

## CELEBRITY LAWYER

# Attorney no stranger to the limelight

From a naked bongo player to a country music legend, attorney "Mad Dog" Joe Turner has represented his share of high-profile defendants.

By DAVID CASSTEVENSON dcasstevens@star-telegram.com

After a late-night poker game with friends, an Austin-area man decided to rest awhile before making the 90-minute drive home. He pulled his Mercedes off Interstate 35 south of Waco and killed the engine. The next morning, a Hewitt police officer approached the vehicle parked on a service road and found a scruffy-looking fellow snoozing in the back seat.

The lawman also spied the remains of a hand-rolled cigarette.

He dutifully tapped on the window.

Willie Nelson woke up and realized he needed legal counsel.

He contacted an attorney friend whose nickname suggests that he would readily — and tenaciously — spring to Nelson's defense.

"Mad Dog" Joe Turner, who once dated Nelson's daughter, visited the singer at his ranch and pressed him for details about the incident.

"Willie," he asked, "so exactly where was it?" — referring to the joint.

Nelson nodded at the car's ashtray.

"There," he replied. "Right where that one is."

Turner grinned as he recounted the 1994 case. Nelson's self-incriminating response wasn't the testimony the energetic criminal defense lawyer had hoped to elicit, but the judge ruled that the evidence was illegally seized, and prosecutors dropped the drug charges.

"I asked Willie why he smokes so much dope," Turner said as a footnote. "He told me, 'It keeps me from killin' people.'"

The 52-year-old attorney threw back his head and laughed. He loves the world of criminal law.

Joseph A. Turner, the one-time prosecutor who almost didn't get into law school, takes a Heinz-variety of cases — from DWI to murder — and doesn't shy from the limelight that comes with defending celebrities.

In 1999, Turner stood by actor Matthew McConaughey during what the lawyer happily calls the "naked bongo-playing case."

Responding to a disturbance call, Austin police had found McConaughey dancing nude and playing bongos in front of a window of his living room.

A marijuana charge was dropped because of "another bad search issue," Turner said. His client pleaded guilty to violating a city noise ordinance and paid a \$50 fine.

"Civil lawyers may have one case, and they're stuck working the same set of facts for *yeeeeears*," Turner said, seated in his office, formerly an upstairs bedroom of a home built in 1889. "Every day I come to work and a new client sits there and tells me what happened to 'em, and most of the time it's interesting. New stories. That's what I like best — the stories."

Turner likes to say he accepts drug cases for money and murder cases for fun.

"When a [murder] trial is over and that jury comes back with a 'not guilty,' and your client is huggin' you, and you know you've given that person's life back..." The lawyer beamed. "I mean, it's better than sex."

Turner hates losing more than he enjoys winning. And he doesn't lose often, primarily because of his dogged tenacity and work ethic.

His private practice could be summarized in the title of a book written by famed attorney F. Lee Bailey. Joe's mother gave him a copy of *The Defense Never Rests* as a high school graduation gift. He has read it over and over.

"I don't think I've ever been outworked by a prosecutor," Turner said.

One of his clients was acquitted of murder despite the troubling fact that the victim's body was found buried on the defendant's property.

Turner represented a survi-

vor of the Branch Davidian religious sect, which was involved in a 51-day standoff with federal agents. Ruth Riddle was found not guilty of manslaughter, but was convicted of a weapons charge and received a reduced five-year sentence.

On March 31, a Saturday night, Turner received a message.

It was Nelson again, this time calling on behalf of a longtime friend.

Another new — and interesting — story emerged.

Billy Joe Shaver, the Texas songwriter, had shot a fellow patron outside a beer joint in Lorena, and the target of a .22 bullet happened to be the cousin of Shaver's new wife's late ex-husband.

"That's a lawyer's 911 call," Turner said.

He hopped into his silver BMW and headed for Waco, in search of the 67-year-old honky-tonk singer whose eventful life, filled with struggle and sorrow, is like a long-running country song.

## 'A better education'

By age 14, Joe Turner saw his future, clear as a picture on a screen.

He wanted to become a trial lawyer like the smart, successful courtroom star of his favorite 1960s television show.

In each episode, Perry Mason masterfully outwitted his eternally frustrated adversary, district attorney Hamilton Burger.

The Austin teenager became so interested in trials that he skipped class in high school so he could watch real ones. "A better education than school," Turner remembered.

He observed legendary Texas trial lawyer Warren Burnett, and marveled at the man's eloquence and powerful presence in the courtroom. "Please excuse Joe's absence," his mother wrote in notes she gave to him to take to school. "He was in court."

Turner almost failed biology after receiving a zero on a test he missed. He didn't care. "I wasn't gonna be a doctor." While at Sam Houston State University in Huntsville, where he majored in criminology and corrections and earned his undergraduate degree in 2 1/2 years, making high grades, he briefly worked as a state prison guard, another invaluable experience.

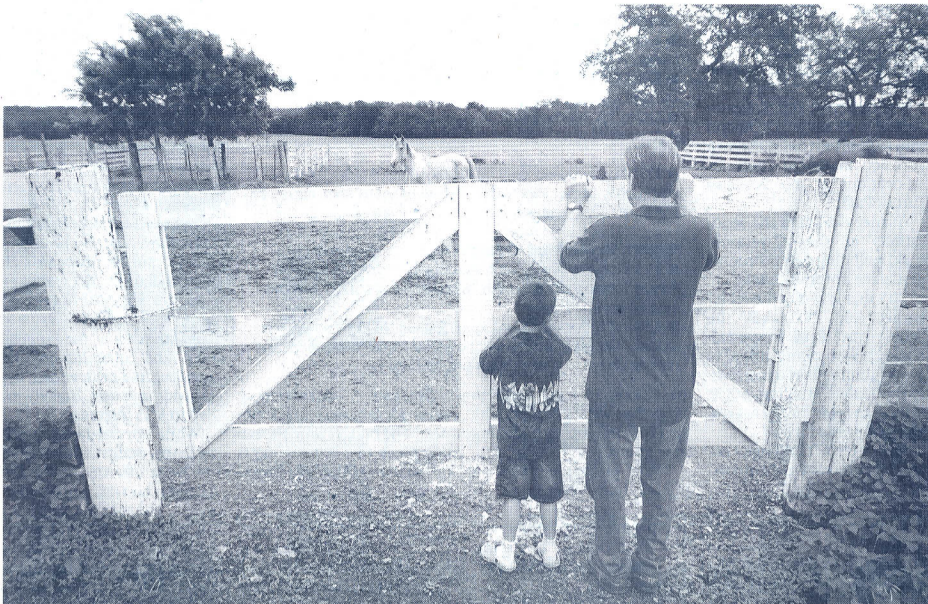
"Boss Turner" — imagine that, Turner said with amusement. "I looked like Barney Fife."

He was a slightly built 19-year-old who looked 16, the unarmed guardian of a cell-block housing 450 prisoners. He ate prison sandwiches. Murderers and burglars told him their stories.

He gained insight into human nature and the harsh, sobering realities of incarceration, lessons not available in any textbook.

Turner didn't fare well on his admission test to the University of Texas Law School, and his application was rejected.

Angry that the school welcomed some minority applicants with lower board scores than his, he took his complaint to the U.S. District Court judge in Austin. The would-be lawyer righteously argued before the judge that he was less financially advantaged than some applicants he knew who were being admitted as disadvantaged. Turner came from a family of six children. His military father moved them more than a dozen times, around the country and overseas, before settling in a small rental house in Austin.



Joe Turner and his son Jackson, 6, look at two of the family's horses at their ranch. Turner, a defense attorney, has represented several high-profile clients including Willie Nelson, Matthew McConaughey and Billy Joe Shaver.

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Joe Turner, above, is defending country singer Billy Joe Shaver, who is accused of shooting a bar patron in Lorena. Turner and his wife, Deena, left, live outside Austin.

STAR-TELEGRAM/TOM PENNINGTON

## Joseph A. Turner

**Education:** majored in criminology and corrections at Sam Houston State University, 1977 graduate of University of Texas Law School

**Family:** wife, Deena; children Jacob, Jeena, Jackson and Joseph.

**Philosophy:** "They asked Clarence Darrow if he believed in luck. Darrow said, 'Yes, it usually comes about two o'clock in the morning in the [law] library.' Or as I would say, 'It happens while wearing out the soles of your shoes.'"



Joe and Deena Turner and their children, Jackson, Jacob, Jeena and Joseph, begin their day by praying in the chapel at their home.

STAR-TELEGRAM/TOM PENNINGTON

Judge Jack Roberts suggested that Turner hire a lawyer, but representation cost money he didn't have.

"So what you're telling me, judge, is that if I don't have any money I don't have any rights," Turner said, feeling the color rising in his cheeks.

Right then, he began defending, pro bono, his first client — Joe Turner.

"I realized that if I couldn't represent myself, how could I ever represent anybody else?" he recalled. "If I was going to take this injustice sitting down, then how was I going to stand up to power later? I just wanted what was fair for me."

The judge listened, then arranged for Turner to meet with the dean of the university's law school. Two hours later, the law school secretary telephoned him at his parents' home. When Turner heard that he was accepted, he cried.

## Blessed with humor

Turner began honing his people skills as a child.

Moving from place to place, he attended as many as three schools in one year and always was having to make new friends.

"I just like people, and people like me," said the husband and father of four. "I see a lot of

successful lawyers and wonder how they do it, because some of them aren't very likable."

Blessed with a quick sense of humor ("Anyone can convict a guilty person. It takes a real prosecutor to convict the innocent"), Turner feels as comfortable before a jury as he does boot-scooting around the dance floor at the Broken Spoke in Austin. He prides himself on his ability to connect with jurors from all economic levels and walks of life, and he trusts their wisdom.

"You can't fool jurors," Turner said. "They can smell a lie. They can smell polish. They'll understand and forgive you if you have a weakness in your case, and you tell them about it. But they won't forgive lyin' to 'em."

Turner has built a successful practice since he began his career in the county prosecutor's office for an annual salary of \$14,000. He wants to like the person he defends, because he can better sell that person's story. In 25 years, he hasn't defended what he called a "predator" killer — one who senselessly kills a stranger in cold blood.

"Most of my [murder] cases are about regular folks who normally would be jurors

themselves. They would have no trouble sending someone else to prison. They would never dream" — Turner cut his blue eyes to the vacant chair across from his desk — "that they would be sitting right there. My job is getting jurors to understand the case from the perspective of the accused. Get them thinking, 'You know, that could happen to me.' When they start seeing it in those terms, you're halfway home."

Buddy Meyer, a Travis County assistant district attorney and head of the trial division, knows Turner well.

"Joe will earnestly negotiate, but if it comes to a trial you better be ready," Meyer said. "He's a vigorous advocate for his client. Some lawyers get a reputation for cheating. Joe doesn't cheat, but he will push an issue as far as the judge will allow it. He's creative."

In 1990, Turner faced a prosecutorial adversary whose win-loss record was the antithesis of the fictional Hamilton Burger's.

Before Terry Keel became Travis County sheriff and later served five terms as a state legislator, he tried more than 50 murder cases as Travis County assistant district attorney. He lost only one time — to Turner.

"That trial, Terry and I nearly came to blows," Turner said. "The judge knew both of us are kind of hotheads, so he told the bailiff, 'Give 'em about 30 minutes [to fight], then break 'em up.'"

Keel praises Turner as one of the best criminal lawyers he knows.

"He is extremely good with the jury. Thoroughly prepared. He goes to the scene. Talks to witnesses. He goes beyond what other lawyers do."

"Joe made me a better lawyer," he said, "because you rise to the level of your opposition."

Keel maintains that even in the case he lost, the defendant was guilty.

"Later, I re-indicted him on another charge. He passed away while on probation."

Keel and Turner joke about the case now. "In the end," Keel said, "I felt like I got the guy the death penalty."

## Damage control

Papa Joe's Texas Saloon sits alongside Interstate 35, next to a cow pasture, a few miles south of Waco.

Like Lorena, the watering hole is a small place, its dimly lit interior decorated with red Christmas lights, neon beer signs and the American, Texas and Confederate flags. There is a Star Wars pinball machine and a jukebox from which flows the earthy, plaintive melodies of Conway Twitty and George Jones. A misspelled sign posted near two felted tables reads, "Pool Tournament on Friday."

Beverage coasters advertise a 24-hour bail bond company whose motto is "You Ring, We'll Spring." Restrooms are for "Pointers" and "Setters."

It was here, witnesses say, that Billy Joe Shaver drew a handgun and fired at Billy Bryant Coker.

After Shaver left the scene, he contacted Nelson.

The two have been friends for more than 35 years. When Shaver's son Eddy, a member of his dad's band, died of a drug overdose at age 38, the grieving father was scheduled to appear the next night at a bar near Austin. Shaver chose to perform that 2000 New Year's Eve show because his son always had insisted that they never miss a gig. Nelson filled in for Eddy on guitar and helped pay funeral expenses.

After hearing about the shooting, Turner drove from his ranch home west of Austin to Waco and met Shaver, who Nelson has said "may be the best songwriter alive today." Among his best-known titles are *I'm Just an Old Chunk of Coal* and *Georgia on a Fast Train*, one of Turner's favorites. The attorney appeared with his client at the McLennan County Jail where Shaver, charged with aggravated assault and possessing a firearm in an establishment where alcohol is served, was released after posting \$50,000 bail.

The lawyer loaned, and has since sold, his spare car to Shaver, a longtime Waco resident.

Coker, shot in the cheek, told police the incident was unprovoked. Turner says that Coker threatened his client with a knife and that Shaver — who hasn't been indicted — acted in self-defense.

Recently, Turner made an off-the-cuff remark while discussing the case with an Austin columnist. He was surprised when the *Austin American-Statesman* printed it, quoting Turner as saying, "He [Shaver] already has done 20 years in Waco. What more can they do to him? I think he's suffered enough."

As damage control, the lawyer called the Waco prosecutor to apologize and explain that he was kidding.

If "Mad Dog" Turner has a weakness, he's aware of it.

"My big mouth," he confessed, "gets me in trouble, from time to time."

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