

December 8, 2004

Becky Nesmith Interview Transcript

04:48:10

JL: This is December 8th, 2004. And I'm here with Becky Nesmith at the church that she and her husband run and where they have a school. And we're going to do an interview here, so I'm going to start right now. Becky, if you would just tell me your name, age, where you grew up, where you live today, a little something about you.

04:48:41

BN: OK. My name is Becky Gil Nesmith. I'm forty years old. I was born here in Corpus Christi. I have an older brother, and a younger brother, and three more siblings from a previous family, marriage, that my dad had. My husband and I, pastor here at this church, at Family Harvest. We've been pastoring for nine years. We started a school two years ago. So we currently have a Christian private school that we oversee here also. I have four daughters, and one of, the oldest, which is twenty-five and married. And I have three younger children, fifteen, ten and eight years old, and they currently attend here at our school. I've been married for nineteen years, together twenty years. And I currently attend Del Mar College, I'm a part-time student in accounting. And I'm always busy. We lead a very busy life, serving the Lord and taking care of the school here, and college at night, and

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everything else that comes along with church functions.

04:50:07

JL: When we came in today you were teaching school, is that right?

04:50:11

BN: Yes.

JL: So, what do you do during the week, during the day?

BN: During the day, we teach regular academics. We have art. If we don't have PE, we'll have art every day. Depending on the weather, if it's bad, we'll have art. Currently we're teaching them how to crochet. And on Wednesdays, which is today, we dress in white tops with ties, and we have a church chapel. So we go into chapel after lunch and we have a devotional, every Wednesday. We open our bibles, everyone has their bibles, and we read scripture and we talk about it, and then we go into, back to our different academics, or art, or whatever is on the schedule next.

JL: OK, Becky. I'm going to show you a picture, and I've actually marked on the back of this BN, for Becky Nesmith, and December 8, '04, today's date, and number one, and if you could look at that picture, and after you've looked at it, sort of hold it up so that we can see it in the camera there, and tell me who that is.

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BN: [takes and holds up picture] This is my deceased cousin, that was killed in the Diamond Shamrock stabbing, while she was working. [camera zooms in on photograph] This is Wanda Lopez, she was my cousin. At the time that she was killed we were pretty close. I considered her my sister at the time. I have a half sister, but we didn't grow up together, so I considered Wanda my sister. She was a good friend to me. When we were hanging out together at the time of her death, I was married and having marital problems, so when I would call her she would come and pick me up. And her daughter and my daughter were about two years apart and they'd sit in the back seat and play. We'd just drive around and talk and share our thoughts and feelings. She was kind of like my savior at the time. She would take me and spend time with me and help me get through my problems that I had.

04:52:56

JL: At that time, tell me, how close in age were you? Or what the age difference was between you and Wanda approximately?

04:53:01

BN: I was about seventeen, and she was about twenty-four

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years old, in age.

JL: And you said that at the time, you were having some problems in your life. Did she have anything to share with you at that time?

04:53:22

BN: Well, she wasn't married. Being that it was such a long time ago, I don't remember her actually sharing problems with me, with any one particular person. It was usually myself that was always talking. I was a lot younger than her and going through a lot of trials. So it was mainly us or the kids we'd talk about, but she didn't really, I don't recall her talking about anyone specifically.

04:54:03

JL: And would you describe the kind of things that you would do together with Wanda?

04:54:26

BN: Well, when we would ride around, and that's basically what we always did. We would just get in the car, and we have a street here in Corpus named Ayers Street. And back in the early eighties it was a very popular, Ayers was like the most popular cruising street where everybody would go up and down Ayers, all night long. So basically, that was what we did also. We at the time would drink, in the car. We never went

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to anybody's house or a club, especially because we had our daughters with us. And we'd just drive up and down Ayers and have a couple of drinks in the car.

04:55:13

JL: Wanda, at that time, well tell me what Wanda, how she's related to you, but on which side, how that work out?

BN: OK. Wanda's father is my uncle. And he's my mother's brother.

JL: And what's his name?

BN: His name is Louis Vargas.

04:55:30

JL: OK. So Wanda Lopez has a different name from him. And how did that come to happen? How did she come to become Wanda Lopez?

BN: Well, Wanda was married, when, she.... I don't remember when she got married, because I was still younger, and.... I don't believe she had a big wedding. But sometime in her life she got married and divorced, and she was raising her daughter on her own.

JL: If you would, starting at the beginning, and using everyone's names, tell me what members of your family thought and said about your sharing or spending time with Wanda, and why they felt that way about her.

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BN: In between the time that we were really close, I ended up moving to my dad's, and my dad's name is Romeo Gil, and my older brother was also living there, and his name is Roland Gil. They knew that we always went out together riding, and things like that. She ah.... They didn't want me to be spending so much time with her. She was older, and I was separated, and she had a lot of friends, and they didn't want me to fall into that category, to have a bunch of friends, male friends like she did. So... they loved her, but they just didn't want me to have many friends like she did. So I was discouraged at the time, right before her death, not to spend so much time together, because of that.

04:57:35

JL: And was it that she had a reputation for spending a lot of time with gentlemen, young men, who were her age, but not married and just spending a lot of time with a lot of different men? Was that what concerned your family?

04:57:53

BN: Yes, she did have a lot of male friends. And she was single, so she'd come and go as she pleased, and my father and my brother didn't want me to walk in those same shoes.

JL: OK, if you could tell me that again, and go through again

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one time how your family felt about her, but this time use her name, Wanda, and just go through it again. And just tell us how they reacted to the number of male friends that she had and the kind of life that she was living that perhaps they didn't think was appropriate for you.

04:58:34

BN: My father, Romeo, and my brother, Roland, they didn't want me to be spending so much time with Wanda, because she had so many male friends. She was single and would come and go, and she would go to nightclubs, but I wasn't old enough at the time. So, I was discouraged by my father and my brother not to be going out so much with her, riding around. They didn't want me to earn that reputation that she had.

04:59:12

JL: You mention that Wanda attended clubs from time to time. Do you remember the names of any of those clubs?

BN: Um, I remember maybe a couple that I knew of. There was one that's no longer in existence. It used to be called the White Rabbit, and there was one called Chaz Nightclub.

04:59:36

05:00:03

JL: Becky, you described most of those times when you and Wanda spent together, driving around, perhaps with your

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children in the back seat. Did you ever go with Wanda to a place where there were other people there? Other friends of hers?

BN: It was rare that we went somewhere else, other than just our house, her house maybe, her parents' house, or my house. There was an occasion where Wanda and I ended up at some friend of hers. I want to say it was maybe a mobile home. I don't remember any houses next to it. It seemed like maybe it was on a piece of land by itself, maybe. And there was friends, I assume they were friends of hers, or friends of the male friend she was with. And they were older than I was. I was still a teenager, and I felt uncomfortable being there. So Wanda's friend, I don't know who he was, I don't remember, but he took us out of there and we left. I don't remember where we went after that. It was very rare that her and I would go out together to friends' house.

05:01:40

JL: What was it, would you say, that made you feel uncomfortable on that one evening?

05:01:44

BN: Well, there were a lot of people, male, maybe there were more males than female, and drinking. I just didn't feel comfortable with the older crowd and, although I did drink,

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it just didn't feel right.

JL: What it was that made you feel uncomfortable on that occasion.

05:02:31

BN: OK. It was more of a tougher crowd, older age, more men, drinking going on, and I just didn't feel comfortable, so Wanda's friend took us, and we left.

JL: Was the person that was there with Wanda, would you say, a boyfriend?

05:02:51

BN: No, she never really had a boyfriend, to say, she was committed to someone. She was pretty much single. She had a lot of friends.

JL: Was she having a lot of relationships, let's say, passing relationships with different men?

05:03:14

BN: I never got to see her with ... other than, if she would mention if she was with different friends. But, I don't know if she actually, had personal relationships with them.

JL: But that was sort of her reputation?

BN: Yes. You probably could assume she did, but she never actually talked about them, except for what she did or where she went, names, but she did have a lot of friends.

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05:04:01

JL: Did you feel that Wanda at that point was leading sort of a fast life?

BN: Yes, I do.

JL: In your own mind, being close to her at that time, did you have concerns for her, that maybe it not a, it wasn't that safe a life, or that good a life?

05:04:26

BN: Yes, I felt... It was something I wasn't used to or ever did, but because she was older, and she worked, and we didn't see each other every day, but it did concern me.

05:05:05

BN: My concerns for her were that she had so many male friends. And I know she went out to nightclubs, because several times I was with her when she dropped off her daughter, with different friends, or parents of friends. And probably the reason I didn't go with her - cause I wasn't old enough. But it did concern me that she had a lot of friends and wasn't committed to one boyfriend.

05:05:47

JL: And you mentioned that she would leave her children, her child. I'm sorry, let me start over. You mentioned that she would leave her daughter with people when she was

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going off to the clubs. How did you feel about that, maybe thinking about how you might want to be treating your own, or interacting with your own, daughter?

05:06:02

BN: Well, I had my own daughter at the same time when she had hers. Mine was two years younger, and [pause] I wouldn't leave my daughter just anywhere, but then again I wasn't going out to clubs at the time. But it did concern me that she would leave her daughter with different friends or with different people. I didn't know all of the people she left her with, but it did concern me. I felt like if her mom probably couldn't watch her, then she shouldn't have gone.

05:06:50

JL: To you, Becky Nesmith, not to your parents, or your family, but to you, what kind of person was Wanda Lopez? What was Wanda Lopez to you?

05:07:01

BN: Wanda, she was a very kind friend to me. Even though she was my cousin, she was very real, very down to earth. She had a very happy spirit. She was never mean. She wasn't the type to cuss. She didn't have a vulgar language. She was very loving, very friendly, very outgoing.

JL: One of the things that we've heard about Wanda is that

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she was, as you say, very outgoing. Liked to be around people. Very vibrant and bright. Is that right?

BN: Yes.

05:07:50

JL: What is your husband's name?

BN: My husband's name is Jesse Nesmith.

JL: And what does your husband do? What do you do together?

BN: My husband is.... We both pastor Family Harvest, and previous to pasturing, he worked, self-employed painting business, sheet rock, [inaudible], and occasionally he will do a little job here and there.

05:08:19

JL: And did your husband know Wanda Lopez?

BN: He did know Wanda. My husband did know Wanda. He knew her before I knew him. He met her through a mutual friend that Wanda and Jesse had at a place that they worked, that Wanda and her friend had. Her friend's name was Esther, and Esther was a good friend to my husband. So, when my husband at the time, I didn't know him, when he'd go see Esther, Wanda was working there, so that's how he met her, through work. Through her work, her job.

05:08:58

JL: And have you had occasion to share reminiscences and

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recollections of Wanda with your husband Jesse?

BN: From our past, from Wanda and my past? Yes.

JL: And what does your husband remember about Wanda, from his time of interacting with her through the mutual friend?

05:09:21

BN: He vaguely remembers.... There was times he'd go see his friend Esther at work, and Wanda would be, once and a while she'd have a friend there, that she was talking to, at work. And there was another occasion where he remembers, it was a party at someone's home. And my husband was there, and Esther was there, and Wanda was there, and he remembers her being picked up by someone from the party. So she was there a short while and then she left.

JL: And who did she leave with?

05:10:00

BN: He doesn't know who the person was. But he did know it was a male figure, a male friend.

JL: Driving a nice car?

BN: He said it was like a hot rod. Nice car. Sporty car.

05:10:17

JL: [RP coughs] If you would again describe that recollection that your husband shared with you, using names, and putting it all in your words.

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05:10:25

BN: Jesse remembers meeting Wanda at her clothing store, where she worked with Esther, her friend, and Esther was Jesse's, she was a good friend of his. He remembers Wanda having a friend or two at work, talking to while he was there. And Jesse remembers being at a party with Esther, and Wanda being there and her leaving shortly with a male figure in a nice, sporty car.

05:11:03

JL: And the friends that your husband Jesse encountered over at that dress shop with Esther, those were male friends.

BN: Yes, male friends.

05:11:20

JL: When Wanda Lopez was killed, she was working at the Diamond Shamrock, at a gas station. Did you ever work at a Diamond Shamrock?

BN: Yes, when Wanda was killed that night, I was also currently working at a Diamond Shamrock at a different location. I got the news through a phone call from my mother at work letting me know that she had died.

05:11:45

JL: What was the situation where she was working? How did you feel, how did she feel about the situation where she was

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working at that Diamond Shamrock on South Padre Island Drive,
at that time, working the night shift?

05:11:59

BN: The Diamond Shamrock that Wanda worked at was a very small store, and it was next to a topless club, and she had been asking not to work alone at nights, for fear that something may happen. And I was working at another location, and at the location that I was at, there was never a single person alone at night. And this misfortune happened with her working alone.

JL: How safe did you feel her situation was, you being somebody who also knew what it was like to work at one of those places?

05:12:50

BN: Well, I didn't think it was that safe, if she had asked not to be working alone, but reality never really hits until it happens. It's just unfortunate that it happened to her.

[children laugh and stomp in the background]

05:13:25

JL: If you could use all the names that are relevant, and describe how Wanda's death affected her family, your family, the family?

BN: Well, it affected me, I felt like my sister was taken

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away. I was still in high school at the time, and I was trying to get through, with high school and working at the Diamond Shamrock, and it just wasn't the same anymore. How I felt at the time, I felt like I wanted to adopt her daughter and raise her myself. But her mother was pretty strict, Wanda's mother was pretty strict, and I knew I didn't have a chance. But I remember with all my heart that I wanted to adopt her, adopt Melissa, her daughter.

05:14:35

JL: Do you ever see Melissa these days?

BN: Yes I do. Occasionally I see Melissa at baby showers. She's come visited our church before, and her children. Mainly I'll see here at just family gatherings that we may have.

05:15:00

JL: Tell me about Melissa, as you have an impression of her. How many children she has, what kind of a person she is.

BN: Melissa, first of all, she looks just like her mother. She looks so much like her. She has her smile. She has a very sweet spirit, just like her mother did. Very happy, always smiling. She has three children. She has a daughter and two sons. She's currently married to the father of her children, and she's doing well.

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05:15:41

JL: And how did Wanda's death affect her parents and her brother? Do you know how it affected them?

BN: Well, I don't know personally how, because we were never really that close, her family and ours. I remember that night that they killed Wanda, I couldn't leave my job until somebody came to relieve me, so by the time I got to the hospital, they wouldn't allow me to see her body. So I went to Wanda's mother's house, which was just down the street from the hospital. She was just torn apart and crying with her Wanda's smock, we wore smocks at the time, blue smocks. And she was just curled in her blue smock, crying and crying. And she had this picture [indicates photograph of Wanda] next to her, in color. It was just an awful ordeal. But, um...

05:16:57

JL: Can you tell me what you know about the relationship between Wanda and her mother? What you know or came to find out about them?

05:17:07

BN: After we were grown and hanging out together as a teenager, I didn't know my aunt very well, but I learned she was pretty strict with her. Didn't want her to go out, didn't want her to be going places, and leaving her daughter places.

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She was very strict. Had a lot of rules on her.

JL: And do you happen to know Wanda's relationship with her father? We've heard that she was sort of Daddy's girl, but did you know about that relationship?

05:17:54

BN: Not very much. My uncle Louis, he's a pretty quiet, humble man. Stern when he wanted to be. Not as strict as my aunt. But I don't know personally how their relationship was at the time.

05:19:19

JL: Did you attend any of Carlos DeLuna's trial for the murder of your cousin Wanda?

05:19:34

BN: Yes, I was able to attend a couple of trials.

JL: So, if you would just describe all that, how it came to happen, everybody's names.

05:19:43

BN: I was in summer school, for high school, taking a couple of classes, and our history teacher, Mr. Crane, had asked us that part of our grade would be to visit a trial that was going on, in a murder case. And when he said whose trial it was, he said it was my cousin Wanda's trial. So I got to attend the trial a couple of times because of the school. And

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I was able to attend a couple of hearings where I got to know who Carlos DeLuna was.

JL: And would you describe in detail what you saw at Carlos DeLuna's trial and any concerns that you had after watching that trial?

05:20:33

BN: At the time of the trial, I remember sitting there watching Carlos DeLuna swivel in his chair, chewing gum. He seemed to be a very handsome man. I sat there and questioned, did he do it? Because they did say that there was another man, that he was the one that did it. But there was no other man or name mentioned in the trial, that I knew about. But I did sit there wondering, did he do it or did he not do it.

05:22:20

JL: OK. Becky, would you tell me what your reaction or impression was, describe your reaction or impression when you were watching that DeLuna trial for the killing of your cousin, Wanda?

05:22:34

BN: I think the worst part of the trial was when they aired the 911 call, where we heard her speaking and the operator speaking, and the questions that they had asked her. And at the end of the phone call, she's screaming, and then

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the phone hangs up. I think that was.... It was terrifying hearing her voice which was the last time we were ever going to hear her voice. And I remember watching Carlos DeLuna, sitting in his chair, swiveling in his chair, back and forth, chewing gum, thinking, this guy, he's such a handsome guy. He doesn't look like the type of person that would kill or do something bad, and he's chewing gum like he didn't do anything. And I questioned. I couldn't even figure out if this man was guilty based on the evidence that I heard at the time, when I was there.

05:23:52

JL: And how many days did you go to the trial?

BN: I want to say two days.

05:24:06

JL: And knowing now a little bit more about the case, what are your thoughts or questions or reflections about the case of Carlos DeLuna?

05:24:12

BN: Well, I have a lot more questions. When Carlos DeLuna said that he did not do it, that it was another Carlos, when I heard that at the trial I thought, that's just a lie. What a coincidence. It's not me, it was him. It was another Carlos. It just sounds typical that he would blame that on

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someone else. But where was that other guy. There was no other guy. And now knowing that there was another Carlos with a different last name, and knowing that Carlos DeLuna, his clothes didn't have blood, why couldn't they have matched the footprints in the blood at the scene? Why didn't his clothes have blood from the scene? Why didn't they investigate the club he was coming from, which was next door to the Diamond Shamrock? Why couldn't they ask people at the club if they had seen this man, or who he was with that night, when there was someone else with him, and someone else was blamed. But no one else, but they weren't questioned.

05:25:37

JL: Now that you have thought back to those times, and thought about how the case went, let me ask if you have any hopes or thoughts about what you would like to see come out of this inquiry that we're engaged in now?

05:25:54

BN: Well, knowing the information that I know now, that there was another man that Carlos DeLuna was with, but never questioned. If, in fact, this other Carlos was the one that killed my cousin Wanda, I believe that Carlos DeLuna's family should have some kind of justice knowing that their son didn't do it. Someone else did. And knowing now that both

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Carlos are deceased, the only thing to gain out of this is Carlos DeLuna's family having peace in their heart that their son didn't do this crime, that he was accused of, and paid the price for.

05:26:52

Rick Perez (RP): When we think about our spiritual lives, and truth and justice, and something, a tragedy that happens like this, with the state, an innocent man was executed, how does that make you feel about how our justice system is working, and the problems, like this. Can you tell us some of your emotions and feelings about that sort of stuff? When you answer look at Jim.

05:27:34

BN: Well, I do believe that our justice system does fail us sometimes. I believe that some people are wrongly accused, based on little evidence that they have, like Carlos DeLuna. I don't believe he stood a chance with the investigation that he had. I was told that the investigation was closed in two hours. I'm not a detective, but how can you close a case knowing that the man you captured had no blood on him whatsoever? And later learning that he had a mental handicap. How do you close a case like that? I'm not no expert in that, but if someone says, "There was someone with me," why not

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investigate? Why didn't Diamond Shamrock have cameras, at least for some kind of security? But I do believe the system does fail us. And the family of Carlos DeLuna should have some type of justice out of this, with this investigation.

05:29:13

05:31:08

BN: Well, when Carlos DeLuna was executed, I felt some type of justice. But I didn't know what I knew now, about Carlos, and knowing that his life was taken from him, I feel that God knows what he did and what he didn't do, and he paid a price he shouldn't have paid. But knowing that God knows all things, even if we don't confess them, and... I don't know how to explain it. In God's eyes, God knows what happens, and the Bible says that every knee will bow, and every tongue with confess, and I do believe that one day when the other Carlos, when he met his maker, that God just took care of him, how he saw.

RP: Thanks Becky.