


the book's core utility, but it offers Crump additional areas to explore in the future.

How to Try a Jury Trial is a rare manual that feels like it was written by someone who has stood in your shoes. Less academic than Thomas Mauet's *Trial Techniques* or Steven Lubet's *Modern Trial Advocacy*, Crump delivers practical judgment. He does not promise shortcuts or silver bullets. Instead, he guides readers on how to prepare for trial, think like a trial lawyer, and connect with jurors. Every chapter gives the readers something usable, something they could mark up tonight and bring to trial tomorrow. Anyone preparing to face 12 jurors and a verdict form should consider keeping this book next to your trial notebook. 

Cascy Mimes Carter litigates complex, high-stakes disputes as a shareholder in the Houston office of Munsch Hardt Kopf & Harr, P.C., where she also serves as co-chair of the Women's Initiative Group. Cascy is also a member of the editorial board of *The Houston Lawyer*.

Tales As Old As Crime: Laughter and Pain in the Criminal Injustice System

By Randy Schaffer

Published by iUniverse

Reviewed by JESSICA CRUTCHER

Randy Schaffer is a legendary Houston criminal defense lawyer who has practiced throughout Texas since 1973. Despite having the academic pedigree to join the ranks of "big law," Randy chose to spend his career defending those who needed it the most. His recently released book is a rock and roll rollercoaster, tell-almost-

all ride through his decades of working with criminals, innocent people accused of horrendous acts, famous and less-famous criminal defense attorneys, and prosecutors. Randy changed many names to protect the innocent (or the guilty). Yet he includes enough names that lawyers who have practiced in Houston for any length of time will recognize not only famous figures, but also some of their own acquaintances. I know I did.

As a criminal defense attorney who has spent a lot of his career working on actual innocence and habeas corpus cases, Randy's book makes clear that a healthy skepticism of the allegations made by win-at-all-costs prosecutors is well advised. Randy tells story after story of prosecutors withholding exculpatory evidence and getting caught. To the credit of the district attorney's offices, many of these prosecutors were fired. However, it does cause one to wonder how many times exculpatory evidence has been withheld and not been discovered. Undoubtedly, more times than we would like to believe.


Randy doesn't let criminal defense attorneys off easily, either. He details numerous habeas corpus appeals he has fought because of grossly ineffective assistance of counsel, and he names names. These stories are the reason why so many people don't trust lawyers. However, the stories made me grateful that I know so many ethical, hardworking attorneys who would never hang their client out to dry—especially when that client was facing major prison time or the death penalty.

But Randy's book isn't all doom and gloom. It is full of hilarious stories of inter-office politics, including numerous stories of his time working for Richard "Racehorse" Haynes. And there is humor to be found in the courtroom also, as Randy tells his interactions with judges, prosecu-

tors, and even his own clients.

By my estimate, Randy tells approximately 200 short stories in this book that is just shy of 400 pages. The common thread through them all is his devotion to the Constitution, to the rule of law, and to legal ethics. He says at the end of the book that exasperated prosecutors often ask him when he is going to retire. Randy's answer is always the same: "I will retire when prosecutors no longer try to convict the innocent, keep them in prison, suppress favorable evidence, and use false testimony—because there won't be anything left for me to do. So you tell me—when am I going to retire?" He says no prosecutor has ever answered his question.

This book gives readers a deeper understanding of the inner workings of the criminal justice system. But it is more than that. This book is a reminder that we are all human—prosecutors, defense attorneys, criminals, victims, and those people who don't fit into any of these categories. It is a reminder

to stand up for the Constitution and the rule of law. It is a reminder to live ethically, both as an attorney and as a human. And despite the many heartbreaking stories Randy tells in this volume, he shares enough wins that he leaves the reader with a feeling of hope for the future. This book should be on the nightstand of every attorney in the United States—and honestly, the non-attorneys, too. 

Jessica Crutcher is an arbitrator on the AAA's Commercial, Energy, Financial Services, and Consumer Panels, a mediator, including on the AAA's Consumer Panel, and attorney at Jessica Crutcher Law PLLC, and is on the editorial board of *The Houston Lawyer* and the associate editor of *The Houston Lawyer's Off the Record* column.

