



Season 3 Episode 2: Cynthia Speetjens:

Craig: Well guys, here we are for another episode of the Robertson and Easterling podcast. Today, we have a guest with us, which I'm excited to talk to. I've known our guests for several years now, and I'm just fascinated by her life and her career and I think you will be too. As usual today's episode is sponsored by Life Works Counseling, our friends who have offices throughout Mississippi so check them out online. Their website URL is in the show notes, but today we're with Cynthia Speetjens. Cynthia is a criminal attorney who has decades of experience working throughout Mississippi. Cynthia, thanks for being here today.

Cynthia: Thank you for having me.

Craig: So let's just jump right in. How did you get into being a criminal attorney?

Cynthia: I grew up around that process. My father was a prosecutor the whole time I was growing up. When he was 65, he became a judge - was still very active and still very capable, but he tried a lot of really, really interesting cases when I was growing up. I grew up on the Mississippi Gulf coast and there was an awful lot of sort of mob activity down there in the fifties and sixties. Primarily in Biloxi where all the gambling and all the casinos, well, there really weren't casinos there. In fact, the irony is sort of that when the casinos came in, everything was really regulated. Things got cleaned up. It wasn't that way before the casinos came and there was an awful lot of crime associated with that. And my father prosecuted a number of people who were pretty notorious. So I was always around that - that was what was being discussed when the phone rang at home.

Matt: Well, so we're talking about underground casinos, bookmaking, narcotics. Was it really a problem back then?

Cynthia: Not really then or at least I certainly wasn't aware of it. And of course it was not even really what I would consider to be a huge problem until after I grew up and started practicing. When I became an assistant D.A. in the early eighties, the Jackson police department had a vice unit. They didn't have a vice and narcotics unit. You know, it was a while before cocaine came and then it became a vice and narcotics unit. So back then, no, that wasn't anything I ever heard about. And it's not like, you know, I sat down at the kitchen table and they talked to me about all of those things. A lot of the things, you know, you would hear, just as a telephone call that you heard half of. I learned a lot of it after I got older.

Matt: You know, I've always, I guess, assumed that prosecuting anybody in organized crime or the mafia, makes it a pretty dangerous job. Were you aware of that when you were growing up now?

Cynthia: No, I really wasn't. In retrospect, I became really aware of it. One thing, the district attorney down there, and back then the district attorney and the County attorney were both part-time jobs, and so when there was a big case in a particular County, the district attorney would try it with the county attorney. The district attorney when I was growing up, was just a marvelous, marvelous lawyer named Boyce Holleman - who's legendary. But they blew up his airplane; it was a bad situation down there. You know, I didn't really learn all that much about until I was much older. I did know that when I would go to the courthouse and walk into the courtroom, because I wanted to go get some money or get permission to do something, the bailiff would always bring me money. He would see me come in. He would say something to my father and my father would send some money back there and I could go to the movies or whatever. So needless to say, you know, it was always a very lucrative deal to go down and see my father in the courthouse. Years and years later, when I became a prosecutor, I don't have any children of my own, but I began to understand it because if I had children, I would not want the people that I was prosecuting across the aisle to see my children. And I think that must have been probably a predominant thought in his mind because he prosecuted some really, really, really dangerous people.

Craig: Did you feel like you're in danger though, as a child?

Cynthia: I never did later on. I learned about, and no one told me about it at the time, but there was an individual who was hired to kill my father and Boyce Holleman. You might remember that when Ross Barnett was governor, he sent a trustee up to Arkansas to get a horse or to deliver a horse for him or something. I don't know. But at any rate, strangely enough, the trustee never came back. He had left Parchman on this errand for Governor Barnett and he never came back. And Governor Barnett was quoted in all the papers as saying, "Well, who can you trust if you can't trust a trustee?" And that became a very commonly known phrase. Well, that is the person (the trustee) who was later captured and that was the person who was hired to kill my father and the district attorney. And in later years after he had finished serving all of his various sentences, he was at a pancake supper or some fundraising kind of event, and he told my father that. Of course he said, "I was never going to assassinate you. I wasn't ever going to kill you, but if I had, it would have been really easy to do." And then he proceeded to list in specific detail every place my father went on a regular basis because he did a lot of the same things at the same time, on the same nights of the week - like the young men's business club or the Gridiron club or whatever. He knew what time he got his children to school, he knew when he was at the post office - it was very unsettling to my father.

Craig: So what I'm hearing you say is there might have been danger, but if there was you were unaware of it.

Cynthia: Right. There was a man named Bob Daniels, who was a court reporter for many, many years down in Harrison County, and he was also a court reporter for Judge Harold Cox for many years. He wrote a book that I have in my office that is a compilation of stories

about cases that he heard. And he wrote about that situation with the man who was hired to kill my father.

Matt: In the decade plus that I've been doing this, I guess I've been fortunate. I haven't been threatened too many times. But pretty early on in my career, there was the husband of one of my clients threatened to murder me. And we actually caught him in the parking lot of the church across the street from the office, just sort of watching the office one day. But when stuff like that starts flying around, it's amazing how unnerving it is.

Cynthia: Oh yeah.

Matt: And sort of the false air of security that we live under, in the moment that something like that is pierced and you realize, wow, I'm way more vulnerable than I think about on a daily.

Cynthia: It's always been my opinion that people who deal in the realm of divorce litigation are probably in a whole lot more danger than I was across the street from the Chancery Courthouse in the Circuit Courthouse, because you're dealing with people whose lives are just falling apart and they're not their rational self. And in fact, if I am correct, I believe that the metal detectors were in the Chancery building a long time before they were put in the Circuit Court building because ordinary regular people don't generally find themselves in the emotional state that they are when they go through divorce - and particularly if there's a child involved and custody litigation and all that kind of thing. People in the criminal world, they generally understand the consequences of when they walk in a courtroom. If they're going to go off on a prosecutor or a judge or something like that, they understand they don't really need to do that nor do a member of their family. But that was not true for a long time. People didn't really understand in the Circuit Courthouse that those people might be seriously dangerous because a particular incident happened that caused the metal detectors. But I think they had been in the Chancery Court building for a long time before that.

Craig: As a child, you watched your father, you saw him working in open court, and so was it your immediate plan to become an attorney yourself?

Cynthia: Well no, because no women did that. I mean, women just didn't do that. When I was growing up.

Craig: Did you know any female attorneys?

Cynthia: There was a female attorney in Biloxi who was a wonderful, wonderful, wonderful lawyer in person and her name was Clare Sekul Hornsby. She was a great lawyer and my father thought the world of her. And then there was Evelyn Gandy and that was it, you know. That was the only two women lawyers I'd ever seen or heard of at all. But I would have always thought, wouldn't that be great to do that, but I didn't consider it a possibility until even after I got out of college.

Craig: So what did lead you to pursue a career in the law?

Cynthia: Well, when I got out of college, I had a teaching certificate and I'd been offered a teaching job, but I didn't really want to do that. So I literally didn't have a real game plan and literally put a map on the door of my college dorm room and I threw a dart at it and it landed on Charlottesville, Virginia. And I guess it probably would have been entirely different if it landed on Dallas or Wichita or something, but anyway, it landed on Charlottesville, Virginia, and so I thought, well, shoot, I'll just do that. And so I talked to all these friends of mine who had no plan, into going with me. We went up there on Spring Break and I got a job and they kind of figured, well, she got a job that must be pretty easy. We'll do this - sounds like an adventure. So we rented a house and we came back after we got out of school and they couldn't get a job and they left me. And so I put a card on the bulletin board in the student union, and I got a call and I ended up living with a girl who was, I think she was second or third in her class at UVA law school. She was Law Review. We had nothing, nothing in common whatsoever, but we were fascinated with each other's backgrounds and she is the person who basically said "you probably need to go to law school". At that time, there were just beginnings of paralegal schools and there was one in Atlanta and one in Philadelphia. And I was thinking about applying to that. And she said, "if you were a man, would you do that?" and I said no. And she said, "well then apply to law school." So I did.

Craig: So what I hear you saying is, it didn't even register with you that would be a possibility for you to do because women just didn't do that.

Matt: So nobody would try to dissuade you from it or anything. It just never even occurred to you?

Cynthia: They didn't try to dissuade me, but I will tell you that when I was accepted to law school - and bear in mind, my father was 50 when I was born - so I don't say this to say that he was not supportive of me. He really was, but he was of the mindset that it would be a hard, hard life for me to be a lawyer. That would not be something that would make me happy. So my mother said to my father (and I don't know why she told me this, but she did), she said, "I told your father that I thought he should say to you that you're happy that she's going to law school". And he said "I would, but I'm not". And I would like to tell you that there's more to that story, but there's really not. I think at the end of the day, in fact he stood up and said something at my graduation about being proud of me. And I think he was, but he said to my mother, "that's a hard life, but it's also a very interesting life".

Matt: So how many women were in your law school class?

Cynthia: You know, I couldn't tell you but I have a picture of the class that I graduated with and I'd say there were 10 or 12 women in there. I graduated at Christmas. And there were three graduating classes, so it's hard to say, we were vastly outnumbered. I'll tell you that.

Craig: So out of law school, where did you start your career?

Cynthia: I started working for the City of Jackson and shortly after that, a friend of mine who worked in the district attorney's office came to me and said he was going back to his hometown to practice with his father. Nobody heard of me and decided that they wanted me and came to get me. He said that they're going to have to hire a woman - it's time. And

there was a lot of pressure on government offices and prosecutors and whatnot to hire a woman. So he said, now's the time when you need to go and apply and so I did. And at that time there was one other female prosecutor in the state. She was the only one that ever had been – she was up in the Delta. I applied and I got the job. I've always said, I'm incredibly blessed because if it had been their desire to just check that box off, they could have just thrown me to the wolves and let me go die in a courtroom. But they didn't. They decided that if we're going to have a woman here – and there was a good reason to hire women because they always had men trying rape cases and child abuse cases and things like that – and women don't relate very well. They don't talk to men about things like that, and they really needed for a woman to be able to do that. So the district attorney's office made it their job to make me capable of doing that. It just generated a really great life for me.

Matt: How long did you work in the prosecutor's office?

Cynthia: Fifteen years.

Craig: What was life like as a female prosecutor? Especially in the early days when you didn't have a lot of female contemporaries?

Cynthia: The way I've always described it is that I got to be in the tree house. You know, if you're a little girl in a neighborhood and you walk down the street and you see a tree house and it says, *No Girlz Allowed*. I always got to be in the tree house. I did stuff that no woman I had ever known had ever done. You know, I'd go into nightclubs where shootings had occurred and I'd come in with a great big cop and it just sort of seemed like the jukebox would stop and there I was. I just got to do stuff women didn't get to do. And I found myself at parties where people would be talking about what they did and I just found myself in a position where everybody wanted to know what I did today. It was just fascinating, it really was. I think I shared that with everybody that I worked with (it was a very high functioning office in terms of unity), and we all said we'd pay somebody to let us come down here and do this.

Craig: And so you spent 15 years as a prosecutor in the trenches. How many cases do you think you tried?

Cynthia: I had to get a printout once for something that I applied for, and of course everybody knows that 97 or so percent of criminal cases ended up guilty pleas, but I know that I handled over 2000 cases and I know that I tried over 15 years. I mean, it sounds like a lot, but if you stretch it out and plenty of them are one day cases, but I tried over 200 cases. It's so rare that anybody draws a case anymore because of so many different factors.

Craig: What's your favorite thing about being an attorney?

Cynthia: Just all of it! It's just fascinating to me, particularly criminal law; it's always been fascinating to me. I mean, why do people watch *Law and Order*? They'll stay at home and in bed and watch 19 episodes of *Law and Order*. None of which really are all that accurate, but it's just fascinating. Of course it is something that I grew up around. I knew that my father was a prosecutor and I knew what went on in the courthouse. One of my earliest memories is I can remember the way that television looked because it had a little hole in the top that I

poured root beer down once - I got in a lot of trouble for that! I remember asking my father, "are you like Perry Mason or Hamilton Burger?" And he said, "Hamilton Burger" and I thought, this guy never wins.

Laughter

Cynthia: On *Perry Mason* (I'm aging myself again), somebody stands up in the courtroom and says, "I'm so sorry I did it" and then Perry Mason gets them off. But I knew what my father did and I knew what Perry Mason did and I just thought that's really sad.

Craig: Well, I know one of my favorite things to do, and we deal in very different worlds, but one of my favorite things to do is actually be in a courtroom and examine witnesses. Do you feel the same way?

Cynthia: Gosh, it's just so much higher when you're a defense lawyer, because somebody looks at you like they would look at you if you were holding their hand and they're hanging off the Empire State Building. I mean, you are what is between them and a horrible, horrible consequence, but it is something that you get involved in it. I mean, I wouldn't want to get up every day and go to work where I could just do whatever I do and that if I went home and thought, well, maybe I did that wrong and I'd go back and fix it tomorrow on the paperwork or something. You get really involved in this. And sometimes, maybe a little bit too much sometimes, but it is never boring.

Matt: I can't imagine representing somebody that you truly believe in your bones is innocent and securing an acquittal, making sure that they got to go home.

Cynthia: There is nothing – there is no greater rush. That happened to me the very first time that I ever defended someone as a criminal defense lawyer. Now, anybody who says they do criminal defense work and hasn't lost a lot is lying – they're just lying. That's a terrible, terrible feeling, but if you did your level best and you feel like...you know I say that, but there's never a time when you lose that you don't go home and think what you didn't do or didn't do right. But when things go well and people get acquitted, that is probably the most gratifying feeling I can imagine that anybody would ever have ever.

Craig: Well, obviously you made the transition from the Prosecutor's Office to doing defense work. How is it different?

Cynthia: It's different because being a defense lawyer is a lot harder - it's A LOT harder. For one thing, you don't have a staff of investigators to go out. You're not sitting at your desk and going "that doesn't add up – hey, go check that out for me". You don't have that anymore – you're the checker out. And there is an immense pressure when someone is in that kind of trouble and that kind of danger from the system. When you're a prosecutor, there are cases where you're obliged to go to trial even if all the dots don't connect, but not that often. Most of the time you have so much discretion over a file, you can find an appropriate resolution.

Craig: Cynthia, you made a comment before we started the podcast today that I'd like to hear you elaborate on a little bit more. You talked about how you wished that prosecutors

did a little bit of defense work before they became prosecutors. Can you tell our listeners about that?

Cynthia: When I became a defense lawyer, you realize after a while that you didn't really even see the people over there when you're prosecuting. You don't get involved in and you really can't. You can't be emotionally involved in making the choices that you have to make as a prosecutor. You can't not prosecute somebody because they're basically a really nice person. You can't do that. On the other hand, it would seem to me that it would be a better thing if I had (or at least for me), it would have been a better thing if I had done some defense work first because those people aren't just files. I'm ashamed to say that after all of those years and all of those cases, I probably couldn't pick 10 or 15 of those people out of a line up. I mean the real bad ones, the really, really bad ones probably. But most of the time, they just kind of went through like cattle and I don't think that's a good thing. I think you need to see the system as a whole. It's much easier to be able to do that if I had started as a defense lawyer first.

Craig: Do you have more or less faith in our system having made the switch from the prosecutor role to the defense role?

Cynthia: I have to say that when I was a prosecutor, it was very difficult for me to imagine that somebody would prosecute someone and get a conviction when they didn't actually do it. I feel silly saying that now. The very first case I ever defended was a case that fortunately resulted in an acquittal and a friend of mine had a conversation with the judge who tried the case that very night. And he said, and I certainly agree, that it was a case in which the government did not fail to meet its burden of proof, it was a case in which he believed that the defendant was factually innocent. That was a real, real revelation for me. And furthermore, it was the most stressful experience of my entire life. I think I lost 10 pounds in four days because I knew he was innocent. I knew without the slightest question that he had not committed a crime and he was looking at serious time. That was an eye opener for me; it was sort of a prism through which I looked at a lot of things after that.

Craig: A prism through which you looked at lots of things...meaning that innocent people get prosecuted?

Cynthia: It happens. You know, you just read the newspapers and you can see that. Innocent people do in fact, go to prison; innocent people do in fact, end up on death row. And if you don't know that you're probably not aware enough to be. I don't know how to say that. I really don't know how, because I was not aware as I should have been when I was a prosecutor. I just don't think I ever picked up the phone and tried it if I wasn't dead sure that the proof was there. If it wasn't there, you'd send somebody out to go look to put the dots together. Now there's sometimes where it's a swearing contest between some people and a jury has to decide it. It's not...you think you're going to go and try a lay-up every time, then you're dreaming. But, yes, it does happen. It happens a whole lot more than people like to think. It's very inconvenient to think that innocent people go to prison.

Craig: Well, the opposite is also true where guilty people end up going free and walking.

Matt: So having been on both sides of the street, which was more stressful for you? Prosecuting somebody that you firmly believed was guilty, in the idea that they might get away with it or representing somebody that you thought was innocent and concerned that they might be convicted?

Cynthia: I've tried a lot of really bad, violent crimes. When you deal with the mother of a murdered child or the family of a murdered child, or something terrible happens to a loved one or somebody's life is altered by a terrible, terrible injury...that's a tremendous amount of pressure. You want for those people to think that the system worked for them. So you think that's a lot of pressure, until you're representing someone that you believe did not commit the crime and might actually go to prison. Because if it all goes bad, it would seem to me, that there's a whole lot narrower lane of people that can be held responsible for that. When you're a prosecutor, it's the system as a whole; when you're a defense lawyer, it's basically you.

Craig: The system failed if a guilty person walks, but if an innocent person goes to jail...it's on you, girl.

Matt: So whether you're on the prosecution side or the defense side, how difficult is it to leave it at the office when you go home at night?

Cynthia: Ahh, difficult. Yes, that's really difficult. You find yourself lying in bed at night (especially after it's over), you think about everything that came out of your mouth or didn't come out of your mouth when it needed to. It's a very stressful way to live. It just is, but it's not boring.

Craig: What thoughts do you have about how family law and family conflict intersects with the criminal system?

Cynthia: I think it intersects a lot of times in a bad way. In the sense that someone gets the idea in their head, that if they can get their spouse (who they hate worse than the devil him or herself at that moment), if they can get that person convicted of something, then that will work out better for them in the course of their litigation about their child custody or their visitation or whatever. I'm here to say to your listening audience, if you don't think that the Municipal and Justice Courts are onto that, you are wrong! They DO NOT appreciate being used for purposes of domestic negotiation. Now, obviously there are cases that are genuine criminal cases; there is such a thing as domestic violence. There is also such a thing as filing criminal charges when the police don't need to be wasting their time on your spat that you have exaggerated. What really drives me crazy, and I think it's just about as low as it gets, is a false allegation of child sexual abuse.

Craig: Absolutely! And I was just this week counselling a client about that. Obviously children are abused and it is horrific, and awful and heart-wrenching when it happens. But there are times in the wake of a divorce (either one that's coming or one that's happening), where there are false allegations of abuse – and it's proving a negative. Prove that you didn't do something; it's awful and horrific and it's the core of what parental alienation is.

Matt: Yeah. You know, I've often said that the only thing that comes as close as a child being abused is somebody being accused of it. You know, a parent had absolutely nothing to do with it. And it's a stain that doesn't go away, even when you pretty much deal with it where there isn't going to be any type of prosecution. Even if the court is of the opinion that it didn't happen, it's still hard to ever get rid of that pain.

Craig: Well, there are two types of people. There are the people who don't think it happened, but think that they could gain some type of an advantage in the case. But then there are people who, even though wrong, genuinely believe it. Genuinely believe that this person that they had the child with would be capable of such a monstrous thing.

Cynthia: Well, I'm certainly not anybody who doesn't think that child sexual abuse does not occur. I've prosecuted a load of them, but the extraneous circumstances always seem to corroborate it. I can remember a guy who was doing construction on a renovation on a house and two little twin girls told their mama what he had done. The mama didn't have a dog in the hunt; the whole circumstance was very clear what had happened. But then again, I would have someone walk in my office who was like nine months into a divorce and it wasn't going well. You know, she was not getting what she wanted in the rulings and all of a sudden nine months in (with respect to a man that she'd been married to for 10 years and had three children with) and all of a sudden then a two-year-old or a three-year-old says the big man touched my booboo. Well, who's the big man? Daddy. You just see that happening and it just makes you want to scream. And I see that a lot in divorce situations now that I'm not in a prosecutor's office anymore. So I don't say that to say that I have any doubt that child sexual abuse happens; but as far as I'm concerned, if you want to make an allegation against someone to negotiate your divorce or custody or child visitation situation, and you come up with the father or even the mother sexually abused the child – there's a special place in hell for you. I can remember seeing a guy on *60 Minutes* one night who'd been prosecuted for who knows how long, who was protesting how horrible it had been to go through and how false it was that he'd been accused of child sexual abuse. And I believed him; on the other hand, I turned around to my husband and I said, "You know, probably 10 million people are watching *60 Minutes* tonight and 5 million of them who've never heard of this guy before in their life, now think he's a child molester".

Craig: Right

Cynthia: Because you can't get that stink off you. And if you're willing to do that, particularly to the parent of your child, then it's all about you because your child suffers from that horribly.

Craig: Absolutely. I want to go back to something that you said, you said you were trying a case and there was the arresting officer on the witness stand and you took a chance and asked him the question, "had the law not required you to arrest this individual, would you have". And he said, "no, I wouldn't have". And that's because at the scene of a domestic violence incident, if there's any evidence of some type of a struggle – a broken window, a broken door handle, any slight evidence that something transpired, then somebody has to go to jail. Right?

Cynthia: Um hmm. In this, in this particular circumstance, what she had alleged was just a push and the testimony had evolved that she was on wood floors in socks. She had no markings, no nothing. And her whole testimony was just full of holes and what she had told the officer and what he had written in his report was just full of holes. And it was a very, very contentious divorce in which there was a tremendous amount of money involved. And all the signs were there. You know, it was a dumb question to ask probably, but I could tell that officer just was really infuriated about having to go deal with it.

Craig: Well, it's only a dumb question if you got the wrong answer.

Laughter

Cynthia: That's exactly right. Cause I've asked some of those.

Craig: Yeah. They say that that lawyers should never ask a question that they don't know the answer to, but we do it all the time.

Cynthia: Yes, yes, we do it all the time. Some days the magic works

Craig: Well, Cynthia, we've run out of time for today's episode. It has been absolutely lovely spending this morning with you. I think our listeners are going to really enjoy your voice and your experience and in the unfortunate event that one of our listeners find themselves in the need of your services, how would they contact you?

Cynthia: They would contact me at (601) 954-1369. And people would probably recognize that as being a cell phone. Every client I've ever had has my cell phone number because people don't generally get arrested during business hours or not generally lots of times they don't, so I basically just learned to rely on my cell phone because it's with me all the time and people get in trouble at all hours of the day and night.

Matt: Cynthia, thank you for being here and it's absolutely fascinating and we look forward to having you back sometime.

Cynthia: Ok. I would love it. It's fun.