Aldape: TV Scripts & Videos
(Spanish)

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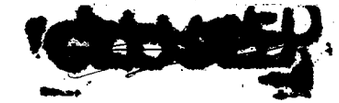

F-456

Mexico, D.F., on April 28, 1997

MEMORANDUM OF UNDERSTANDING
signed by Mr. Ricardo Aldape Guerra and
TV Azteca, S.A. de C.V.

AGREEMENT

1. TV Azteca contracts the services of Mr. Ricardo Aldape Guerra for him to participate in the filming of fifteen chapters of a soap operate "To The North of The Heart."

2. TV Azteca will pay Mr. Ricardo Aldape Guerra the quantity of 10,000 pesos for each chapter.

3. TV Azteca will pay the expenses for travel by Mr. Ricardo Aldape Guerra during the filming of the chapters.

4. TV Azteca will pay the cost of whatever clothing is needed for Mr. Ricardo Aldape Guerra.

5. The filming is tentatively set to begin on May 15, or whatever date is established by TV Azteca. Mr. Aldape Guerra is obligated to TV Azteca for whatever time it takes to complete the chapters.

6. Mr. Ricardo Aldape Guerra will receive, at the time he signs this Agreement, the quantity of 50,000 pesos for his participation with TV Azteca, in accordance with the terms of this instrument.

The proceeding constitutes the Agreement among the parties.

Signed **[by Attorney Jorge Mendoza Garza; RAG; and two witnesses.]**

VEHOU07:39171.1

México, D.F., a 28 de abril de 1997.

MEMORANDUM DE ENTENDIMIENTO, que firman el señor Ricardo Aldape Guerra y TV AZTECA, S.A. de C.V.:

ACUERDOS.

1. TV AZTECA contrata los servicios del señor Ricardo Aldape Guerra para que éste participe en la grabación de 13 (quince) capítulos de la telenovela "AL NORTE DEL CORAZÓN"

2. TV AZTECA pagará al señor Ricardo Aldape Guerra la cantidad de $10,000.00 (diez mil pesos 00/100 M.N.) por cada capítulo.

3. TV AZTECA asumirá los gastos de alojamiento del señor Ricardo Aldape Guerra durante la grabación de los capítulos.

4. TV AZTECA asumirá los gastos del vestuario que requiera el señor Ricardo Aldape Guerra.

5. Las partes convienen que el inicio tentativo de las grabaciones será el 15 de mayo del presente, o en su defecto, la fecha que formalmente establezca TV AZTECA; el señor Aldape Guerra se obliga con TV AZTECA por el término necesario para la total realización de los capítulos.

6. El señor Ricardo Aldape Guerra recibe, al momento de la firma del presente acuerdo, la cantidad de $50,000.00 (Cincuenta mil pesos 00/100 M.N.) como anticipo por su participación con TV AZTECA, en los términos que se señalan en este instrumento.

Lo anterior constituye el acuerdo entre las partes,

Por TV AZTECA

Lic. Francisco X. Borrego Hinojosa Linage

Lic. Jorge Mendoza Garza

42-01310 (p)
420-1303 (fax)

Ricardo Aldape Guerra
Señor Ricardo Aldape Guerra.

TESTIGOS

** TX CONFIRMATION REPORT ** AS OF APR 29 '97 15:02 PAGE.01

VE LLP HOU 8 X2346

	DATE	TIME	TO/FROM	MODE	MIN/SEC	PGS	CMD#	STATUS
01	4/29	15:01		G3--S	01"21	02		OK

Received Apr 24 06:28PM (02:32) on line [10] for 'SA0399' WORKSRV4 printed SA0335F98FC0603 on Apr 24 05:31PM * Pg 1
DE EDITORA ARGOS NUM FAX 91871150405 24 ABR.1997 05:14 PM P 1

PORTADA DE FAX

EDITORA ARGOS, S.A. DE C.V.

Fecha: ABRIL 24 DE 1997.

Atención: LIC. SCOTT ATLAS

De parte de: SRITA. CECILIA ZAVALA GONZALEZ
ASISTENTE DE PRODUCCION DE TELEMUNDO EDICION ESPECIAL

No. de Fax: 95-(713)-615-53-99

Mensaje: NOS INTERESA SABER LOS PLANES A FUTURO DEL SR. RICARDO ALDAPE GUERRA, POR LO TANTO ESPERO SU RESPUESTA A LA MAYOR BREVEDAD POSIBLE. LE AGRADEZCO MUCHISIMO.

RECIBA UN CORDIAL SALUDO, FELICIDADES.

Hojas DOS

EL MANANA
El periódico que va con el Pueblo
EDITORA ARGOS, S.A. DE C.V.

NUEVO LAREDO, TAMPS. ABRIL 24 DE 1997.

LIC. SCOTT ATLAS
P R E S E N T E.-

POR MEDIO DE LA PRESENTE, LE ENVIO MIS DATOS PARA QUE ME SEA CONFIRMADA LA CITA CON EL SR. RICARDO ALDAPE-GUERRA, PARA EL VIERNES 9 DE MAYO A LAS 3:00 P.M., CON DURA--CION APROXIMADA DE DOS HORAS.

CECILIA ZAVALA GONZALEZ
TEL. (87) 14-82-19 EXT. 157
FAX:((87) 15-04-05
10-13-18 CASA

LE AGRADEZCO LAS FACILIDADES PRESTADAS PARA LA REALIZACION DE NUESTRA ENTREVISTA CON EL SR. ALDAPE Y SU - FAMILIA., EN ESPERA DE NOTICIAS QUEDO DE USTED COMO SU SEGURA SERVIDORA.

A T E N T A M E N T E

CECILIA ZAVALA GONZALEZ.
ASISTENTE DE PRODUCCION DE
TELEMUNDO EDICION ESPECIAL.

04/05/1996 09:44

f-ald #56

~~f-Allape #~~ ~~#136~~ 4/5/96

fax to/
S. Rael
FYI
- I would not agree to let them interview Ricardo.
Regards,
Scott
4/5/96

=== COVER PAGE ===

TO: _____

FAX: 917136155399

FROM: EL Y ELLA

FAX: 213-960-4565

TEL: 213-960-4555

COMMENT:

FAX

Date: 4/5/96

To: SCOTT ATLAS

Company: VINSON & ELKINS

Fax #: (713) 6155399

From: Pedro Calderon Michel
El & Ella
Telemundo

Direct Line: (213) 8714449

Pages: 3 + COVER

If all pages are not received please call (213)960-4537.

Telemundo Network, Inc.
5254 Melrose Avenue
Suite 405D
Hollywood, CA 90038
213-960-4055 Phone
213-960-4051 Fax

April 5, 1996

Mr. Scott J. Atlas
Vinson & Elkis
2300 First City Tower
1001 Fannin Street
Houston, TX 77002-6760

Via Fax: (713) 615-5399

Dear Mr. Atlas:

First of all, thank you for the interest you have shown in our production.

The ***El y Ella*** television show airs Monday through Friday at 3:00 o'clock p.m. Pacific and Eastern time and 2:00 o'clock Central time across the United States, Mexico, Central America and the Caribbean.

After watching a program on CNN that featured the Aldape-Guerra case, our Executive Producers are very much interested in dedicating an entire program to Mr. Aldape and the Death Penalty.

The Telemundo Network would like to extend to you a cordial invitation to participate in this television special. In order to present the facts correctly, your position as Mr. Aldape's attorney is essential to our program, as is that of the District Attorney, the Mexican Consulate and of course Mr. Aldape himself.

We are currently awaiting confirmation from the Mexican Consulate in Houston, but we have tentatively blocked the following dates for taping: April 30th, May 1st or May 9th.

Telemundo Network will of course take care of your air and ground transportation, as well as a per diem for your stay in Los Angeles.

In addition, we would like to interview Mr. Aldape in prison via a two-way satellite feed to our studios in Los Angeles, California.

The interview would not air live but would allow Mr. Aldape to actively participate in the program.

In case the satellite feed is not allowed by prison authorities, we would then travel to Houston to interview him for a pre-produced package that would air within the show.

Attached you will find a first draft of questions that we would like to ask Mr. Aldape.

We would like to hear from you as soon as possible. My direct line is (213) 871-4449 and my beeper number is (800) 560-2152.

Thank you for your consideration.

Sincerely,

Pedro Calderón
Production Coordinator - ***El y Ella***

PC/cz

QUESTIONS

1) Please describe in your own words what happened on that fateful night.

2) Who shot the police officer?

3) Why does the police think that you committed the crime?

4) Were you surprised when you received the death penalty or were you expecting it?

5) How has your life changed?

6) How has you being on Death Row affected your family?

7) Did you believe in the death penalty before this happened to you?

8) In what way has your life changed since your death penalty was announced?

9) What would you do if you are finally declared guilty?

10) What do you miss the most?

11) How do you describe the public's reaction to your case?

12) Do you feel any resentment and if so, against whom?

13) What are your expectations from life?

f. old # HSb

Guadalupe Segura, assistant to Miguel Necoechéa Gracia is interested in a movie; 525/616-5888 -5233

name of co.: Ivania Films

wants to do film ~~for~~ re his life; 550-9320

wants to talk to him; 550-3443

Fax 550-3858

F. # H5b
1/24/93

SCOTT J. ATLAS

Karen,
Has this been translated?

Scott

(yes)
From Power to Power

f- Alldape
5b

VINSON & ELKINS
L. L. P.
ATTORNEYS AT LAW

THE WILLARD OFFICE BUILDING
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BAGATELA 12
00-585 WARSAW, POLAND
TELEPHONE 011 (48-2) 625-33-33
FAX 011 (48-2) 625-22-45

October 26, 1992

Access Houston Cable Corp.
Attention: DUB Requests
3900 Milam
Houston, Texas 77006

To Whom It May Concern:

Enclosed please find a check in the amount of $25.60 to cover the cost of a video tape of "Adelante" aired from 5:30 to 6:00 p.m. on Sunday, October 11, 1992, during which Ms. Gonzales-Murillo interviewed Alvaro Luna and Liz Murillo.

Please forward the video tape to my attention to the above address at your earliest convenience. I understand there will be at least a 30 day waiting period.

Please call me at 758-2643 should you have any questions.

Very truly yours,

VINSON & ELKINS L.L.P.

By Susan L. Brown
Susan L. Brown, Legal Assistant

Enclosure

6503:2070
\brown\acce1026.ltr

f- [redacted] H56

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September 9, 1992

BY OVERNIGHT MAIL

Glen Smith
505C West Lynn
Austin, Texas 78703

re: Ricardo Aldape Guerra

Dear Glen:

As promised, I have enclosed a copy of a taped interview that my client gave in Spanish to a local television station.

After you have reviewed it, please call me to let me know what you think.

I would like the tape returned (by regular mail) after you have finished.

Very truly yours,

Scott

Scott J. Atlas

c:\floater\smith.ltr

Cc: Sandra
o.f. H5b

Channel 45, KILN Univision 5:00 p.m. News, November 12, 1992

Jorge Today we finalize our special series -- Mexicans on Death Row -- about the convicts who are about to be executed in Texas. Pardon me, tomorrow we will finalize it.

Beatriz That's so. Precisely, and Rosio Torres is in the editing room to offer us the fifth and next to last part of this investigative newspaper work. Rosio?

Rosio Yes, thank you Beatriz. In the past year Mexican Ricardo Aldape Guerra has been saved from two dates of execution, the last one last September, when he achieved the postponement, although the Judge had rejected all the petitions of the defense. Now we have the details about this very polemic case.

Mexicans on Death Row

Rosio Ricardo Aldape Guerra is one of the Mexicans condemned to death, whose case has received the attention of the Mexican government, attorneys, and human rights activists. Aldape was found guilty of the murder of a police officer and was pointed out as being responsible for the shooting death of a civilian. According to the defense, the night of the incident the accused and another man, Roberto Carrasco Flores, examined the motor of the car they drove, when Officer J. Harris approached, and as he was trying to interrogate the two Mexicans, Carrasco Flores took out a gun and fired at the policeman. Meanwhile, the defense added, an automobilist, Jose Armijo, who was a witness to the events, also was a victim of the circumstances, and died of gun shots.

Maria Elena Castellanos, Esq. All the concrete evidence -- finger prints on the pistols -- indicated without a doubt that Ricardo Aldape Guerra was innocent, and Carrasco Flores was the guilty one.

Rosio Carrasco Flores died at the hands of justice that same night. The defense claims that due to the fact that Aldape was illegally in this country, he was a victim of discrimination.

Maria Elena This case has universal significance, because it reflects a bad, unconstitutional conduct by the North American government agents against an innocent Mexican worker.

Rosio Another report indicates that (1) there was not a Hispanic among the members of the jury, (2) all of them favored the death penalty, and (3) for the first time the prosecution utilized as a legal strategy two manikins that simulated the appearance of

Carrasco and Aldape during the incident, a tactic considered unacceptable and insulting by the Hispanic community. Activists against the death penalty say that in spite of the irregularities that were committed in these tribunals of justice, now more possibilities exist that could modify the sentence of death that is hanging over Ricardo Aldape Guerra. In Houston the Pro-Defense Committee for Aldape Guerra has united with other civil rights groups in order to protest what they call racism within the judicial system.

Beatriz Alvaro, why so much interest in the Ricardo Aldape Guerra case?

Alvaro Hernandez Luna The interest has always been there. Many people have always worked at a national level in order to give focus to the injustices that were done to him.

Beatriz For the parents of Aldape, the last ten years have been terrible, nevertheless they have not passed in vain because they have been able to gather data that according to them could help in their son's case.

Beatriz What is it that you ask for?

Papa We ask for a new trial -- that they give him his freedom or that they take away the death penalty.

Beatriz And his lawyers are very optimistic about achieving it. Tomorrow, more about what is being done to save the lives of the eight Mexicans on death row. Now we return to Jorge and Beatriz.

Beatriz Thank you very much, Rosio.

* * * * *

5:00 p.m. News, November 13, 1992

Beatriz And, today the conclusion of our series, Mexicans on Death Row.

Announcer Notevision 45 with Jorge Pereyra, Beatriz de Alvarado, Carlos Aranda and Gabriela Hill. And now the news of the largest audience in Houston, Texas, Notivision 45.

Beatriz And now entering directly into the conclusion of Rosio Torres's series that we were transmitting with great interest on the part of the public.

Jorge Mexicans on Death Row.

Beatriz We are going now to Rosio Torres.

Rosio Thank you, Jorge and Beatriz. After various weeks of investigation and work, we were able to gather the data for our series, Mexicans on Death Row, which presented the cases of Mexicans who await execution dates in the prison in Huntsville, their family and their defense. Today the conclusion about the hopes of these men. Only destiny will decide the future of the eight Mexicans condemned to the maximum penalty in the Huntsville, Texas prison. On the one hand prevails the decision of a jury that found them guilty of murder, on the other the allegations of innocence by many of them, and of some who claim that evidence exists that could prove it. Where all of them are in agreement is that they are victims of discrimination, first for being Mexican, second for not speaking English, and third, for not understanding their constitutional rights; and their attorneys, as well as activists against the death penalty, say that they are trying to prove that corruption exists within the judicial system.

Alvaro In the majority of these cases there was a tremendous racism, there was an injustice that has to be clarified.

Rosio According to the attorney for Ricardo Aldape Guerra, that's what happened in the case of his client.

Atlas Unfortunately, I believe that...

Rosio "Unfortunately, I believe that the prosecution appealed to ethnic prejudices," says Atlas, who showed us reports of an extensive investigation that was made by Aldape's defense, but the activists for civil rights also are doing whatever possible to help in the Aldape defense and others condemned to death.

Sylvia Rugama [With the Center of Border States and Promotion of Human Rights] We are creating this front of help for the Mexicans condemned to death in Texas, and we did it with the intention of helping their families, trying to obtain all the resources that are necessary for new trials or for appeals.

Rosio Also the authorities of the Mexican government say that they are active in intervening in the cases of their compatriots condemned to the maximum penalty.

Francisco Gonzalez de Cossio, Consul General of Mexico What we consuls do is assure ourselves that those sentenced to death have all the legal resources -- that they have attorneys, a good defense, and have access to the resources that the system gives them.

Rosio According to officials of the Department of Corrections of the State of Texas, there have been various cases of those sentenced to death who have been absolved.

Charles Brown [With the Texas Department of Corrections] There may be a possibility...

Rosio There may be a possibility of a case of mistaken identity, and that an innocent person has been sentenced. There have been people on death row whose cases have been absolved because of legal errors, Brown says. And this is precisely what intrigues so many people. The question is, how many convicts are paying for a crime that they did not commit.

Francisco Cardenas Everyone here is guilty. Understand? Every sin has its punishment.

Miguel Angel Flores When one comes to jail, his life changes.

Cesar Fierro [unintelligible]

Irineo Tristan Montoya I have faith that one day I will leave here. According to him I am going to die. I don't believe that I am going to die.

Javier Suarez Medina It is going to take more time, but inside my heart I think that I am going to leave some day.

Rosio And that's how our series concludes. And it only remains for us to acknowledge the people who cooperated to make it possible. Now we are returning to the studio with Jorge and Beatriz.

Jorge Many thanks, Rosio, and a magnificent work that you did.

Beatriz Thank you, Rosio. We will continue....

f:\kg5479\probono\kxln.tns

cc: Team

MEMORANDUM

July 6, 1992

TO: File

FROM: Scott J. Atlas

RE: Aldape

Luis Cruz has spearheaded the Spanish news media's reports on this case. He has videotapes of all the broadcasts he has done. In particular, I should get a tape from a program called Occurrio Asi that was on Channel 48 on July 2, 1992 beginning at 4:30 p.m. She thinks that it lasted 30 minutes.

SJA SJA

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7/2/92

0-F-#5b

cc: Sandra

KTMD TV Channel 48

Luis Cruz ("Luis"): From prison in Huntsville, Ricardo Aldape maintains his innocence in the death of police officer James Harris, an act perpetrated in 1982 in the Magnolia area. Ricardo Aldape spoke exclusively with the program Our People ("Nuestra Gente"), where he blamed his disaster on his poor legal representation and on the language barriers, but above all, Aldape says, on the corruption that exists in the judicial system in this country.

The night of the murder of Officer Harris, Aldape, accompanied by a friend, was detained for a supposed traffic infraction. His companion, Roberto Flores, was the one who Aldape says shot the officer. Flores died a little while later, on becoming involved in a shootout with police officers. Aldape on the other hand says that although he was armed, he never fired at the police officer.

Human rights organizations believe in Aldape's innocence and consider this an injustice.

Alvaro Hernandez Luna ("Alvaro"): The evidence that exists in his trial indicates that the man is basically innocent, but since he was the only one who survived the shootout with the police and the

other boy named Flores, they charged him with all the charges of the death of the policeman.

Luis: The representative of the council of La Raza, asks for the participation of the rest of the human rights groups to appeal the execution of Aldape and to request the state and federal government to extend the date in order to permit Aldape's defense to gather enough in his defense.

* * * * *

Manny Lopez ("Manny"): This past weekend there was a protest demonstration to help Ricardo Aldape Guerra, an hispanic convict condemned to death in Huntsville prison.

Kathy: Luis Cruz attended the demonstration and informs us of what happened in the Magnolia area, and we're going to the direction room with him. Go ahead, Luis.

Luis: Thank you Kathy and Manny. That's it. Nearly 700 persons attended the call and were present at the indicated place. The march headed by the La Raza council ordered justice for Aldape, who is accused of having killed a police officer in Houston in 1982. Since the sentence was handed down, Aldape has insisted that he is innocent.

Alvaro: We have to fight for justice for Ricardo Aldape and the Chicano-Mexican, all the community that suffers discrimination, that suffers racism, that's enough. We are tired of so many injustices.

Luis: Only 12 days before the date the State has set for the execution of Ricardo Aldape Guerra is to be carried out, more than half a thousand people participated last Saturday in a march that covered various blocks in the Magnolia area. The protestors urged justice for Aldape.

Crowd: What do we want for Aldape Guerra? Justice.

Luis: Ricardo Aldape Guerra was condemned to the death penalty in 1982, accused of having killed a Houston police officer, a murder that Aldape has denied having committed from the first moment that he was interrogated by the authorities.

Crowd: La Raza united will never be conquered.

Luis: Those who participated in this march believe in the innocence of Aldape, and they assure us that Aldape did not receive a fair trial, and his rights were violated. Aldape's case, which aroused international interest, was also the inspiration to a

Mexican duet, and they composed a Corrido for him. In this march of unity that couldn't be lacking.

> "I swear I am innocent, and victim of destiny. This the people don't know, and my witnesses know it."

Residents of other cities traveled to Houston to form part of this march.

Crowd: That's why we're here helping him, because I am confident that he didn't do it. Because I believe that it's an injustice what they are doing with this boy. I have always believed that he is innocent, always because he has never accepted committing a crime.

Luis: Aldape Guerra's parents, who recently arrived in Houston from Monterrey, thanked the persons who participated in the march. The lawyer charged with defending Aldape Guerra was present and spoke to those who participated in the march. In addition to thanking them for their help, she said that she was counting on evidence that demonstrates Aldape's innocence. The Committee in Defense of Aldape invites interested people to call the office of Governor Ann Richards and ask her to suspend the execution until a new trial is achieved. The number to call appears on your screen

(1-800-252-9600). The lawyer in charge of defending Aldape Guerra said that she wants to move the execution date at least until the month of August, sufficient time to gather more evidence that demonstrates Aldape's innocence. We are returning to the studio.

Manny: Thank you, Luis.

* * * * *

Luis: Thirsty for justice this group of residents insists that the execution of Aldape Guerra be suspended immediately, and that he be given a fair trial.

* * * * *

Manny: Only three days remain before they execute Ricardo Aldape Guerra, unless his death is postponed.

* * * * *

Kathy: Very good afternoon. Welcome to Noticiero 48 Live.

Manny: These are the most important news items of today. The case of the execution by lethal injection of Ricardo Aldape Guerra is

attracting international attention as the date of his death approaches.

Kathy: The 30-year-old Mexican awaits death from his cell in Huntsville prison hoping that the execution will be postponed and he will be given a new trial.

Manny: Luis Cruz has been following this case very closely, and he is here with us to talk about this case, about what is happening. Luis, good afternoon.

Luis: Good afternoon, Manny. Good afternoon, Kathy.

Kathy: Good afternoon.

Luis: We are initiating a series of reports that we have entitled "Awaiting Death". Thirty-eight states in this country have as a maximum penalty the death penalty. Twenty states have applied it since the Supreme Court reinstated it in 1976, but Texas has stood out in being the state that has executed more individuals, more than 14 states together. The next scheduled to die by lethal injection is a young Mexican, who for 10 years has lived in the pavilion of those condemned to death. They accuse him of a murder that he categorically denies having committed. This is Aldape Guerra's story:

Ricardo: They put everything to me and never found me with anything. The evidence is so clear.

Luis: For 10 years from his cell Ricardo Aldape Guerra has repeated the same phrase, "I am innocent." But the system does not have ears to hear this petition for clemency. For 10 years this man has asked that they give him justice, and permit him a new fair trial, where he can present the evidence that proves his innocence, evidence according to Aldape that his defense never presented during the original trial, where he resulted in being the one held responsible for the death of the police official of Houston, James Harris, which act occurred July 13, 1982. Two months before the act, Aldape had arrived from his native land, Monterrey, Nuevo Leon. Three months after the deed he was condemned to death. His trial was controversial, the constitutional rights of Aldape were violated, says Sandra Babcock, his current defense attorney. During the trial the prosecution maintained in front of the jury composed of Anglo-Saxons two manikins in bloody clothing, which supposedly represented Ricardo Aldape Guerra and Roberto Carrasco Flores. Both were found together the day that a routine traffic stop turned out to be fatal for the police official, but Aldape alleges that it wasn't he who committed the crime.

Sandra: Here in his case the guilty man is dead. It was not possible to condemn Roberto Carrasco Flores to the death penalty, because he was already dead.

Luis: The five witnesses the prosecution presented contradicted each other, and finally none of them said that they had seen Ricardo Aldape fire on the police officer. The bullets that killed Police Officer Harris and a passerby, who was in the area, were 9mm caliber. Said weapon and that of the fallen police official were found on the body of Carrasco Flores, who died a half an hour later in another confrontation with the authorities. Aldape, who was carrying a 45 caliber revolver, gave himself up to authorities. The number of people who believe in Aldape's innocence grows each day. Local demonstrations and the intervention of international organizations help the cause of a man whom they consider as a victim of the system. The Italian Parliament sent to the Governor of Texas a request for clemency, and the community lifts its voice demanding justice. Aldape is scheduled to die in the first moments of Tuesday, but his lawyer, Sandra Babcock, informed this afternoon that a petition was presented to Judge Woody Denson to extend the date of the execution.

Aldape's defense attorney emphasized that the petition to extend the date of the execution is only to have more time in which to permit her to prepare the case. She added that the more

sufficient proofs that she has the better for her client. Today she also presented information collected by the Mexican government, in which an investigation was conducted about the life of Aldape Guerra in his native city. The number that appears on your screen is of the Governor Ann Richards. If you want to make your voice heard, you can call 1-800-252-9600. There might be a slight delay in answering this number, but we are also presenting another which is 1-512-475-2592.

Kathy: And, Luis, what will happen if the judge or judges deny the petition?

Luis: If he denies the petition, Kathy, the lawyer can immediately appeal to the Court of Appeals in New Orleans, and there is still another alternative, which is the Supreme Court in Washington.

Kathy: So it is Monday that the execution is scheduled to remain extended?

Luis: Automatically once a petition is presented, it is extended, until there is a response, be it affirmative or negative.

Kathy: Thank you, Luis.

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Manny: The execution of Ricardo Aldape Guerra is extended to next September.

Kathy: Good afternoon, welcome to Noticiero 48 at 5:00.

Manny: And here are the most important news items up to the moment.

Kathy: A judge extended today until September the execution of Mexican Ricardo Aldape Guerra, found guilty of having murdered a police officer in Houston in 1982.

Manny: The delay comes from numerous protests organized by Hispanic organizations in the United States, the intervention of the Mexican Government, and the attorneys of Ricardo Aldape Guerra who ask for time to present new evidence in a new trial.

Kathy: Luis Cruz is here with us in order to tell us about the encouraging news. Luis, good afternoon.

Luis: Good Afternoon, Manny. Good afternoon, Kathy. The extension of the execution date of Ricardo Aldape has brought consolation to the family of the accused, and although the threat persists that he will be executed, there is hope that the defense

will achieve the commutation of the execution. This afternoon Aldape's parents and his lawyer presented themselves in court in the company of sympathizers. Upon extending the date of the execution of Ricardo Aldape Guerra, the possibilities increase for the family of the accused of one day seeing the young Mexican free. Judge Woody Denson convened with prosecutor Kari Sckerl, in extending the carrying out of the sentence until the 24th of September. The prosecution said that she required time in order to respond to the motions presented by Aldape's attorneys, who have requested a new trial. The reaction of Aldape's family members to the extension and of the hundred supporters who attended the tribunal this morning was of great joy.

Mother: I was hoping that they would let him go free, because he has to leave, because my son is innocent.

Luis: And it was the pressure of our community, headed by the Pro-Defense Committee for Aldape Guerra, the assistance of the International Community and the Mexican Government, that achieved the postponement. An effort of thousands of people combined.

Moments after finding out about the judge's decision, the Governor of Nuevo Leon, Socrates Rizzo, made a telephone call to the parents of Aldape offering his help. The night before, President Carlos Salinas de Gotari also did the same. It was

reported that both had communicated with Governor Ann Richards requesting clemency, but before the Governor intervenes, all of the legal processes have to be exhausted, said the spokesperson for the Governor.

We have with us the parents of Ricardo Aldape. We are grateful for their visit. We know that you have been very busy in the last few days, but again thank you very much for being here with us.

Mother: Many thanks to you.

Luis: Mrs. Francisca. What was your reaction when you found out that the date of the execution had been suspended until September.

Mother: I was very pleased, because it was what I wanted, for them to concede that he would not be executed that day. And I want to continue asking that you help us to continue fighting, so that they give him his freedom; and to all the organizations and to all the people I ask that they please keep helping, so that my son can be freed from the pain of death, that they free him because he deserves it, because he is innocent.

Luis: And Mr. Aureliano, what do you say to us? What was your reaction?

Father: Well, I am very grateful to all of you, to all the people, who have helped us, and I hope that you will continue helping us in order to free my son.

Luis: It has been 10 years of suffering.

Mother: For us it has been 10 years of agony, 10 years like one day to be waiting to see what they are going to do with my son. Unfortunately we never had the means to get him a good lawyer to defend him, but thank God now, all the people are helping us in order to free my son, to put in the lawyers, so that they will free him.

Luis: Do you hope that this will happen quickly?

Mother: Of course. Because, I think that like what they gave me now for Mothers Day, likewise in December I would like to have him at home.

Luis: A debt of gratitude to those people who have been confident in the innocence of your son, and who have taken to the streets demanding justice for him.

Mother: I am grateful to everyone. I can't speak person to person. I am telling everybody. I can't say it person to person, but to everyone I thank you and ask that you continue to help my son, so that he will be freed.

Luis: Thank you very much, Mr. and Mrs. Francisca and Aureliano Aldape. Tonight at ten p.m. we will have more information regarding Aldape's case, but now we are going to have more information from Kathy and Manny. Go ahead.

Manny: Luis, just a quick question. What's the next step to continue in this case, since the date has been postponed? Are Ricardo's attorneys going to present more evidence?

Luis: What the attorney is asking, Manny, was that the execution date be suspended indefinitely. They didn't achieve that, because the prosecution said that she needed time to see the evidence that they were presenting. The attorney has a lot of confidence that there is enough evidence to prove Ricardo's innocence, and so during this time, from here until the 24th of September, is the time that the attorney needs in order to gather together all the evidence and present it again before the judge.

Manny: Let's hope that it's enough time for them to achieve a new trial.

Kathy: Of course, and a question for Mrs. Francisca. You, as a mother, do you feel that some mothers who are in a similar situation to yours, what is your advice to them in the question of faith?

Mother: For example, a person who is in a situation like me, I ask them to have a lot of faith in God, and also that everything has to work out, because we don't want injustices to be done. We want just like they should free my son, they should free all the people in jail who are innocent, like my son is. I would say that only a mother who was in my place, for example, was going through my situation, I imagine that only that person could understand the situation in which I find myself, that I am old, I am tired, but I will keep fighting until I see my son free."

Luis: Thank you for having been with us.

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Manny: Convict, Ricardo Aldape Guerra, speaks exclusively for the cameras of Channel 48.

Kathy: Good afternoon and welcome to Noticiero 48 Live.

Manny: Noticiero was able to capture an exclusive interview about what Ricardo Aldape Guerra thinks, now that his execution has been postponed until the month of September. Luis Cruz spoke with him this morning at the prison in Huntsville, and he is here with us now to amplify the story. Good afternoon, Luis.

Luis: Good afternoon, Manny. Good afternoon, Kathy. As we promised, we have the exclusive interview with the young Mexican, Ricardo Aldape Guerra, who is confronting the death penalty. His execution date was postponed until the 24th of September. Aldape Guerra spoke in an exclusive interview with Channel 48, and told us his state of mind before and after the delay in the execution. Let's see.

Ricardo: No, no, no. I know. I'm living life, you understand? I know what's going on. I know this isn't a dream, you understand? No the days, I am living them, understand, day after day,

understand? But what happens is I am taking one day at a time, understand? I don't have a future that I can plan, understand?

Luis: Wanting to hold on to his dream of freedom, Ricardo Aldape Guerra does not lose his hope of one day being reunited with his family in Monterrey, Nuevo Leon, Mexico, where he was born. Aldape's hopes that his dream will become a reality, rest in this woman, Sandra Babcock, his defense attorney.

Ricardo: My life is in her hands.

Luis: Nevertheless this morning for several minutes the attorney's entrance was denied to her, violating in this way the rights of Ricardo. Ten years have passed since Aldape was condemned to death as the one supposedly responsible for the death of a Houston police officer, James Harris. From the same moment that the sentence was handed down, Aldape Guerra has denied said accusation. But everything, says the accused, was against him.

Ricardo: Everything was against me, including my own lawyers.

Luis: How do you feel being condemned for something you haven't committed?

Ricardo: It's difficult. All I can tell you is that it is difficult to be paying for something one didn't do.

Luis: Continuing with an execution date means loosing the privileges that the rest of the prisoners enjoy, Aldape Guerra explains to us, including, he says, the right to work.

Ricardo: As now they don't have me, I only go for recreation three hours. When I want to leave, I go bound. On the other hand, if I go to work, I have a little more liberty, but I don't stop being locked up. Do you understand? But I do it because I want to show them that I can live with everybody, understand? I'm not a threat like they say. I can live with anybody. And I work. It doesn't pain me to work, although they don't pay me, understand? I do it for my parents so that they don't see me in this cage.

Luis: Aldape Guerra claims he will take his innocence to the tomb if necessary.

Ricardo: I am innocent, and I am going to be innocent to the end, come what may. If I have to put my life in danger. I have to continue to the end.

Luis: The international interest in Aldape Guerra's case is something that has surprised the prisoner, but it is something that he is grateful for.

Ricardo: I hope that they will continue helping me, understand? I assure you that I am innocent.

Luis: Continuing with the execution date is like being dead inside, Aldape Guerra expressed, but in spite of all the obstacles that he still has to confront, he said he has the hope of getting out alive, a dream that very few have achieved.

Manny: Luis, how did you find Ricardo's state of mind when you interviewed him?

Luis: He seems, Manny, to be tranquil. He has faith in God. He has faith in his lawyer, that before the 24th of September, the prosecution will have reviewed the evidence that his attorney believes is key to achieve his freedom.

Kathy: Why was entrance denied to Aldape's lawyer?

Luis: The authorities haven't given any explanation about this violation of Aldape's rights, but according to the Consul of Protection, he said he is going to request an official report of

why they denied her entrance. And in an additional note, Manny and Kathy, in the Anglo American press they said they were very surprised to have seen Consul Ampudia present in the pavilion of prisoners condemned to death.

Kathy: Well, the result of your information is very impressive then, thank you very much, Luis.

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<u>Cara a Cara</u> Maria Laria. 5/11/92

(Face to Face)

Maria: In these days in which the damage that Los Angeles has suffered in its own flesh, motivated by the denouncement of injustice and racism in the verdict that pardoned the officials accused of the beating of Rodney King, as all the world saw, a new case of supposed injustice and racism, this time in Houston, Texas, has provoked protests and demonstrations that denounce that the corruption of the judicial system might unjustly take away the life of a young Mexican illegal alien, Ricardo Aldape Guerra, who will be executed tomorrow, the 12th of May, for a crime, according to him, he never committed. Luis Cruz, reporter from KTMD Channel 48,

our sister station, of the Tele Mundo Station in Houston, Texas, has this special report for Cara a Cara.

Ricardo: On my parents I haven't committed any crime.

Luis: From the prison in Huntsville, Ricardo Aldape maintains his innocence in the death of police officer James Harris, an act perpetrated in 1982 in the area of Magnolia.

Ricardo: It's not just that I have to pay for something that someone else did, when they know who did the damage, but they don't want to accept and tell the truth.

Luis: Ricardo Aldape spoke in an exclusive with the program Our People, where he blamed his failure on the poor legal representation and the language barriers, but above all, says Aldape, on the corruption that exists within the judicial system of this country.

Ricardo: The majority of people who are here are poor. They don't have any money. If you don't have any money, you are going to come here. You don't have anybody to represent you or anything, because it just doesn't look good that the same system is paying the lawyer and helps you to leave this place. They are working together.

Luis: The night of the murder of officer Harris, Aldape accompanied by a friend, was detained for a supposed traffic violation. His companion, Roberto Flores, says Aldape, was the one who fired at Officer Harris. Flores died a few minutes later on getting involved in a shootout with the police. Aldape, on the other hand, says that although he was armed, he never fired at the policeman.

Maria: Thank you, Luis. In less than 24 hours Aldape Guerra may be executed by lethal injection. Today on Cara a Cara we have here the parents of Aldape Guerra who implore clemency for their son, a chronicle of the facts by Guerra from his cell and the declarations of the defense. Ricardo Aldape Guerra, innocent or guilty? And if he's innocent, will he be unjustly executed because of racism? Cara a Cara will try to find out the truth shortly. We will return.

Maria: Before beginning, we appreciate the cooperation of Channel 48 in Houston, Texas, to the news director, Fernando Lopez, and the program, Our People, Mr. Marcelo Marine, who made the following interview. Before beginning, the Chronicle of the Facts From the Cell of Ricardo Aldape Guerra, go ahead.

Ricardo: We left together, me and my companion, to the store to buy sodas. I was driving hard. On a turn I made, the car died. It stopped and didn't want to work. It was obstructing the street. We requested cables to give it some current, but nobody wanted to give us help. So after a while the patrol car came. The policeman got out. I got out. At that time I didn't understand anything of English. I approached. I surrendered there. I don't know what he wanted, you understand? I wasn't doing anything bad, apart from the fact that I was driving hard, that was all. When I was there in the patrol car, he spoke to my companion. He spoke to him various times. At that moment I don't know what is happening with him, because I have my back turned.

Reporter: Who was driving, your companion? You?

Ricardo: I did. I drove. But he wanted us both.

Reporter: The two of you got out of the car?

Ricardo: He spoke to him various times. When I least expected it, I just heard the shots.

Reporter: You were where, in front of the car?

Ricardo: I was at the tire, at the fender of the patrol car. When I turn around, I just see the policeman fall down. I turn around again and look at my companion. When I see that, I don't want to know anything, you understand? Because I didn't have in mind to do anything like that. When I looked at my companion, I saw that he approached and grabbed the gun of the policeman, and then I ran away. When I feel that someone is following me, I take out my pistol and I fire two shots up in the air. And a car comes around like this and turns the corner and again I hear shots, but I don't know what's happening. And I still go on. When I arrive at my apartment, I met my companion. There were two other companions there, who live with us there, and then he's talking to them, to the two that are there in the house. He told them, I just killed a policeman and another person, and he showed them the policeman's gun.

Reporter: The other person is the man who was in the car with the two children, Armijo?

Ricardo: Yes, sir. He showed them the pistol, and the other two were frightened, and they threw us out. They told us, you are going to have to leave, because you're going to get us all involved in problems. Only he left by the back door. We jumped over a fence. He told me, come here to a dark garage that's here. And I told him, no. I backed away from him a little, and he went into

the dark garage, and I got behind a horse trailer, and I didn't move from there. I stayed there the whole time. And later I heard a lot of traffic, but I couldn't see anything outside, because the trailer was protecting my .... I just heard a lot of noise outside in the street and suddenly again the shots.

Reporter: Are you going to be able to give me a message, Ricardo, for your family, for your Mama and Papa, for your brothers and sisters, who are waiting for a miracle from this?

Ricardo: I want them to take care of themselves. While you remain strong, I here inside can give myself more strength to go on fighting, because I know it's going to be a long fight. It's already 7 years, but we have to take things calmly, while the court makes its decision. I want them to take care of themselves, all of them. My grandmother, everything is going to turn out OK, don't worry. Take good care of yourselves.

Reporter: Thank you, Ricardo, eh?

Maria: I want to present my first two panelists, Francisca Guerra de Aldape is the mother of Ricardo, and Aureliano Aldape the father of the accused. I want to thank the two, because these are very difficult moments for both. And they are here, they have traveled from Monterrey in order to accompany us. I know it is very

difficult for you, Senora, to speak, and for you, too. You listened to your son. Those words were for you. He doesn't want you to worry. He thinks that everything is going to turn out OK. What do you think, senora, are you convinced of the innocence of your child?

Mother: Of course, I know that he hasn't done anything -- that he did not commit any crime, because a child tells the truth to his mother. I don't believe that he is lying to me. I believe that he didn't do that.

Maria: What did he tell you the first time you went to visit him?

Mother: He did this, look. He patted my hair this way, and he cried and he said, "I didn't kill anybody, Mama, I didn't kill anybody." And I tell him, "But they have you locked up here now, child." And he says, "I thought they were only going to keep me here for a little while," because since he was in a little jail, there in Atascocita in Houston, he thought they were going to keep him there a few days only.

Maria: This was ten years ago, when he was finally given the death penalty? What did he tell you, Aureliano, when you visited your son in jail?

Father: Well, he only said that he had to tolerate it there. That he didn't kill anybody. He has said that all the time.

Maria: When they detained him, why did he run?

Mother: Because he was afraid. Because they would blame him and they do blame him. He began to run. They didn't see him, and I imagine that is why he withdrew from the other boy. He didn't even know that other boy's name.

Maria: Carrasco Flores, who according to your son, to Ricardo, was the one who killed the policeman. Now, I understand that the bullet that killed the policeman didn't even pertain to the pistol that your son carried, it was the gun that the other one carried. Do you think that it is totally an injustice, that it is for racism?

Mother: Of course. They are blaming him, and it is not his fault. He didn't do anything, because they don't consider the bullets from the dead man with the pistol that my son carried.

Maria: Why do you think that they have wanted to condemn your son? Perhaps at that time, ten years ago, there was a lot of tension and perhaps racism against people without papers, as in this case was your son was?

Mother: Yes, I imagine for that. But I think that if they arrived at doing something like that, it is very difficult for us, because all the people are with us. They are realizing that my son didn't do that. Not just one person. Millions of people.

Maria: There was a march not too long ago in which you participated. There are a lot of people who are trying to help you. This camera is yours. You can ask the people who are listening, we are seen coast to coast in the United States. What can they do to help you save your son's life?

Mother: I ask them, please, to help us to send telegrams, because now there is not much time for letters. Telegrams to the Governor to see if she can take away the death penalty, or that they give him more time so that they can make an appeal to a court, because he has the right to something more, right? And they haven't done anything. He has always told me that nothing is going to happen to him because they haven't given him more than one court. He needs appeals, extensions. I didn't know anything about this. He is now learning it there. Because in our family nobody was ever in jail. Now they must have papers there in Houston that they have sent from Monterrey, from Human Rights, where my son was never arrested for anything, not even for bad behavior either.

Maria: I know that the Mexican government has tried to intercede. What do you think, Aureliano, in your heart, that you think the case is going to be appealed and tomorrow your son will not be executed?

Father: Well, I think that's the way it will be.

Mother: We hope that everything comes out OK and that President Salinas de Gotari intervenes also, because he can intervene with the Governor or with the President here, from here from Texas, so that something can be resolved, because this thing that they are doing is an injustice.

Maria: I thank you both for this interview. We are going to take a pause, because next we have more people, we have a reporter who is Luis Cruz, who has followed this case very closely, we also have to say that we have people who have traveled from Houston that are initiating what is a movement and what was this march, where nearly 700 people attended in Houston.

Mother: We are very grateful to all the people in all parts. He has interviewed us various times, too.

Maria: And we are going to tell you what you can do in order to try to intercede perhaps, try to save the life of the son of these people who are here. We will be right back.

Crowd: We will never accept that he has committed any crime. He is innocent.

Maria: In this case, I am going to be the spokesperson for the parents of Aldape Guerra, and I am going to tell you that, if you believe in the innocence of Aldape Guerra, and you want to help them, who are asking for clemency in order to save the life of their son, you can call this telephone number. Outside of Texas, it's 512/475-2592. In the state of Texas, you can call 1-800/252-9600. And if not, then there is also an address, where you can send telegrams, and it's of the Governor of the State of Texas, Ann Richards, and the address is the following, it's Capitol Station, Room 200, Austin, Texas 78711. All you have to do is send a telegram, call these telephone numbers, and ask to see if, as they want, and as the persons who are visiting here today want, who we are going to present, that the execution date can be delayed until he proves his innocence, as he alleges that he is innocent.

Maria: We already met the parents of Aldape Guerra, we are going to meet Alvaro Hernandez Luna, and we thank him for coming here to this program from Houston. He's the founder and director of the

Pro-Defense Committee of Ricardo Aldape Guerra. Just like Guerra, Alvaro Luna was a victim of the judicial system in the State of Texas. On being blamed for a murder, he was unjustly sentenced to life in prison, but in addition to being unjustly imprisoned for 16 years, he was able to leave, and he is going to tell us. Thank you for being here. Luis Cruz, we also welcome you. He has traveled here also from Houston, Texas. He is a reporter for a news show, Noticiero Channel 48. In an exclusive for Cara a Cara, Mr. Cruz brings us a special report of the Pro Defense march, in which nearly a thousand people gathered together in the center of Houston the past March 12. Thanks for being here, Luis. And finally, Liz Murillo, we welcome you also, and thank you for having traveled from Houston. She is co-founder of the Pro-Defense Committee of Ricardo Aldape Guerra. Ms. Murillo is also a professional psychotherapist with a specialty in drug dependency, and she has vast experience with prisoners condemned to death. Coincidentally, they are married. They are going to tell us how she helped Alvaro, and then later they fell in love and got married. A round of applause for all my panel.

Maria: Alvaro, why does this case affect you so closely, and why are you helping Aldape Guerra?

Alvaro: Because basically I understand the sociological problems, the grave injustices that are done to the poor people in this

country and very especially in the immigrant community. There is a lot of injustice, racism. The judicial courts, the judicial system doesn't act with the interest of true justice, but rather it doesn't give justice to the poor. In my case, what happened to me, they sentenced me to life in prison for a crime that I didn't commit. The prosecution was running for reelection, and he used my case to be reelected.

Maria: Why? Why did he use your case to be reelected? What was he going to win, if you were convicted?

Alvaro: It was a very serious case. It was a capital death case, where the death penalty could apply to me also, and that is what the State was asking. Since it was in a small town in a small county in the State of Texas, between Odessa and El Paso, the community was very angry for that crime, and since he was running for reelection, he used me. They paid money to a witness. They withheld evidence, and they sent me to prison for life for a crime I didn't do.

Maria: You, inside the prison, began to study law. You defended yourself, you have proved that this was unjust. Then are you convinced of the innocence of Aldape Guerra?

Alvaro: Exactly.

Maria: How? Why are you convinced?

Alvaro: Principally because I knew him for a while, briefly, when he arrived there, because we were jailed in the same prison.

Maria: Oh, you were jailed in the same prison?

Alvaro: Yes. And I have read many of his records, and I have spoken with many people, and I am convinced that he is innocent, and therefore ten months ago when I wrote to him, and I said, "We are ready to begin the Committee again, because I knew that sooner or later there were going to give him a date, and that was basically what happened. And he wrote me back, and said, "Look, now with the political climate, I wouldn't want them to move on my case. I'll let you know later."

Maria: The political climate, does that mean that he was a victim of the same thing that you were a victim of yourself? That, at that time ten years ago, there was a lot of political tension against illegal aliens?

Alvaro: Exactly. At that time, there were hearings before the Congress of the United States on laws that they called anti-migrant, Simpson Mazzoli, afterwards became Simpson Rodino, and

there is a political climate in this country of discrimination against the immigrant community, a lot of racism. There was what they called "operation jobs", in which Immigration was picking up many people, many Chicanos, also residents, imagine, in this country, who were taken and jailed and deported, people with documents, residents of this country. Ricardo's hearing was in that climate.

Maria: We are going to have a pause here, because shortly, we are going to meet then, our companion reporter, who covered and was there in what was the march of Pro-Defense of Aldape Guerra where almost 700-800 people were present, and we will return shortly with that video. Speaking of what is possibly a person unjustly condemned to death, we are trying to make a difference on this program. We'll be right back.

Maria: Now we are back. Luis, you have followed this case closely. Why hasn't the District Attorney given you an interview? You asked for an interview, and they haven't given it to you?

Luis: I asked for an interview, and they always give me an excuse. There was never an opportunity that the prosecutor was able to give her role in this case.

Maria: Now, you were able to interview the lawyer. Later we are going to have her statements. There were five witnesses who declared that they saw Aldape Guerra. In the case of Mr. Luna, he says that they were paid and they were false witnesses. What do you think? Do you think they are false witnesses?

Luis: What I found during the time that I was investigating this case, is that there is contradiction in what they said in their testimony in court, including the principal witness for the prosecution, who was a ten-year-old child of the man who died that same day in the same incident. Jose Armijo, Jr. is the boy's name. Then there is evidence that the boy was in some form influenced by the police. The child at first said that he had seen it, but when he was in court, according to what I have read, the child accepted that the police as well as the prosecution had spoken with him before he testified before the jury.

Maria: You spoke with a friend of his who hadn't spoken with him in many years and you were able to interview him on that march that we are going to see in the film later. What did Aldape Guerra's friend tell you?

Luis: In effect, he says that the day that this happened, he was in his house; he lives on the second floor in front of where the incident happened.

Maria: And, he saw it?

Luis: He heard the shots. When he heard the shots, he came down right away, and he found Carrasco Flores, who died a half hour later, companion of Ricardo.

Maria: Who Aldape Guerra says is the one who really killed the policeman?

Luis: Then, this man who did not speak with his friend for ten years says that he saw him with the gun in his hand, that he was agitated, that he was very afraid. When they asked him what happened, he said nothing, and he kept running. Then he finished leaving his house, where there were some people, and he saw a police officer who was dead, and he asked some people who had gathered around close by, who had it been, and the people said that it had been a young man of Chinese hair. That is contrary to the description of Aldape.

Maria: That is to say that that is the description of Carrasco Flores?

Luis: Of course.

Maria: You're convinced of the innocence of Aldape Guerra, Luis, as a reporter, as an objective newsman?

Luis: What I have found is that there is a lot of evidence that says the contrary to what is happening to Aldape. I mean to say that this evidence indicates that he is innocent according to what I have read, according to what I have talked with the people during the time that I have been investigating this case.

Maria: Now we have the film that we promised of the Pro-Defense march that you all have initiated. It took place last week. What are we seeing, Luis?

Luis: This event that we are seeing at this moment, Maria, is something that almost never happens in Houston. Usually, when a demonstration is called, there are very few people that attend. In this case, as I said in the beginning, there are more than 700 or 800 hundred people. All of them participating in only one cause. All of them believe in the innocence of Ricardo, and as you can see, all of them are shouting "justice," that they are tired of the form in which the judicial system treats them. There we are seeing persons not just of only one nationality; there are Mexicans, Central Americans, representing different groups, different civil rights organizations, and all with one cause, asking that there be a new trial for Ricardo. Ricardo really needs

a new trial, because during the initial trial when he was found guilty, many of his rights were violated.

Maria: There we see the couple who are here with us, the parents of Aldape Guerra. Has there been any reaction, has anyone said anything, can it be that the hour of execution for tomorrow or this evening will change?

Luis: There is optimism that it will change. It is hoped that at the last minute the politicians in charge of this will make a decision. To the contrary, it is feared that something could happen that this people, this group you saw here, discontent, because of the cause of injustice as they say, could degenerate into something that could possibly be violent.

Maria: Before we go on to Liz, a question for you, Alvaro. Tell me a little bit about the manikins that were in the trial of both Aldape Guerra and of Carrasco Flores, who died, who according to Aldape Guerra was the one who killed the policeman. Is this legal?

Alvaro: I don't believe it is legal. It is a tactic of the prosecution to impair his legal rights to a fair trial.

Maria: The jury was scared, right?

Alvaro: Yes, of course. Not only this, but the clothes that they put on the manikins were riddled by the bullets, imagine, especially the clothes of Carrasco, because the police had shot him more than 80 times. Imagine, there where he was down; and they put his clothes on a manikin and the clothes were all bloody in front of the jury.

Maria: One more question. The members of the jury; there was one woman who has now said that she's not in agreement with the verdict that she gave.

Alvaro: Exactly. Mrs. Donna Monroe stated after the trial that the manikins influenced her verdict, and that all of the other jurors had indicated the same; but nevertheless, they convinced her that she should vote for Ricardo's guilt. She said later that she thought that Ricardo was innocent, that Ricardo had not been ... and, therefore, she felt bad and she talked to the lawyers and gave them a statement immediately.

Maria: Liz, you have been a psychotherapist for many persons who have been on death row, as they say in English, condemned to death. What happens? If you could put yourself in the mind of Aldape Guerra, hours before his supposed execution. He is convinced of his innocence. He is trying to prove to the world that he didn't

commit this crime, like he said, he swore on his parents. What is going through his mind at this moment?

Liz: Well, Maria, you can imagine the tension that is happening tq this person. For example, in regard to a person who is on death row, has received the execution date, this person's life changes immediately. At this point, he looses all of his privileges. It is tremendous psychological emotion that he is experiencing, of not knowing, not having contact with persons outside. The contact that he has is very limited. When he leaves his cell, he is handcuffed; and so his life is changed immediately, when he receives the execution date.

Maria: Now I understand that in the evidence that was presented, the bullet that killed Officer Harris, the policeman, wasn't from the weapon that the son of this couple was carrying. It was from the gun that his companion was carrying. So how is it possible that they gave him a guilty verdict?

Liz: This is a legal question, right? I understand that part of this is the way the laws are in Texas. That when one person is involved in a crime and that person is the only one who remains alive, then this person is going to be charged with many of the legal charges.

Maria: We are going to see a little bit about the details and all the controversies that there are among all of the different testimonies shortly after this pause, and we also have the statement of one of the attorneys who is continuing the case. We will be right back.

Crowd: If they carry out what has been said, that they are going to execute Aldape Guerra ... Bad things will happen. We hope that what happened in California won't happen here, but if these people don't listen conscientiously, things are going to become very difficult also here in Texas.

Maria: Now, Luis had the opportunity of interviewing one of the attorneys, Attorney Sandra Babcock, whose statement we are going to present shortly. She compared this case with the Rodney King incident, which occurred here in Los Angeles. Go ahead.

Sandra: We are speaking in this case of an innocent person who was condemned to death. From time to time, we see in cases, for example, in Rodney King, that from time to time, the legal system doesn't produce a just result.

Luis: You believe that Ricardo Aldape is innocent?

Sandra: Yes, without a doubt.

Maria: Luis, what do you want to add?

Luis: I want to add, Maria, that within the evidence that Attorney Babcock is investigating, there is a key thing that after ten years, the police officers who were involved are being investigated. The police officers, who arrived to help Officer Harris, the one who died, they are being investigated, and there is evidence that there are happenings that possibly could be favorable for Ricardo.

Maria: What type of happenings?

Luis: The behavior that they have had these ten years. That they have been involved in. The attorney didn't want to discuss these things with me, but various police officers are being investigated and some of them are no longer in the department, because they have committed errors within the police department.

Liz: But historically also, Maria, in Texas, the police forces have always discriminated against the Latins, especially the Mexican in Houston.

Maria: The same as in California?

Liz: Exactly. In Houston, the reputation of the police department is a very severe reputation, very strong for the undocumented.

Maria: Now, in this case, we hope not. But, if the execution is carried out, what will be the method that is scheduled for Ricardo?

Liz: We are very optimistic. The persons who have come to the defense of Ricardo Aldape Guerra as Luis has said, there have been a lot of people for Houston, Texas, it's incredible. We are hoping that everything is positive, but we also know that the people are very angry, and we hope that there are not going to be other incidents like in California.

Maria: It is the lethal injection, no? The method of injection.

Liz: Yes.

Maria: And you say for Houston, Texas, this question is for you, in Texas, it's a lot easier to execute a person than in other states, for example, California or Florida, right?

Alvaro: Yes, especially in the state or in Harris County. Harris County is a county where they have sent more persons to prison with the death penalty than any other county in the whole nation,

imagine. And the majority of these people are minorities. They are poor people. They are Latins or African-Americans.

Maria: And the percentage is much greater. My question is why, and I believe I said this earlier. Why, if the bullet that killed Officer Harris wasn't fired from Aldape's weapon, because I understand that he had a weapon that he shot, as he said in the interview, two shots toward the sky, but it wasn't the one he had.

Alvaro: What the prosecution said was that the way this happened, they say that Ricardo and Carrasco Flores exchanged weapons. Imagine if the two had left, running in two directions, and the fingerprint is on the gun of Carrasco Flores.

Maria: But, there were no prints on the murder weapon.

Luis: There is something more that I want to add, and that's that the policeman's weapon was found in the belt of Carrasco Flores. That is, when they killed him in a confrontation an hour and a half later, after Harris died, Carrasco Flores was confronted by other police officers, who were looking for him. They found on him, the 9mm weapon in his hand, and they found Harris' gun in his belt ...

Maria: If there are no prints of Aldape Guerra on the murder weapon, then why was Aldape sentenced to death?

Mrs. Aldape: That's what we said.

Luis: Because he was the only one who survived.

Maria: Because he was the only one who survived.

Alvaro: You have to take into consideration, Maria, the tactics of the prosecution of using the manikins, of the Anglo-Saxon press, the Gringo press, that always referred to Ricardo as an illegal. There were many reports that were made in the newspapers at that time where the Anglo-Saxon press was attacking the immigrant community, that they came here from Mexico, from El Salvador, they were taking jobs away from residents. That was what the prosecution produced to ask for a guilty verdict against Ricardo.

Maria: My question is, why did the attorneys not let Ricardo speak at that time? Why? If he is insisting on his innocence as we saw, an interview can only help him. Why don't they let him speak?

Mother: I imagine that it is because he didn't have any papers.

Maria: What does that have to do with it? Let's see, you who are so quiet, his Papa. Why didn't they let him speak?

Aldape's Father: I don't know why they didn't let him talk; he would tell the truth.

Maria: What do you think, Senora?

Mother: She probably thinks that, if they are going to interview him, it is not going to be correct, or that it would be better if he waited a little bit longer.

Liz: There is another thing; ten years ago, the means of communication weren't very favorable. I imagine that this is one of the reasons why she is a little bit more reserved, that the press not take this information and turn it into something sensational. That's my analysis and that's why perhaps she's not permitting this reporting.

Maria: Could there possibly be some kind of negotiations at this point? For example, what we have seen what is happening here in Los Angeles? There is some sort of fear that there is going to be a reaction like this, and that there may be at this time some negotiations between the prosecutor and the defense attorney at this time, and that this is going on?

Alvaro: As Luis said, we are very optimistic. Two or three days ago, the Ambassador of Mexico to the United States made a petition

directly to the Governor of Texas. She hasn't responded. The Governor of Monterrey, Nuevo Leon, also the Commission of Human Rights in Monterrey, Nuevo Leon, all have petitioned the Governor.

Maria: But, she hasn't responded?

Alvaro: No. She has given no response. This is important that we are asking the people in general, please to send telegrams to the Governor.

Mother: The Consul from Mexico in Houston is helping us also. Like a lot of people who are helping us, like them with the organization, various organizations, we aren't complaining because many people are helping us.

Maria: She is his mother. She asks for clemency along with her husband, the father of Aldape Guerra, in order to save the life of their son. Shortly, we are going to again be showing you the telephone numbers and the address where, if you want, you can help.

Maria: Again we are going to give you the telephone numbers where you, if you want, can help us to help, as his parents ask for clemency to help to save the life of their son. They are convinced that he is innocent. The telephone number is 1-512-475-2592 for

the rest of the country, 1-800-252-9600 inside Texas. If you want to send a telegram to Ann Richards, it is Capitol Station, Room 200, Austin, Texas 78711. Let's see, we are going to have some questions from the public.

Questioner One: Do you believe that everything that's happening is more than anything, a problem of racism, and like they punish Latin persons, do they also give the same punishment, for example, to the persons of this country (the United States) or persons from other places that are not Latin?

Liz: Look, I want to answer quickly. The base is an economic base, but also the ethnic group is very important, to see what percentage of Blacks and Latins go to jail. The studies that were made when I was trying to get my husband out of jail, clearly indicated that people of color, that is the Black African-American and the Latin, went to jail more frequently and stayed longer in jail.

Maria: Now, who wants to ask a question, tell me?

Questioner Two: I have a comment to make and it's proved one more time that the system of the United States has failed, and it has been failing us for a long time. And until we the people, the Latin community, that are not minority now in Los Angeles and in

other parts of the cities, for example in Texas, have to put a stop to this and to demand justice, when they manipulate more than anything the jury. That is to say, if there is a lot of manipulation, there is no freedom.

Liz: Do you think that he is innocent?

Questioner Two: From what I have heard here, I am rather convinced that he is an innocent person and also, I don't believe that the death penalty should exist.

Maria: Do you think that when you leave here you're going to make a call or send a telegram?

Questioner Two: I am going to send a telegram.

Maria: I have a question to ask you. Let's see, tell me rapidly, because I have very little time left.

Alvaro: We don't see Ricardo's case as being isolated, but we see the whole thing in general. For that reason, it's important, like you said, to raise our voice, to organize ourselves as a community nationally. Not only in Texas, but nationally, we have to fight for social justice. That's enough; we're tired of this injustice,

and we have to do something, because we deserve the respect and dignity as human beings.

Maria: Tell me, Liz, a final message, there is very little time left.

Liz: Please send telegrams to the Governor, immediately, as you hear my voice, time is critical.

Maria: Sir, there is very little time left, but, please you have your camera, so that you can ask for clemency for the life of your son.

Father: My wife and I ask that everybody help us to save my son.

Mother: I want to thank all of the people who are helping our son and you also, and all of the people who are cooperating.

Maria: Thanks to all and thanks to Channel 48 for all its cooperation and to Luis and Fernando Lopez, the Director of News, and you friends. All that is left for me to say is that you have to decide if Aldape Guerra is innocent. Please help to save his life. Thank you and we leave you with the music of the corrido that was written for Aldape Guerra by a person who is convinced of his innocence. Thank you. Good luck and until tomorrow.

* * * * *

From Prison He Demands Justice

Ricardo: By my parents, I haven't committed a crime. It is not just that I have to pay for something that somebody else did, when they know who did the damage.

His death is scheduled for the 12th of May.

Maria: Innocent or Guilty? If he is innocent, he will be executed unjustly for racism. Find out, this Monday at 3:00.

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TRANSLATION OF INTERVIEW -- NUESTRA GENTE, DEATH ROW HUNTSVILLE

Videotape

R -- Ricardo
I -- Person interviewing him

I: We're trying to find a way to help you, in this case. Try to understand that television is important to be able to convince the public. If I could go back in time a little to the year 1992, could you tell me how things happened?

R: Yes.

I: Talk to me.

R: I was in my apartment. I asked to borrow a car, we both left, me and my companion to go to the store and buy sodas. I was driving pretty fast.

I: Had you been drinking?

R: No. While we were driving in the neighborhood the car stalled in the middle of the street.

I: It was in the middle of the street?

R: Yes, we asked for cables to get the car started, but no one would help us. After a short while a police car drove up.

I: After a while a police car drove up?

R: Yes. We were sitting in the car when the police car drove up. The policeman got out of his car, he stood just outside his door, he called to us, I got out of the car. In those times I didn't understand <u>any</u> English.

I: You came to Houston in May and we are talking about July, 2½ months later?

R: Yes, sir.

R: Either way, I kind of knew what he wanted because he was a policeman. I got closer. I gave myself up to him. I didn't know what he wanted. I wasn't doing anything wrong, aside from driving fast, that was all. When the policeman had been there a while, he began to talk to my companion. He called him several times. At that moment I didn't know what was going on, I had my back to him.

I: Who was driving the car, you or him?

R: Me. I was driving, but he wanted to see us both.

I: You both got ~~off~~ out of the car?

R: Yes. He called him several times. When I least expected it I heard gunshots.

I: Were you in front of the car?

R: I was next to the bumper of the police car. When I turned all I saw was the policeman fall. I turned to look at my companion. I see that. I don't want to know anything, you understand, because I had not planned or thought to do anything like that.

I: You had only gone out to buy sodas?

R: Yes. But the policeman was there, he had his gun with him, pointing it at us. When I saw my companion reach over and grab the gun from the policeman, I took off running. I could feel that someone was following me. I never looked back. I was running towards the apartment.

I: A few blocks from there?

R: Yes. When I feel that someone is following me, I take out my gun. I shoot two times toward the sky. Later, this car comes turning, and again I heard gunshots. I don't know what is happening. I'm already running, I don't know what is going on behind me. I get to my apartment and I find my companion there. There were two other companions that had already been there when we left.

I: So there were four men living there?

R: No, more than that were living there, but at the moment there were only two.

I: Your companion also carried a gun?

R: Yes.

I: Why were you carrying guns in the car?

R: In that neighborhood we were living in, Magnolia, it is very dangerous.

I: Did you have a criminal record from before?

R: No.

I: Never?

R: Never.

I: In Mexico?

R: Never. They can look all they want, they will never find anything. There isn't anything.

I: You carried the gun for security?

R: Yes, sir.

I: Were you already working?

R: Yes, sir.

I: Where?

R: I was working in construction.

I: Why do you think the policeman stopped after your car stalled? Did something happen right after you left your apartment up until the car stalled?

R: It could have been the we were driving fast, but nothing else.

I: When you took off running, who got to the apartment first, you or Flores?

R: He got there first.

I: Who ran first from the police car to the apartment?

R: Me. But I had to make more turns because he, when I shot the gun up, he took off in another direction. He did not follow me.

I: So you took two different directions back to the apartment?

R: Yes.

I: He got there first. Tell me about the apartment, when you got there.

R: When I got to the apartment, he was already there. He was talking to the other two men. He says he just killed a policeman and someone else. He showed them the policeman's gun.

I: The other person was the man that was in the car with two small children?

R: Yes, sir. He showed them the gun. The other two men got scared so they ran us out of the apartment. They said they wanted no problems. So, we left out the back door. We jumped a fence. He told me to go his way to a garage that was there, I said no. I backed away a little. He went into a dark garage. I hid behind a horse trailer. I didn't move. I stayed there the whole time. Later, I heard a lot of traffic, but I couldn't see anything. The trailer was protecting me. I heard a lot of noise outside in the street, then again I heard gunshots, but I didn't see any of that. I just heard the gunshots.

I: So the trailer was at some distance from where Flores was?

R: Yes. They were separated, and he was inside a house. I couldn't see in. The police came and arrested me there.

I: In the interim, there is another wounded policeman?

R: Yes.

I: The gunshots from the firearms, were they from your revolver or from the other one?

R: From the 9mm.

I: What were you carrying?

R: A 45.

I: You have never used a firearm?

R: No.

I: And then?

R: And then they arrested me and put me in the police car.

I: Did they handcuff you?

R: Yes. They put everything on me. They never found anything on me. The evidence was clear. My gun had only four bullets.

I didn't have bullets in my pocket or anything. My companion had everything. Both guns, his and the policeman's. He had more bullets in his pocket. I didn't know this was going to happen. This came too sudden for me.

I: How much money did you make when you were working?

R: They were paying me $3.00.

I: $3.00 an hour in construction. Did you work everyday or did you have days off?

R: It all depends, on the man who would pick us up.

I: And Flores, where did he work?

R: I didn't know him too well. I had only known him a short time. He would just come to the apartment, he didn't live there. He would come often to visit.

I: Did he also work in construction? Do you know.

R: No. I don't know where he worked.

I: Ricardo, when you react to everything that happened, what is your first thought at the moment when the police arrest you?

R: I gave myself up. I wanted to know what they wanted.

I: Did you know that someone had already died?

R: No.

I: When did you find out the news that someone had died?

R: When they took me to the police station.

I: They told you there. Did they use someone who spoke Spanish or just English?

R: They talked to me in Spanish.

I: Mexican American?

R: Yes.

I: Policeman.

R: Yes, sir.

I: Then it was there that you found out that someone else had died.

R: That another man had died, and that another policeman was wounded, and that my companion had also been killed.

I: You didn't know any of this?

R: I didn't know anything. I never saw him shoot, never. I had my back to him. I had already given myself up.

I: Then you were already spread out.

R: Yes, I was already spread with my hands on top of the police car.

I: And the other guy, where was he?

R: I assume that he came out from the front door and went around the front of the car I was driving. The way it looks is that he was backing away. That's why the policeman was calling him several times.

I: When the policeman would tell him STOP.

R: Yes.

I: STOP. From that moment in your life, since May when you arrived until July when this happened and until now, where was the mistake and why are you here now awaiting death and why are you not free?

R: Because I don't have anybody to show the evidence in court. My case is simple. There is no one who does not understand my case, or knows who did the damage. But this is like, I see it now, they wanted me because I am an alien without papers, and because I'm poor, and I was the only one that is still alive.

I: In that moment when you were in the courtroom and you're looking at the jury that's there, can you remember a little about the jury? If you saw a face, for example, a face that was Spanish or...

R: No. That I don't know.

I: Did they have a translator that would translate everything?

R: Yes, but they wouldn't translate everything. The court went too fast. And that lady would not tell me everything that was

happening. There were times when they would stop for a break and they would be talking and I would ask about what they were talking about. She would tell me that they were just chit-chatting. But I felt bad because in that moment, because they would laugh and everything, and here they had me, about to kill me and they all laughed. They had me in this courtroom about to kill me and here they were laughing.

I: Ricardo, when you saw the two mannequins that were there...

R: Those two mannequins are not evidence. I don't know why they used them. They shouldn't have used them. Those mannequins are just poisoning the minds of the jury. Helping the witnesses, that they themselves had already contradicted themselves in what they were saying.

I: At what time did all this occur, was it dark, was the street dark?

R: Yes. The neighborhood is dark. There is not much light in that neighborhood. It was about 10:30 p.m. or so.

I: Was the height of the other guy something like yours? How tall are you?

R: I am about 5'10".

I: And the other guy?

R: I don't know how tall, but I know he was bigger built because I was thinner than he was.

I: In talking between the four of you before this occurred, did you talk about carrying guns, of having them for self-defense, or having another intention for them?

R: No.

I: You carried a revolver, always?

R: No, not all the time. When I was at home I didn't need to have it with me. I would just put it in a drawer or something.

I: When you left Monterrey, why did you come here?

R: To work, to have a better life. People cannot live good over there.

I: How many brothers and sisters do you have?

R: Three, Two sisters and one brother.

I: What are their ages?

R: They are older than I am.

I: You're the youngest. In what school did you study at in Monterrey?

R: Francisco Zarabe.

I: Did you get to junior and high school?

R: Yes, high school at Galvino Barrera.

I: Then you came over here?

R: I entered college but left to work with my father.

I: What does you father do?

R: My father is retired.

I: But in what did he work in before?

R: My dad would work packing cartons.

I: Your mother?

R: At home.

I: Have you talked to them?

R: Yes.

I: Do they come to visit you?

R: Yes.

I: What I would like to see from you is what is your hope. What are you hoping for, what are you fighting for?

R: My fight is to be free. I don't plan to stay here, so that they can kill me. I feel fine, you understand, I have no pressure because I didn't do anything to anybody. I think that it is not right that I should pay for what someone else has done. Especially when they know who did it but they won't bring the truth out.

I: When the police arrested you, did you have the revolver with you?

R: Yes.

I: Your revolver.

R: Yes, the 45.

I: They say that maybe you shot a round at them. There was a long distance between the two houses.

R: Yes, look, when I ran over there next to the garage, I had my gun with me. When the policeman came to arrest me, I didn't have the gun anymore. I had a bandanna. I tied it and threw the gun under the trailer. When they arrested me to put me in the car, the gun was under the trailer. When they put me in the car, the policeman asks me where my gun is, and then he hits me in the stomach. He found the gun under the trailer.

I: He read to you what you know. You have been reading a lot now for many years being here?

R: Here in this place. I'm even losing my language.

I: But you are learning a lot of English?

R: No, not much, because here one has to learn on their own.

I: Did they read you your rights before they put you in the car?

R: Yes.

I: Then, you had no weapon with you?

R: When they put me in the car, I had no weapon with me.

I: Ricardo, let's talk about the trial. In trial you saw strange things, what strange things did you see?

R: Everything was strange to me. I had never been in a courtroom. Strange people. I never saw anyone I knew. Once in a while I would see someone I met here.

I: What about the attorney the court appointed you?

R: The attorney the court appointed me never believed me.

I: What did he tell you? That you should plead guilty?

R: Yes. He told me to plead guilty because they would want to kill me, he said for me to take life. I said, "No, why should I take life to something I didn't do?"

I: When they say life, they mean life in prison, spare your life and take life in prison?

R: But I don't want to be in prison for something I didn't do.

I: Was he able to talk to you in Spanish or did you have a translator?

R: No, he was Mexican.

I: Mexican American.

R: Yes.

I: Did he speak Spanish well?

R: Yes he spoke well. I understood everything he said. But he never believed me. He would ask me to tell him what happened. I would tell him and he would say, "No, you're putting the blame on him." But as the case went on he began to realize that all the evidence pointed to him and not to me.

I: I'm going to ask you something from the heart, as a human being, would you swear to me on the most sacred thing in your life...

R: For my father, I have not committed a crime.

I: ...That you did not leave your apartment with the intention of doing anything.

R: No. I didn't do anything and I had no intention of doing anything. I went out in a borrowed car, because the car wasn't even mine. I went out just to buy sodas.

I: During the course of the trial you could not prove all that because you changed attorneys?

R: During the trial they gave me another attorney. But he never wanted to talk to me. He never wrote me, he never cooperated with me. Nothing. And right now I am in court by myself, I have no attorney. I have to help myself in here. I am representing myself without knowing English. I am confiding in someone else who knows English who does all the paperwork for me.

I: Who helps you here, a friend?

R: Yes, because I don't even know how to read in English. But I trust in him because he also has the death penalty.

I: What is he, Anglo-Saxon or Mexican.

R: No. He is Puerto Rican.

I: Puerto Rican. You believe that, that if you had another chance, that if the people that are helping you from the outside, this group of Hispanics, could you prove your innocence and how can you prove your innocence?

R: My innocence is very clear, the weapons, the bullets, everything is there. They have everything. There's nothing I have to prove that has not already been proven. They are just putting the blame on me. They say it looked like I had all that. They're just basing it all on the witnesses. Those witnesses gave two or three testimonies, and they are contradicting each other. There are about five or six witnesses.

I: One of them said you had asked him for cables, but that you had your gun in your hand.

R: I don't remember that much, but I do know that they made bad testimonies, and were advised by the prosecutor.

I: Ricardo, at the time of the trial, what feeling did you get from the people? What went through your mind?

R: I never thought that I would end up here. I never thought. I thought they would let me go free because I didn't do anything. I thought that the laws here in the United States worked better then the laws in Mexico. But, from what I see, it's worse. They work like the bad guys. They hide everything so that the people won't see. They make it out to believe that they are doing everything right, but there's a lot of innocent people here that are innocent.

I: The 305 people that are awaiting death now are all innocent?

R: No. I am not saying everyone because I haven't investigated. I don't dedicate myself to that. But I know the same way that they sent me here they have sent someone else. Because the majority of the people that are in here are poor. They don't have the money. If you don't have the money you end up here. You don't have anyone to represent you in here or anything.

I: You would say then that the system is a system of offering the means of not having a way to pay an attorney to defend you, to prove that you are innocent, then you have already lost?

R: Yes, because it doesn't look right that the same system pays the attorney, and he helps you to leave here, it doesn't seem clear. There is no way that the system is going to pay money to help you when they want you in here. They are working together, they are not working with me. They are working together, they are an organization.

I: I should return to the first attorney. I insist because it is important to me to know if you felt comfortable with the first attorney. You saw a lot of faults in him.

R: He never believed in me, in my innocence.

I: Can you remember a little when he told you, the first interview you had with him, the first time you talked to him in jail when they came up to you and said: "This is..." I don't remember his name.

R: Calendario Elizondo.

I: "I am Elizondo, I am your attorney." What happened then?

R: He told me why they had me there. He said: "Tell me what happened." I told him exactly what I told you.

I: Wait just a moment because they are getting ready to switch tapes.

Ricardo, the hope that we have, your attorney's and us, is to be able to convince the City of this. Are you at any moment, aside from them, in any manner accepting an attorney?

TAPE ENDS

A:\Ricardo, sum