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Henning's mind at question in homicide case

By Joline Gutierrez Krueger
Tribune Reporter

The "mate" of convicted wife-killer Diazien Hossencofft has a date in state District Court this fall for what is likely to be one of the most bizarre and lengthiest murder trials in years.

But first Linda Henning will have to be ruled competent before she can stand trial Sept. 23.

And that, one friend says, should be hard to prove.

"I've known this girl for years as a sweet, caring individual who would rescue spiders from the walls," said Stephen Zachary, who had once been engaged to Henning and continued a friendship with the one-time mild-mannered clothing designer for more than 16 years.

"But her personality changed within days of meeting Hossencofft, and her behavior became aberrant, bizarre and without any basis of logic."

Henning, 48, was indicted last year on 20 charges, including first-degree murder and kidnapping, in the Sept. 9, 1999, disappearance and presumed death of Hossencofft's estranged wife, Girly Hossencofft.

No body has ever been found.

The trial is expected to last six weeks and could include the testimony of as many as 440 witnesses and 44,322 pages of evidence, including microscopic fibers from fly-fishing lures, cat hairs, glitter, bloody clothes and Oriental knives.

State District Judge W. John Brennan said he has asked the state to significantly pare down the witness list.

If convicted, Henning could be given the death penalty.

"We have a lot of work to do," Henning's attorney Gary Mitchell said after a meeting Tuesday in Brennan's chambers.

Mitchell is the sixth attorney to represent the often volatile and difficult Henning, known for her courtroom outbursts and outlandish conspiracy theories proffered in letters to reporters.

Albuquerque police reports have indicated that Henning might have helped to kill Girly Hossencofft so that she could become the more powerful queen of a bizarre alien or reptilian race.

"It sounded like the plot of `The Matrix,'" said Zachary from his home in New York. "I believe she was completely out of her mind at the time of the alleged crime, and I believe Hossencofft was the one who programmed her mind with this nonsense."

Assistant District Attorney Paul Spiers, who is prosecuting the case, has opposed labeling Henning as incompetent to stand trial.

"Our position is she's entirely competent," Spiers has said.

The state intends to use the expertise of famed California forensic psychiatrist Park Dietz, who has evaluated the competency of such notorious defendants as Andrea Yates and Jeffrey Dahmer.

Defense attorneys will offer the opinion of Las Cruces psychiatrist Dr. Thomas C. Thompson at Henning's competency hearing, scheduled to begin Aug. 12 and last for two to three days.

Mitchell on Tuesday said he and co-counsel Monica Baca are not behind the question of their client's competency.

"The issue has been raised before, but we're not raising it," Mitchell said.

One of Henning's earlier attorneys requested the hearing, a move Henning continues to fight.

The competency hearing had been scheduled last July but was postponed because Henning was between attorneys.

One of her former public defenders, Trienah Meyers Gorman, had told the court that she had legitimate reasons to doubt Henning's competency much to the dismay of Henning.

Diazien Hossencofft, Henning's one-time co-defendant who has referred to her as his "mate," said she is not delusional.

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"I mean, she may, you know, want to stand up on the table here and, you know, naked and worship acorns," Hossencofft said in a Jan. 18 interview with Albuquerque police detectives, "but that doesn't make you crazy."

If Brennan rules Henning incompetent, prosecutors must prove she is also dangerous before he can commit her to a mental health facility.

If she is ruled incompetent, she can be released, Brennan said.

If she is ruled competent and the trial proceeds, defense attorneys can still seek a "guilty but insane" plea. However, that result would only serve to provide mental health care for her while she was incarcerated in a state prison, Brennan said.

I DIDN'T KNOW THIS

Extensive efforts have been made to reach a plea agreement with Henning, including allowing her to meet for four hours earlier this year with Hossencofft, but so far Henning has rejected all attempts.

"It would save hundreds of thousands of dollars in court costs if a trial could be avoided," Brennan said.

Henning will have been in the City-County Jail for three years by the time her case is expected to come to trial.

Diazien Hossencofft is already serving a life sentence plus 60 years and 364 days in a Wyoming penitentiary under a plea agreement reached last January. Hossencofft was transferred to Wyoming on March 20, New Mexico Department of Corrections spokesman Gerges Scott said.

A third defendant, Bill Miller, is scheduled to stand trial June 3. Miller, 52, is charged with kidnapping, four counts of conspiracy and seven counts of tampering with evidence. He remains free on bond.

The three apparently met in 1999 through a UFO club. Several weeks later, Girly Hossencofft was missing, and Henning was the first to be arrested, on perjury charges, in connection with her death.

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