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## Interview no. 743

Carol Pennock

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UNIVERSITY OF TEXAS AT EL PASO  
INSTITUTE OF ORAL HISTORY

INTERVIEWEE: Carol Pennock (1949- )  
INTERVIEWER: Pauline Dow  
PROJECT: Women Attorneys of El Paso  
DATE OF INTERVIEW: December 3, 1984  
TERMS OF USE: Unrestricted  
TAPE NO.: 743  
TRANSCRIPT NO.: 743  
TRANSCRIBER: Anita Burdett

BIOGRAPHICAL SYNOPSIS OF INTERVIEWEE:

El Paso Attorney, Special Prosecutor, District Attorney's Office

SUMMARY OF INTERVIEW:

A discussion of her law school experiences, hiring practices of El Paso law firms, her job as special rape and child abuse prosecutor in the D. A.'s Office, the attitudes of judges, attorneys, and jurors toward female attorneys, attempts to bar her from the courtroom when she was pregnant, the role of the Women's Bar Association in El Paso, and problems encountered in combining career with single parenting.

Length of Interview: 30 minutes Length of Transcript 15 pages

Carol Jean Pennock  
December 3, 1984  
By Pauline Dow  
Women Attorneys in El Paso

D: All right. If you could please state your full name.

P: Carol Jean Stafford Pennock.

D: Okay. And the date and the place of your birth please?

P: June 19, 1949. Bedford Indiana.

D: Oh, that's my birthday, June 19.

P: Really?

D: Yes, the emancipation of the slaves. Your marital status?

P: I'm divorced.

D: Number and ages of your children?

P: I have one child who is three years old.

D: A little boy?

P: Yes.

D: When you were preparing yourself for law school, if you prepared yourself in college, did you take any courses that you thought would help you in law school?

P: None whatsoever. As an undergraduate student, I was studying nursing and had no idea that sometime I was going to go to law school.

D: Okay. What was your family's reaction to your decision to attend law school?

P: At that time I was married and my husband was extremely supportive. In fact, made job changes and moved so that I could go to law school. My parents, I hadn't been at home for a long time but my parents were supportive also.

D: Okay. How did you decide then or what chain of events occurred that made

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you decide to apply to law school?

P: I guess this is a little bit bizarre and I'll try to make it as short as possible. I guess first of all when I graduated from high school, I had a very limited view of what I might do and I went into nursing because that was one of the appropriate things for me to do as a young woman. I enjoyed nursing a great deal but had never intended that that be a permanent career. I worked a number of years thinking about what I wanted as a permanent career. I guess in the back of my mind I'd always expected to go to medical school and having worked in hospitals and health care for a number of years, decided that I did not want to do that. At about the time I was going through this, my ex-husband decided that he wanted to go to law school and he started attending night law school in San Francisco, and I started attending night law school just so I would see him once in a while and he hated it and I loved it and he quit and I pursued it as a career.

D: So it turned out to be just sort of a way that you folks could sort of see each other and then it got to be your own career.

P: That's right.

D: Okay. When you applied to law school, did you encounter any problems with the administration?

P: Not really. I, as I think is typical, applied to a number of schools and was accepted at some and not at others.

D: You don't feel that you were discriminated against, though, because you were a woman?

P: Not at all.

D: Okay. Was there a quota system for women when you were applying? Were you aware of one?

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P: There may have been in some schools. I don't think there was where I went to school. I went to the University of New Mexico which had quite a number of women and they were very,... They may have had certain quotas of certain minorities but their concern was with the numbers of Indian students and numbers of Mexican American students but if they had quotas, it would have been in those areas and not for women.

D: Okay. Was there scholarship money available for women as far as you know?

P: Not that I was aware of, no.

D: Okay. How did male students react to female students?

P: I think a little bit over half of my class was women and I don't think I saw any kind of negative response from male students towards female students.

D: Okay. How about the male professors. I don't know that there were women professors at your school, were there?

P: There were women professors, not as many as there were men, but I can't recall any instances of discrimination towards women or negative attitudes by male professors.

D: Okay. Did the university you attended, did they go by the Socratic method? I mean were you asked to stand up and recite often? Was it geared in that way?

P: To a certain degree but I don't think nearly as much as most law schools. The University of New Mexico is a very casual, low-key law school. In terms of law schools in general, it's low pressure, family oriented. We had children running through the forum in the law library. It's a very different attitude, I think, from most law schools.

D: Okay. The question I want to ask here is when you were asked to recite,

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if you ever were, did men pick women, single them out for any particular kind of case study?

P: Not that I'm aware of. We were called on to recite, but in terms of any kind of particular method or selecting women students out for certain kinds of questions, I was never aware of that.

D: Can you think of anybody, whether it be family, friend, counselor, professor, or whatever that put any unnecessary roadblocks in your path while you were in law school?

P: No.

D: Were you ever counseled by faculty or administration to pursue any particular field of law?

P: No.

D: Okay. Were you ever discouraged from any particular field including courtroom law?

P: No.

D: Okay. All right. When you graduated from law school, what kind of position did you apply for and what position did you get?

P: I got exactly the position I wanted. Though I applied for a lot of others, I was most interested in practicing criminal law and at the point in time when I graduated from law school, I didn't have a clear idea in terms of whether I wanted to be a prosecutor or a defense attorney; I just knew that I wanted to practice criminal law. I was in the process of moving to El Paso and I wasn't familiar with El Paso so I sent resumes to literally every firm in town and I found almost no one receptive to me at all.

D: That includes large firm, middle size firm, small firms?

P: Yes, yes. I found it very difficult to get a job in El Paso. Now my

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first choice was here in the District Attorney's Office, and I think that when I started applying here that they did not have an opening and also being in the position of hiring now, I understand it a little bit better than when I was trying to get into this office. Just having to do with county government and not being able to plan ahead and never knowing when someone's leaving or whom you're going to get in a position. It's very hard to interview people and talk in terms of "we'll hire you in a month, we'll call you in six months, we'll hire you in a year."

D: Because you don't know if you'll have the financial capabilities?

P: That's correct. So it was difficult to get in this office in terms of timing but certainly not in terms of discrimination as a woman. After I'd been in this office about a year I had the interesting experience of having a partner with a small to middle size firm say, "Carol, why don't send me a resume?" And I said, "I sent you a resume a year ago." And he said, "Yeah, but we threw it away because you were a woman and we didn't know if it would work yet." And so.

D: An overt example of discrimination.

P: Yes, yes. So I know there was discrimination but in most instances it was just plain old not even being able to get in the door and get an interview.

D: Did you ever get a response back? I mean, you sent your resume to the large firms but did they ever at least write you a letter back?

P: No. I got no response from them at all and I think that's now again, I'm learning that's fairly typical of El Paso. The law firms apparently in El Paso do not respond to letters and they don't respond to resumes and when you beat down on the door, on occasion they'll let you in but mostly you need to have, you know, your father or your brother or someone like

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that know someone and arrange for him.

D: Whether you're a male or female or just...

P: I think both if you're a male or a female, but especially if you're a female.

D: All right. So then how did you get this job? What happened? You just kept applying and finally a position opened up?

P: I called Janet Ruesch as a name I had heard in school from someone I went to school with as being an influential female attorney in this town, and said, "How do you get a job in this town? I've sent letters everywhere." And she said basically what I just said to you. She said, "You've got to sit in their offices until they see you." And I said, "Specifically, I want a job in the District Attorney's Office." And she said, "Go sit there until they see you." And I sat here for about two days.

D: And when you finally got an interview you got the job down there?

P: Yes.

D: Okay, so you feel that you did have to settle for less or you didn't have to settle for less because of your sex?

P: I really didn't have to settle for less because this, I think quite coincidentally in El Paso the job that I most wanted was a job that was most open for women so I did not have to settle for something less. If I'd wanted something other than this, I think I probably might have.

D: Would have because of your sex.

P: That's correct.

D: All right, let me ask you a question about something else as far as social goes. Do you feel that marriage and a law profession are a viable combination?

P: Yes.



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D: Then you feel like that would work for women and men alike?

P: Yes. I think regardless of what your career is, if you are a woman, I think it may be difficult in that you have certain expectations for parenting and certain expectations for homemaking and being aggressive in your career. It's difficult, I think, to work out. But I don't think it's any different, maybe more difficult than some, but I don't think, for instance, it's any more difficult as an attorney than it was when I was a nurse.

D: Okay. So if you were a nurse today and still had a family and you had your child and you, it would be just the same or maybe a little more difficult but you still would put it on the same level?

P: Yes, I would.

D: You wouldn't put this position that you're now in higher than...

P: No, I wouldn't.

D: Okay. When you were married or throughout the years that you've had a male relationship or even a female friend or whatever, how did they react to your career? How did they react to you as a professional? Since it's not something that women do predominantly.

P: Um hm. My ex-husband was extremely supportive of me in my career. Now I find that my female friends as well as men that I've had relationships with are all the same feeling.

D: So, they are supportive in that sense.

P: Yes.

D: Okay. So do you feel then that you're well on your way to reaching a personal goal?

P: Yes.

D: You feel you've been successful thus far?

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P: Yes.

D: Do you consider yourself a competitive person, socially, politically?

P: Yes.

D: In both.

P: In both, yes.

D: Do you have political aspirations?

P: No, I don't. Realistically, in this town, to succeed as an attorney you cannot be unaware of politics. I don't want to be a politician per se, I don't want to run for office but you cannot be a successful attorney in this town unless you're aware and involved politically.

D: That means campaigning for other people and stuff like that?

P: That's right.

D: Okay. If you had it to do all over again, would you choose this career, this profession?

P: Yes.

D: Okay. Do you feel, that you have in any way reached a goal for your sex, for women?

P: I get a lot of feedback from jurors, and I've had the experience in terms of a lot of women who have served on juries coming up to me after a case and saying, "You gave me a sense of feeling pride," and that in turn makes me feel very proud and though I, you know, it's not necessarily an objective on a day to day basis, I find that happening. I guess anytime, especially in El Paso, anytime a woman is in the public eye and is in any way successful or even if she's not successful in terms of money or power or something like that, as long as she conducts herself well, I think women are proud of her and she gets a sense of having accomplished something for women.

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D: Do you feel that you have received fair treatment as a prosecutor, as an attorney, from judges and other lawyers?

P: Within this office, from the people who work in this office, for the most part, yes. From people outside of this office, absolutely no, especially in terms of judges. The prime example is when I became pregnant, there was an attempt to bar me from the courtroom just because I was pregnant.

D: From any case or just from that particular one?

P: The attempt was to bar me from that particular case but what was expressed to me was that I shouldn't be in the courtroom at all.

D: That was the implication.

P: Not just the implication. I had many attorneys coming into my office. Let me back up a minute. When I was first appointed as the special rape and child abuse prosecutor, I had many defense attorneys express the opinion to me, "It's not fair to have a woman prosecuting those kinds of cases." So, and unbeknownst to those people when they were expressing that opinion, I was already pregnant. It just wasn't obvious. So there was a feeling that it was unfair for a woman to have that job at all and then when it became apparent that I was pregnant, it was expressed that I shouldn't be allowed to try any rape cases, I shouldn't be allowed to try any child abuse cases and there was quite a question about whether I should be allowed in a courtroom at all. And, you know, that was not just one judge, but that was a lot of attorneys in this community saying things directly to my face and then of course obviously they were going to gossip behind my back, but many having no qualms at all about walking into my office and saying, "What do you think you're doing?"

D: What was your response then or your reaction to what did happen in that case? Did they just wait until after you'd had your child? Do you feel

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that you were treated fairly?

P: No, I don't feel that I was treated fairly at all. I think that the judge's decision to postpone the case until after I was pregnant had terrible implications for women as attorneys. You know, if, I was near the end of my pregnancy and that particular case, the wait of a few months probably didn't hurt, you know, but what if I'd been a civil attorney and my income depended on it and everything had been continued for six months. You know, the implications of it were terrible, but also, you know, at the time I received anonymous threats about things that would happen to me if I pursued the matter and those threats apparently are being realized. I was promised that I would wind up with grievances against me. I have grievances against me, not relating directly to that but I believe as a result of it. So, you know, even though I'm three years down the line I feel like I'm still personally and professionally suffering the consequences of [that decision].

D: Okay. How do clients and jurors respond to you as a woman lawyer?

P: I think very well. I don't think I...I've had...I've even gone so far as to have one juror that I can think of in particular be outraged by the way I was treated by a male attorney in the courtroom. I found the community in general and jurors in general much more open than the legal community and I don't, I can't think of any instance where I've had a jury react badly to me because of my sex but I have had them react badly to judges and defense attorneys because of the way they treated me in the courtroom.

D: Okay. How about the people you defend, how do they react to you?

P: Well, technically I don't represent anybody.

D: Right.

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P: Technically I'm there to prosecute someone. In terms of the people I deal with as victims, I can't recall having a negative response from victim or witnesses because they expected a male attorney and it was a female attorney. And of course if anything, I've used it to my advantage in that I work a great deal with rape victims and with children which I guess in terms of dealing with people that, you know, it seems that rape victims do want to talk to a woman and it seems that sometimes children relate better to woman and I don't know that that's necessarily because I'm a woman but perhaps because of skills I developed as a woman.

D: Right. Let me just ask you this. Say you prosecuted someone, a man, and the victim was also a man and you or the defense attorney won the case for the person that you were prosecuting, have you ever had your victim say to you something discriminatory, you know, "You lost it because of...?"

P: No, never.

D: Nothing like that has ever happened.

P: [No.]

D: Okay. Just a couple of things. Are you a member of the Women's Bar Association?

P: Yes, I am.

D: What's your reaction to that experience?

P: When I was in the situation of being pregnant and the judge was trying to bar me from the courtroom, I found that that group was extremely supportive and people who did not like me personally, you know, put aside personal feelings and were concerned about that issue and I was very proud of that organization, belonging to that organization at that time. And that is perhaps, I guess, the strongest thing I've ever seen them do.

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While I have not been extremely active. Either I do go from time to time to meetings and try to be aware of what they're doing, and in the length of time that I've been in town that was probably the time period when they had the highest attendance, the most extra meetings, a real sense of this being important and trying to accomplish something which I think it was. I think that that was probably the greatest threat to us as a group in the length of time that I've been practicing in El Paso.

D: Do you feel that that organization then is important in terms of support?

P: Yes, I think it is and in fact I like the role they play. Basically, they meet for lunch once a month and are very low-key and don't meddle in a lot of things that are unimportant. When something important happens, they rally as a group and are very strong so I approve of that very much and do find them very supportive.

D: Okay, and how long have you been a part of it? How many years approximately?

P: About five years.

D: Are you a member of the El Paso Bar Association?

P: No, I'm not.

D: Have you ever attended or had any reaction to their annual Bar Banquet?

P: I attended this past year for the first time. And the primary reason I attended this past year for the first time was to try to be supportive. It was the first year that the Women's Bar had had input. There was quite an effort by several women to participate and to tone it down so to speak and so I went to be supportive of those efforts and to be supportive of the El Paso Bar Association, too, in its efforts to change what had been apparently a very bad situation. I had not attended in previous years but had heard gory details.

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D: Right, so asking you to comment on previous years wouldn't be appropriate. I, that's really, you know, all I have. Oh, one other question. What's it like being a mother and being, you know, having this position, because it's a very demanding one, I know? A single mother at that.

P: That's my problem. It's hard for me to relate my problems in parenting to my job. My problems in parenting relate to being alone with my child and not to my job, really.

D: So you feel like if you had a relationship or something that it would be different, it would be less stressful, maybe?

P: Yes. I, you know, any time I think that you have... I have a very good relationship with my child's father and my child spends a lot of time with his father but when the child is with me that's, you know, 24 hours a day so to speak when you're there and there's not relief and if you're sick, you're sick, you know, that kind of thing. But I find, I don't think my job is any more difficult than any other could be. In fact, I'm very lucky to have a lot of friends who work here in the office. You know, I was trying a capital murder case on a Saturday evening and wound up being late and my son wound up going out to dinner with, you know, several female attorneys and a legal secretary and he had a very pleasant time and he couldn't care less that I was down here trying the capital murder [case]. I'm lucky in having a number of women in this office who are very supportive and you don't think anything about going over to my house and picking up my child if the situation calls for it.

D: Wow.

P: So I'm lucky. You know, I could be in another job and not have those kinds of friends close by and have problems.

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D: Right and have to deal with that. Okay. That's really all the questions that I have, unless you want to make any other comments. I'd like to close by maybe saying that, or asking when you came here, attitudes were one way, and today attitudes are another way. Have they changed for the better or for the worse or have they at all in your opinion?

P: I don't think they've changed. And one thing we kind of talked around and has been coming to my mind I should comment on: we talked in the courtroom and the problems I've had. The job I have now as first administrative assistant involves not just work in court but I have to deal a lot with other departments within the county and with commissioner's court and I find other departments in the county and commissioner's court very unwilling to accept a woman in this position. A number of political people in this building would much rather have a male political buddy come down and slap them on the back and discuss a political favor as opposed to having a woman who is very oriented toward proper procedures come in with her facts and figures and follow all the rules and say this is what we're asking for. And I really don't think that attitudes in this courthouse and the attitudes of people I have to deal with have changed at all. I always found Steve Simmons, the district attorney, very receptive to me. He was always concerned. From the very first day he interviewed me for the job up until now he has always looked at me in terms of what are my capabilities, what can I do, what are my assets, and probably what are my shortcomings, but it's not been on the basis of you're a man or you're a woman, therefore you're going to do this or that. And I've always found most of the people in this office extremely open and I do not feel that within this office people have ever discriminated against me or treated me in a particular



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way because I was a woman and as for the rest of the courthouse outside of this office, I don't see attitudes changing. I think men are very sexist and I see that not just towards me but towards any other women in this office and many other women in this courthouse.

END OF INTERVIEW