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Hossencofft seeks to represent himself

By Rick A. Reese
Tribune reporter

Diazien Hossencofft has claimed to be an alien, a genetic scientist and a heart surgeon. Now, he says, he wants to be his own defense attorney.

Although his current defense counsel says Hossencofft isn't qualified, Hossencofft says he intends to represent himself in his pending murder trial.

The judge declined to consider Hossencofft's **pro se** motion at a hearing Tuesday, but did address other matters pertaining to how Hossencofft and his girlfriend Linda Henning are being treated while each is held in City-County Jail.

Hossencofft and Henning are charged with killing Hossencofft's estranged wife, Girly Hossencofft, last September.

Judge Richard Knowles accepted a motion by Ron Koch to resign as Hossencofft's defense attorney. Koch is ill and out of town until the end of the year.

Steve Long, Koch's partner who has been handling Hossencofft's case, said he has strongly urged Hossencofft to take on another attorney and not try to fend for himself.

"He can't do it alone," Long said, following Tuesday's hearing. "I'm a practicing attorney and I didn't feel comfortable trying this capital murder case. How in the world is a lay person going to do it?"

Asked as he left the courtroom whether he was qualified to represent himself, Hossencofft said that he is "capable" and "intelligent."

Knowles did not consider the **pro se** -- Latin, meaning "for yourself" -- motion Tuesday, saying he wanted to ask Hossencofft a series of questions about his education and capabilities before allowing Hossencofft to defend himself.

Hossencofft told the judge he was anxious to begin work on his case and he hoped the motion would be heard soon. Knowles said he hoped to consider it within two weeks.

"I don't want to sit around in jail for another year while the state sits back . . . with no evidence whatsoever," Hossencofft said.

Knowles did request that a public defender be assigned to the case to work with

Hossencofft. The defendant accepted the assignment, telling the judge he would like two defenders to assist him as he prepares for trial, and a DNA specialist.

The key issue at Tuesday's hearing was what accesses and freedoms Hossencofft and Henning should be allowed while in City-County Jail.

Attorneys for Hossencofft and Henning said their clients were unfairly being over-supervised, and private conferences between attorney and client were impossible. Also, neither was being given sufficient access to the law library or to writing utensils for note-taking. And legal documents were being taken out of their rooms unnecessarily.

Jail spokesman Capt. John Van Sickler said Hossencofft and Henning are both classified as "high risk" and "special handling" inmates. That means they are locked alone in a cell for 23 hours a day. For one half-hour in the morning, and one half-hour in the afternoon, all other inmates in their pod are locked into their cells, and Hossencofft and Henning are allowed out.

Hossencofft and Henning are being held in separate pod areas, he said.

Knowles asked the jail's deputy director, Mike Sisneros, to work with defense attorneys so the inmates' rights were not being violated and each had private time to their attorneys and ample access to the law library.

Knowles also advised each side to file a motion with the court if either defendant thinks their rights are being violated.

Hossencofft and Henning sat across from each other at a table in Knowles' courtroom, each wearing a red suit with the words "High Risk" written across the back. At one point, Hossencofft nodded at Henning, and she smiled.

Another time, the pair had a brief exchange of whispers, before a court official told corrections officers to make sure they didn't talk with each other.

The case is not expected to go to trial until spring or summer of 2001.

Gidy Hossencofft, 36, was reported missing Sept. 10, 1999. She was involved in divorce proceedings at the time with her estranged husband, Diazien Hossencofft. Prior to her disappearance she expressed fear to co-workers, telling them if she didn't show up for work, "something bad has happened to me."

Her body has not been found despite tips that have led to intense searches periodically by investigators in several areas, including parts of the Sandia foothills and a large tract in the vicinity of Magdalena.

Bloody clothing investigators have

determined belonged to Girly Hossencofft was found near Magdalena the day she was reported missing, and her purse was found in an Albuquerque street.

She is presumed dead, and Diazien Hossencofft and Henning are charged with her murder.

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