her shock, she received a reply from Stafford, stating briefly that he had no access to the file, as he was now a prosecutor, working out of the DA's Indio office. A little checking revealed that 2 years after her trial, Bob Dunn, her prosecutor had been elevated to the position of office supervisor, and that Stafford had been hired to work directly under him at double the pay! Further entreaties to the Public Defenders' office went unanswered.

She attempted to get her medical records from the county jail to back up her claims of forced drugging, but was told they were destroyed. She was able to obtain the old rap sheet on Richard, the inmate from Nevada who'd been the only one to testify to pre-meditation, and cited Stafford for his failure to present it to the jury.

With little or nothing to go on, she presented the writ to the court on August 13, 1990. Andrea had practically nothing to back it up other than her own version of events, letters of support from her family, and the mysterious letter from the now-deceased Walton Godwin. Confused by what Joe Mims and Walton Godwin had sent, she became convinced that her memory of having killed Sand was false, and that her original understanding and memory of intruders was the correct one. Suffering from "screen memory," Andrea could no longer be certain which version of events was true.

The writ was summarily denied by an Indio judge as vague and conclusionary, and rather than submit her writ to the appellate court, she decided to withdraw it. She could see that allowing it to proceed through the court system would be fruitless, and would possibly end her chances of freedom forever. And sadly, she now realized that claiming total innocence had hurt, rather than helped her credibility. Whatever evidence Joe had, it was unclear as to what it actually supported. Reading Godwin's letter again, the pictures only showed others in the room with Andrea and Bob, and could just as easily be from one of Sand's choreographed sado-masochistic orgies, rather than pictures from the night of the killing.

It was about this time that Andrea made contact with an old friend from her days on the set of Bewitched in the 1960's. Judy Bracamonte was working as a Sacramento Paralegal and investigator, and was looking for formerly battered women who had been convicted of killing their spouses.

Judy told her to sit tight, and in a year or two, she'd help her put together an unbeatable writ, and would do the necessary investigative work to back it up. It would be two years before she'd hear from Judy again, but she kept her word.