



CRIME

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Review



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CRIME: Issue No. 2

Something goes wrong and a story begins. A body is found. A boy becomes a killer. A girl gets in the wrong car.

The innocent wait to be identified. A search for a killer takes on a life of its own, stretching for hours, then days, weeks, months, and years. A man who never knew a victim cannot let her murder go. A killer returns, seeking absolution.

There are no stories quite like those that begin with a crime. Crime reveals human nature at its worst and, sometimes, at its best. They are stories that transport us to worlds we might never know, which, given what sets those stories in motion, may be just as well.

Yet, we cannot turn away from them, and not only because they are propelled by drama. It is no exaggeration to say that the oldest story is a crime story, the story of a brother whose envy leads him to act in the most heinous way. There is always a reason, a motive, an explanation, though not an excuse. These stories are about our souls.

Here are eight tales that begin with a crime. They lead in directions that no one could have predicted in the moments before something went wrong.

The Girl Who Wouldn't Die

*If her father was still alive, she knew, he wouldn't want her in this car,
with these men.*

—Erika Hayasaki

1.

If her father were alive, Christina Martinez knew, he would not approve of her riding in this car, through these unfamiliar neighborhoods, with these three men. She looked out the window. The green Mitsubishi made its way down Beverly Boulevard, but not in Hollywood. Here the street stretched through the Los Angeles outskirts of Montebello and Pico Rivera, past the East L.A. sheriff's station, past billboards in Spanish scrawled with graffiti, past check-cashing shops, liquor stores, taco stands, and men wearing long sleeves to cover their tattoos. This was a warm Tuesday in August 2009, and the moon was bright.

Christina, who was 20, called the men in the Eclipse her friends, but they were hardly more than acquaintances. She had hung out with them a few times, and they knew her boyfriend, Kilo, whom she had been dating for two months. She had spent much of this evening with Kilo at the home of his cousin, in Bellflower, north of Long Beach. The three men had stopped by, but mostly stayed outside.

When it came time to go, Kilo stayed behind. The men offered to give Christina a ride home. She accepted, because rides were not easy to come by, and because she'd accepted rides from the driver before. Christina and her son, Alexander, only a year old, lived with her mother, farther north in Lennox, next to Los Angeles International Airport. To the west was the beach. On the way, the men said, they might walk on the sand and smoke a little weed.

Christina was small, not even five feet tall. Even with the front seat pushed all the way back, she fit comfortably in the back, behind the driver. She wore shorts, Kilo's black T-shirt, and Etnies, size 5 ½, with pink E's on the sides. She had dark hair, freckles, arched eyebrows, piercings beneath her bottom lip, and a star tattooed on her right shoulder. She carried a white backpack with cow designs, along with a small red bag with a turtle print. Inside were her makeup, Social Security Card, zebra-printed sunglasses, and a marijuana pipe.

The Mitsubishi turned east. Christina realized: They were headed away from the beach. They stopped for gas, some cigarettes, and two Arizona iced teas. Then they headed east again.

"Where are we going?" she asked.

No one answered. Lil Wayne spewed from the stereo.

Christina felt a twinge of uncertainty, but she let it pass. Maybe the men had another stop to make before turning west toward the ocean.

Her dad, she thought, had not been so different from these men. Her father had been in the Lennox gang. Christina was his first daughter and he was strict. He had not allowed her to cut her hair, and the rule was the same for her mother. Women, he said, should have long hair, and at one point, Christina's reached so far down her back that she

could sit on it. Her father did not let her go to parties. He did not even let her walk down the block alone. She had to stay inside and do homework and her chores.

But she rebelled, cutting her hair despite her father's wishes, dying it purple, orange, red, and yellow. She thought she was smart enough and tough enough to do whatever she wanted, go wherever she wanted, and ride with whomever she wanted.

To Christina, growing up in Lennox didn't seem as scary as outsiders might think. Her dad had carried weapons, and he'd known whom not to cross. He died when she was 18. She didn't talk about her dad much, but she missed him. Sometimes, she dreamed about him.

The driver of the Mitsubishi was Jose Miguel Ayala, 27, also known as Mike. She knew Mike always carried a knife. It had a royal blue handle. But Mike had been almost fatherly. They had even worked together. Not long after her father died, Christina had become a promoter of raves and other musical events, and she brought Mike into the business. Christina liked the hard-driving rave parties, featuring electronic, trance, happy hardcore techno, and house music. She had met Mike through mutual friends, and had recommended him to be a promoter, too. They passed out fliers in Hollywood and around Los Angeles. Sometimes they earned \$500 apiece for a weekend of organizing and promoting. Mike called Christina by her rave name, "Candy," and sometimes he called her his "daughter." She called him "daddy." Mike drove her to run errands more than once. He had even spotted her a few dollars when she needed them.

But Mike could be intimidating. He took everything personally. Any little argument, she knew, could set him off. Just recently, for instance, she had gotten into a silly quarrel with Kilo—she couldn't even remember

what it was about. They had all been at the home of Kilo's grandparents in El Monte. Mike, who lived in El Monte too, was at the house, and he took Kilo's side.

"This is between me and my boyfriend," Christina said at the time.

Mike flared. He yelled at her. "You have to leave," he said. "Leave my 'hood now!"

Christina ignored him and stayed. She and Kilo argued some more. But Mike insisted that she leave. He threatened to hurt her if she didn't, and she finally called her mother to come pick her up.

Christina saw Mike afterward, and they didn't speak. Now, five days later, at Kilo's cousin's house in Bellflower, when Mike offered to take her home after a stop at the beach, it seemed his way of letting their disagreement go. If he was ready, Christina thought, so was she.

Next to Mike in the front seat sat Vincent Mendoza, 21, who went by Vince. Christina knew he carried a knife, too. It was silver. To her right in the back seat was Eddie Meraz, 24, whom she knew the least. She had been around him only twice—once at a pool party just days ago, which had been at Vince's house. Eddie had brought carne asada and beer.

Now Christina could see that they were headed toward the hills southeast of Los Angeles. Mike was sweating, driving 50 miles per hour through 30 mph zones in Whittier, past Spanish-style apartment buildings, pick-up trucks and older cars, and homes shielded from the sidewalks by sculpted trees. He drove through an intersection near the mouth of Turnbull Canyon. The road narrowed and wove into dirt hills on the left, past tree branches on the right that hung over the street like claws.

Mike cocked his head. He had an indecipherable tattoo, partly inked-over, on his neck.

"I'm going to have to tie your hands," he said.

“What?” she said.

“Tie her hands,” Mike told Eddie.

Christina looked at Eddie, confused. Suddenly, Eddie was holding a rope.

“You’re not going to touch my hands,” she said, pulling her arms to her chest.

The speed limit had dropped to 15 miles per hour, but Mike paid no attention. The car hurtled past a yellow sign that showed an arrow with a swerving tail, indicating switchbacks. Mike looked angry. Christina did not know why.

Eddie reached for her hands. Christina dodged him. Was he serious? Eddie looked nervous.

Mike told him again: “Tie her fucking hands.”

2.

Christina Ivonne Martinez was born in Lennox. Her mother, Monica, was 17 at the time and worked in a Laundromat. Now in her 30s, Monica Martinez still looked so young she was sometimes mistaken for Christina’s sister. The large Mexican-American family lived on a 755-square-foot lot owned by Christina’s grandparents near Los Angeles International Airport, where planes roaring overhead looked as if they might flatten the neighborhood if they landed too soon. Christina’s family used every inch of the lot for their three houses. The gated front house was for her grandparents. The back house was for Christina’s aunt and uncle. The middle house was for Christina, her parents, three brothers, and a sister.

Christina's father had worked off and on as a waiter and a bartender. One of her favorite things to do was to sit with him and watch the movies he liked—Scarface. The Godfather. Carlito's Way. She liked Stephen King movies, too, and she was fond of zombies and vampires. Nothing could scare her. When other girls in the neighborhood taunted and threatened her, she stood up to them and cursed back in their faces. Christina might have been small, but she had heart. She would fight back if she had to, but somehow it never came down to that. Despite a few close calls, Christina had never been in a real fight.

Sometimes friends who came to her house said, "You live in the 'hood!" To Christina, the 'hood was home, and it didn't seem so bad. She did not dwell on the drive-by shootings or the gunshot victims who sometimes rolled along the sidewalks in their wheelchairs. Occasionally she heard shooting on her block, but she did not worry about her safety. She knew her father used drugs, but she never saw him do it. She had fond memories of her childhood: going to Six Flags Magic Mountain with her parents; tumbling around in an inflatable jumper in her backyard; taking her first school field trip, to the Lennox Library, where she held hands with a boy.

She had been baptized and confirmed in her grandparents' Catholic faith. They kept a sacred heart of Jesus sticker on the front window of their home. Christina didn't go to Mass regularly, but she believed in God and guardian angels. She also believed that spirits lingered on earth, and she thought she was in touch with them sometimes. She adored children, especially her siblings. All three were younger than she was, and she babysat them whenever she had to and gave her mother advice about how to take care of them. Sometimes Christina was more like the mom in the family. When her mother went out, Christina would say, "Okay, what time are you coming home?"

When she became a teenager, Christina loved the feeling of being in love. On her 18th birthday, she moved out of her family home and in with her boyfriend at the time. This maddened her father. They argued, and the rift had not been fully resolved when her mother and sister found him unconscious one morning at the family home. He was overweight and had been taking methadone for drug withdrawal, but it was a stroke at 35 that killed him that morning. Christina did not cry until days later, when she saw her father in his casket.

Similarly, she did not fret when she discovered she was pregnant. She enrolled in a high school for expectant mothers and got her diploma when she was five months along. After Alexander was born, she took good care of him. She did not dwell, either, when she and Alexander's father broke up. She had her way of surviving this life. Keep moving, she told herself. Step by step. Don't look back.



Now what? Eddie was trying to knot it around her wrists.

"She doesn't want...", Eddie would recall saying.

"Do it!" Mike screamed.

With one hand on the wheel of the Mitsubishi, he reached for his knife with the other. He flashed its blade toward the back seat. Eddie was almost twice as big as Christina. It would have been easy for him to overpower her, but he trembled and fumbled as Christina squirmed and dodged.

Mike pulled over and leaned into the back seat. He placed the blade of his knife on Christina's throat.

Eddie froze.

“If you don’t stop moving,” Mike told Christina, “I’m going to fucking kill you.” Christina cried. “Why are you doing this to me?”

3.

Of the three men in the car, Christina knew Mike the best. He had grown up in El Monte, a 20-minute drive east of Los Angeles. He looked older than 27, with his haggard face, fleshy jowl, and coarse black hair. He earned his GED through Bassett Adult School, in La Puente, and had taken some classes at Rio Hondo Community College. He was married and had an eight-year-old daughter, but was separated from his wife and had not seen his little girl in four years. For the last two years, Mike had lived with his parents in El Monte, where he contributed \$300 a month toward rent. He listed his employer as “Club Chaos,” where he earned \$20 an hour.

Police reports said it was suspected that Mike was a member of the El Monte Flores gang, one of the largest in the San Gabriel Valley. And Mike had spent much of the last seven years in and out of prison—for burglary, possession of stolen property, possession of drug paraphernalia, driving with a suspended license, drag racing on a highway, and failure to appear in court. He had also been arrested for home robbery and intention to commit larceny, for which he served two years. After his release, he was arrested again for making threats to cause “great bodily injury” and death to his ex-wife and another man. That time, he was sentenced to 32 months in prison.

Christina knew Vince, too, but not as well as Mike. Vince was slim, with a hollowed-out face and a bulging Adam’s apple. Vince had also grown up in El Monte, and lived two houses away from Mike, but he did not have a criminal record or any known gang ties. That summer, he had

returned from basic training for the US Army at the Fort Knox military base in Kentucky, and was staying with his parents. Vince got into arguments with his dad and sometimes ended up staying the night at the house of his other neighbor, who was Mike's girlfriend. Vince, too, had a girlfriend, Stephanie, from Monrovia, California.

Stephanie was scared of Mike. She thought he became mean when he was high and drunk, and she heard he had given his girlfriend—a friend of hers—a purple eye. Vince didn't seem to have Mike's dark spirit. To her, Vince was nothing but sweet.

Earlier that night, Stephanie had been at Vince's house when Eddie came over. Vince's cell phone rang. Vince had walked away from his phone, so she answered. It was Mike. He was on his way. Mike told Stephanie that he and Vince were going to "confront" a girl named Christina. He told Stephanie not to tell Eddie about the plan. Stephanie considered Eddie a friend. She hung up and suggested that Eddie not get in the car with Mike and Vince. She thought there was "going to be trouble." Eddie ignored her.

Christina knew Eddie the least. He had a buzz cut and a face shaped like a papaya, with a dent that ran from the left of his forehead across the center. He had been a softhearted youngster, to a fault. When the ice cream truck drove down his street playing its tune, his mother would give him \$5. His brothers and cousins insisted that Eddie buy their ice cream first, and he seldom had money left for his own. Eddie's mother thought her son didn't know how to stick up for himself.

As Eddie grew, he played clarinet in his junior high marching band. On weekends, he attended meetings at his mother's Jehovah's Witness congregation. Week after week, Eddie put on a suit and tie and followed his mother from door to door spreading The Good News. But Eddie never felt as worthy as his brothers, who went to Cal Poly Pomona and USC

and had careers. Eddie dropped out of high school, worked for a towing service, and used marijuana to fit in. On his 18th birthday, he started smoking meth.



One thing Christina did not know is that there had been repercussions from her argument with Mike, the one she thought was all over. Word of the disagreement had reached Christina's former boyfriend, the father of her little boy, police would report. The baby's father got the impression that Mike had beaten Christina, and the police were told that the former boyfriend vowed to retaliate. Kilo found out. He told Vince, and Vince told Mike. Now Mike thought Christina had put a hit on him. Mike, the police said, wanted revenge.

Before leaving on their ride, Eddie would say later, Mike had gone into the bathroom at Kilo's house in Bellflower and injected himself with meth. Eddie said he watched Mike "slam" it —shoot the drug straight into his bloodstream. He asked Eddie if he wanted to slam, Eddie said. At Narcotics Anonymous, Eddie had learned that slamming was highly addictive. He feared that if he started doing it he would never be able to stop. So he smoked the meth instead.

Now, in the green Mitsubishi, Mike had grown impatient with Eddie's inability, or reluctance, to tie Christina up. Vince reached over from the front passenger seat and punched Christina—hard, several times. Now it was up to Eddie: Be a part of this, or be a punk. Eddie tied Christina's hands in front of her.

4.

Christina didn't move. She could see Vince holding a needle and a syringe. Vince turned to Mike, in the driver's seat. "Where do you want it?"

In her neck, Mike said.

Vince leaned into the back seat and plunged the needle into the left side of Christina's neck, over and over—five times.

Each time, she felt a stabbing pain. She did not know what Vince was injecting. Police would say it might have been insulin. Christina grew nauseous. She was terrified.

Mike turned off the engine. They were in Turnbull Canyon. Eddie pushed Christina out of the car. Mike grabbed her shoulders and steered her away from the Mitsubishi.

She gasped for breath. She coughed, then choked. Her body grew hot, and she began to feel numb. She spat in the dirt.

"Why are you doing this to me?" she asked, again.

Vince and Eddie stood behind her, near the car. Mike clearly was in charge. He guided her toward a steep embankment, almost a cliff. He untied her hands. "If you trust me," Mike said, "nothing is going to happen to you." He put his arms around her. "Do you trust me?"

Was he playing a sick joke? Christina thought.

He pushed her to the ground. She felt a blow to her head.

"You set me up," Mike said.

Another blow. She tried to cover her head with her hands. It felt as if she were being beaten with something heavy. A bat? A rock? It didn't hurt much, because she was numb. She could hear sneakers crunching on the pavement next to her. Another blow to the head. Then a blow to her ribs. Another to the head. She was bleeding. Her eyesight faded. Her hearing grew muffled. Christina lost consciousness.

Mike was using rock. It was bloody, and the sound made Eddie sick. "All right," Eddie said. "All right." Mike stopped.

Now it was quiet. Eddie could hear no cars as they stood there under the moon and stars.

Slowly, Christina came to. She could not see, but she could hear and feel. She was being picked up by two people, maybe three. She heard someone say, "She's out. She's out." She thought it was Eddie. Then she heard someone say, "Grab her shoe." She thought it was Mike.

Now she felt herself being carried by each limb, and then hurled, like a sack of trash. That was when she realized: She was going over the cliff.

She sensed herself falling. Then tumbling. Then rolling. Over bushes—the branches digging into her back and scratching her cheeks. Over rocks. The hard edges bruising her. Over sticks. The tips tore at her face, arms, legs, and feet. Finally she stopped. She was 20 feet below the road, and on her back. She still could not see.

But she was starting to feel again. She was lying next to a tree. She turned on her side, then on to her knees, and used her hands to push herself up.

Suddenly her vision returned. Mike clambered down the crag.

"You try to kill me, you try to threaten me, and this is what happens," he said. He was behind her now.

She knelt and attempted to push him away. Then she saw his blue-handled knife.

“Just let it happen,” he said.

Christina felt the blade against her neck, then ripping her skin. He was slashing her throat. Left to right. One slice cut two inches across, beneath the left side of her chin. It happened fast. The next slice was two times longer, running from her ear line to chin line, and Mike worked harder at this wound, lifting out his knife at two inches, then thrusting it back in below the initial entry point, creating the shape of a two-pronged pitchfork.

She dropped to the ground and began to gag and gasp for air.

Mike turned and began climbing back up the precipice.

Christina touched her neck. She looked at her hand. It was covered with blood. The blood felt sticky and looked black in the night. She thought her wounds were wide enough that her fingers could slip right inside and touch her vocal chords.

“Oh, my God, I’m bleeding,” she cried.

“She’s still talking,” said someone at the top. It sounded like Eddie.

As Mike climbed, he motioned to Vince, who began to make his way down. Christina could see him holding his silver knife.

Vince maneuvered behind her. Twice she felt him plunge his knife into her neck: two hard jabs, like punches, on the right side, beneath her right ear. More blood spilled out.

Survive, she thought. Keep going. Then it came to her: either I let them kill me, or I pretend that I’m dead. Squeezing her eyes shut, Christina lay still.

She could hear Vince climbing back up to the road. Then she heard the engine start in the Mitsubishi. Tires grated against gravel, then squealed on the pavement.



Christina was in a ravine, at the bottom of the precipice. Coyotes could find her. Maybe mountain lions. Or snakes.

The left side of her cheek felt puffy. Her bottom lip was busted, but a silver lip stud remained intact. Blood ran out of her neck and down her shirt, pooling over the earth beneath her. It felt warm and gooey. Her heart pounded. Her mind raced.

But she did not move.

The sound of the Mitsubishi faded. She heard nothing—no other cars on the road, no sounds of life nearby. Finally she opened her eyes and pushed herself up to a stand. The only light came from the big, round moon.

She looked at her dirt-caked legs. She had only one sock. The other must have fallen off, along with her Etnies. Her long dark hair was tangled and matted with blood, dirt, and grass. She still had her shorts on and Kilo's black T-shirt. Kilo felt far away. She felt lonelier than she had ever been.

Her whole life she thought she had not needed her father to tell her how to live, but now she wished he could carry her out of this canyon. She couldn't dwell on it. Alexander, her little son, was asleep. All at once, she felt a mother's panic: Alexander's medical insurance card was tucked away with hers inside of her Hawaiian turtle bag. Where was the bag? She had to get home to Alexander.

Survive, she thought. She would not die. Not today.

She stood, took off Kilo's T-shirt, and wrapped it around her neck to staunch the bleeding. She pulled the ends of the shirt and tied a knot.

Then she started to climb.

5.

Turnbull Canyon is infamous. People tell stories—about suicides there, satanic rituals, extraterrestrial activities, about a haunted burial ground, cults, black magic, torture, the slaughter of orphan children, about a plane crash with 29 dead who were never identified, a hidden missile command center, about a baby's body found in a swimming pool filled with sacrificed animals, about pentagrams, a gang execution, a colony of midgets, a place where gravity pulls cars uphill, a path into a rock wall called "Hell's Gate," and about presences shrieking and speaking in tongues.

The stories were wild, variously affirmed and dismissed, but there was no denying that people had been killed in Turnbull Canyon, not far from where Christina struggled—barefoot, a step upward and a slide downward, blood oozing from her neck. The canyon was a thicket of sycamore, eucalyptus, and pine trees, wildflowers and prickly-pear cacti, with intermittent meadows of green and yellow grass that attracted deer and bobcats.

Visible from the crest was Rose Hills Memorial Park, a 2,500-acre cemetery, one of the largest in the world. Inside stood a six-foot marble kiosk called the Homicide Victims Memorial. It featured a touch screen with biographies "dedicated to those who lost their lives in violent crimes." One was a 15-year-old boy who walked home from a party in 1979,

was kidnapped by two men, then stabbed and thrown from a ridge in Turnbull Canyon. The boy crawled back up to a road and was taken to a hospital. He died during surgery.

In 1992, a cyclist on a Saturday morning ride saw someone in a station wagon throwing trash over the side of Turnbull Canyon Road. The rider noted the vehicle's license plate number. The trash was the body of a man wrapped in a plastic bag. He had been shot in the head and chest as he slept in his El Monte home. Seven years later, a man kidnapped a woman and forced her to drive up Turnbull Canyon Road with another man in the car. The kidnapper gouged the man's eyes out, then killed him and pushed his body over a cliff.

In 2002, only a mile east of where Christina was stumbling and falling and cutting her feet on rocks and thorns, three other men from El Monte had tried to strangle a 17-year-old girl in an SUV, as she pleaded: "Please, no. God doesn't want me to die." One man shot her in the head. The driver took off with her foot tangled in a seatbelt, dragging her body from Turnbull Canyon Road for five miles before finally ditching it.

Despite the canyon's sinister history, there were good people who lived in these hills, not too far away from where Christina had been dumped. People built homes at the top, overlooking the San Gabriel Valley, living close to the land, enjoying the scenery and the hiking and horse trails. There were people who might help a young woman from the other side of the city, if they knew she was out there struggling to survive.

6.

One step at a time. Christina climbed and crawled up the precipice, grabbing onto branches to steady herself, digging her knees and toes and fingernails into the bluff. Whatever Vince had injected into her neck was still numbing much of her pain. Why did they despise her so?

Keep moving, she told herself. Don't look back.

Christina finally reached the roadway. Could she run? She tried. Her legs carried her. Run, she thought. Keep running. My son, Alexander. Keep running. My son.

Exhausted and out of breath, Christina noticed headlights in the distance. Was the Mitsubishi, coming back? Were they circling to make sure she had not escaped? Had they spotted her scrambling up the bluff and turned around to finish her off?

It was the Mitsubishi, she realized, and it was getting closer.

Christina saw a grove of trees. She jumped off the road and crouched under them, trying to blend into the branches and the leaves. Her breath felt heavy and she tried to quiet each one. She prayed they would not see her.

The Mitsubishi drove by, and kept going, until it wasn't visible anymore. The car left the canyon a second time.

Christina crawled out of her hiding place and stumbled back onto the road. She again tried to run, worried that the Mitsubishi might circle around one more time.

But it would take hours for her to make it back to the Whittier neighborhoods they had passed through on their way into the canyon. She felt like she was going to pass out. She could tell that her body was too exhausted to keep running along the road, diving in between trees whenever she heard a noise.

She remembered her grandparents' faith. Please God, help me.

She felt herself fading, but managed to stay awake. She knew it then: Her dad was with her. She could tell. She could feel his presence. Despite their differences, she was still his little girl. He was helping her stay awake. Helping her run.

She saw homes on a hill. A light. Stay on the road or climb? The light seemed a mile away, almost straight up, through a tangle of shrubbery. Christina decided to climb.

She found footholds, grabbed branches, and crawled upward and across the face of the hill, slowly and deliberately.

One foot, then the other. One hand, then the other. Her hands shook. Her legs trembled. She lost her grip and tried again. The moon lit her way. Step by step, she kept moving.

She reached the top of the hill and looked around. She was facing a row of backyards. The light was from a streetlamp shining on a house on Altmark Avenue. Inside, the living room window glowed.

Christina climbed over a low fence and ran past pine trees, a fire ring, and some patio furniture. Her movement set off a security alarm. She reached the back door and pounded on it with a bloody fist.

7.

Arlene Boatright had lived in the house on Altmark Avenue for 38 years. It was custom built, with a green-trimmed roof and a red brick chimney. She was 90 years old. She slept in an easy chair in the downstairs living room with the lights on. It was a habit she had acquired when she tended to her husband after he became ill and moved into a first-floor bedroom down the hall.

Arlene and her husband had been about to celebrate their 67th wedding anniversary when he died, in 2007, of congestive heart failure. Arlene had been a cashier and a manager for Montgomery Ward, then for a men's clothing store in Whittier. Now, 35 years into retirement, she danced the jitterbug five hours a week at a senior center and spent nearly every day at the First Christian Church, where she headed the lay board of directors, worked as a secretary, organized weddings, and greeted visitors. A devout Christian, Arlene read the Bible daily. She kept verses like this one from the book of Daniel: "Blessed be the name of God forever and ever, for wisdom and might are his."

In her spare time, she made deviled eggs and dusted the collection of dolls and crystal figurines that had belonged to her mother until she had died at the age of 103, "still sharp as a whip," as Arlene liked to say. Arlene kept the dolls wrapped in plastic; one was nearly 300 years old. She attached adhesive to the bottoms of the crystal lilies and unicorns, in case of an earthquake. Her sister had died in 2007, and Arlene had no living family members close by. She had grown used to living alone.

She had injured her femur not long ago, and learned to sleep in her clothes. If she needed to go to a hospital during the night, she figured, she would not have to worry about dressing.

That Tuesday in August, Arlene had fallen asleep around one in the morning in her chair, the kitchen lights on as usual. When her house alarm began to blare around 3:30 a.m., she joggled out of her seat. She thought she heard sounds at the back door.

Never had Arlene received a visitor at such an hour. If this was trouble, she had no way to defend herself. But all her life, Arlene had trusted in God.

She heard a young woman's voice. "My throat's been cut."

8.

Was it her neighbor? Arlene did not hesitate. She turned off the alarm, opened the door and found herself face to face with a shoeless stranger in shorts, a red bra, and only one sock.

She had never seen this child before. At least she looked like a child, so tiny and fragile, with a shirt wrapped around her neck. She had blood on her hands and smeared across her chest and face, and twigs and leaves tangled in her hair. "My throat's been cut," the girl said, again. "I know the guys who did it." They were still out there, she said, and maybe they were following her.

Arlene helped Christina into her kitchen. She closed the back door, now smeared with Christina's blood.

"I know the car," Christina said.

Arlene dialed the police. Christina took the phone and asked for an ambulance, explaining that her throat had been slashed.

Arlene took the phone and gave her address. "This girl doesn't know me," she told the police operator, "and she said somebody attacked her."

“Did she come into your house?”

“I just let her in the back door of my house.”

“Is she bleeding badly?”

“Where are you bleeding, honey?” Arlene asked. Then she saw. “It’s her throat. She’s got something wrapped around her.”

“Let me talk to her,” the operator said.

Mumbling and out of breath, Christina answered more questions.

“Did somebody kidnap you?”

“Yeah, they grabbed...they brought me to my friend’s house, and they said we were going to go to the beach, and then they just . . .”

“So they kidnapped you? They did all that, but they dropped you off where you are right now?”

“They threw me over here.”

The operator kept her talking. “Do you know who these people are?”

“They were some people that I knew. Some friends, I guess.”

“And they stabbed you in your neck?”

“Yes. Umm, lady, I’m about to pass out.”

At one point, Arlene took the phone to give Christina a rest, but the operator demanded to speak to her again. Christina said the people who cut her were driving a green Mitsubishi Eclipse. She said their names were Mike, Vince, and Eddie.

Arlene and Christina waited. Christina wrote down her mother’s telephone number. Arlene began picking the twigs out of Christina’s hair.

9.

Fifteen miles away, Mike pulled up at his girlfriend's house. He, Vince, and Eddie dropped off a plastic bag wrapped in a T-shirt. Mike left but then came back again, this time to pick up shovels. At one point, Eddie tried to leave and go home. "I'm out," he declared. But, he told investigators afterward, Mike told him they were going to finish the job—bury Christina—and that if Eddie left, they would drive to his house and kill his mother. Eddie climbed into the back seat of the Mitsubishi next to the shovels.

After they left, Mike's girlfriend drove to a shopping center in Montebello, 20 minutes away, and threw the bag into a green dumpster. Inside the bag were used and unused syringes, a blue knife, a silver knife, latex gloves, black gloves, a small red bag with Hawaiian turtle print, Christina's Social Security card, and a traffic ticket she had been issued a few days before.

Mike drove toward Turnbull Canyon. It was around 4:30 a.m. by the time the three men returned to the canyon for a third time.

10.

Paramedics wrapped Christina in a compression blanket. She was pale and losing strength. The police officers asked her questions, but it hurt to talk. She managed to tell them three letters she thought she remembered from Mike's license plate: S-M-E.

Several officers left to hunt for the green Mitsubishi. Two in separate cars stopped to compare notes. One said he was going to take another pass through Turnbull Canyon. As he pulled away, he noticed headlights

in his rearview mirror. He drove to the side of the road and let the headlights pass. The car was a green Mitsubishi Eclipse. Its license number was 5MEZ353. Not S-M-E, but close enough. Inside were three men. The other officer noticed too. He radioed: "We need to stop that car."

They did. Pistols drawn, shielding themselves with their patrol car doors, the police ordered the three men to get out with their hands on their heads. It was Mike, Vince, and Eddie. They did not resist.

One officer spotted a large shovel inside the Mitsubishi, along with a smaller collapsible shovel, a rope, and paper towels.

The car was registered to Mike. Investigators found a blue glass marijuana pipe, Marlboro 100s, Arizona iced tea cans, a black flashlight, and a clear glass pipe with white residue that appeared to be meth. In the hatch trunk, they found latex gloves and a green bulletproof vest.

11.

For the next three years, Arlene Boatright would wake up at 3:33 a.m. every day, three minutes after Christina had knocked on her door. Arlene would then lie back in her easy chair until she fell asleep again.

As quickly as she had appeared at Arlene's back door, Christina was gone, whisked away to the USC Medical Center. There was good news from the police: Christina was expected to live. The officers finally left Arlene's house around 5:30 a.m. Then, Arlene was alone again.

She did not wash the bloody print of Christina's fist off her back door. It became a keepsake. Maybe Christina was part of why God had let her outlive all of her loved ones, though. She wrote about it:

August 4, 2009, at 3:30 a.m., an angel I became.

Knocking at my kitchen door a voice...

Her resolve to live brought her to my door...

It was a time in my life, I'll never forget at 90 years old

I will always know God must have led me to do what I did.

12.

At the hospital, doctors stitched the slashes on Christina's neck and stapled the gashes on her head. Two days later, once she had recovered enough to be released, she did not go home to her mother and her little boy. Instead, she hid at an uncle's apartment near downtown L.A. for another couple of days.

At his sink, she washed the last of the crusted blood from her hair. Her uncle told her not to trust anyone but her family. Not friends. Not Kilo, either. There was no way to know who had been in on the plot to harm her.

Her family closed Christina's MySpace account and erased her online identity. There were hundreds of people in the Los Angeles area named Martinez. Reporters did not know she lived in Lennox. News crews searched for her in Bellflower, based on police information, and in El Monte, where Mike, Vince, and Eddie lived.

In the mirror, Christina saw the ugly red scars on her neck and wondered if they would ever disappear. She was embarrassed to go out in public. As the summer months passed into fall and then winter, she suffered through bouts of post-traumatic stress. A violent scene on TV would bring her to tears. Sometimes, with no provocation, she ran into the bathroom and sobbed.

Once back at home in Lennox, she stayed in her house, took care of Alexander, watched movies, and played video games. Her rave life came to a halt. No more party promoting. No more crowds.

She identified her attackers in a photo line-up, but it frightened her. There was no way to know which friends of Mike, Vince, or Eddie might retaliate.

Kilo swore he was not involved in the plot against her. He went to the police and told them so. Christina went with him. The police did not arrest Kilo, and later cleared him of any involvement.

Christina followed in her mother's footsteps, working in the same Laundromat that her mother had years ago. She wanted to do something more with this life she had almost lost, but didn't know how.

In time, the scars on Christina's neck began to fade. Her confidence started to grow. She thought often about the elderly lady who helped save her life.



To receive the best chance at justice, Christina's attorney told her she would have to testify against the men who hurt her. At first, she didn't want to do it. She didn't want to see Mike, Vince, or Eddie again.

But she grew tired of being scared. "You can't always hide," she would say later. Christina told her attorney that she would tell her side of the story in court. She wanted to know.

They went to trial in December 2011. The final sentencing did not come to a close until June of 2012, nearly three years after the late night ride to Turnbull Canyon. Vince and Eddie sat in the courtroom.

Mike was not there. He had pleaded guilty to attempted murder. In his police interviews, Mike had blamed the bulk of the crime on Eddie and Vince, claiming that it happened because they had received an order from a gang leader who went by the name “Bugsy,” who belonged to the Mexican mafia. When police asked Mike why Christina had been targeted, he said it was because she had been telling lies. Mike also told police that he knew about insulin’s effects on the body, and was aware that a certain amount would make a person’s body go into shock. Mike said that after Christina was thrown into the canyon, he could hear her yelling out “Daddy, Daddy.” Mike said he felt bad that he couldn’t do anything to help her.

Mike was sentenced to 39 years to life in prison.

On the stand, Christina told about her ride in the green Mitsubishi, the rope, the beating, and the cliff. When she spoke about Eddie tying her hands and Vince stabbing her in the neck, she looked at each of them. They looked away.

In her interviews with police, which came out in court, she talked about the differences between Mike, Vince, and Eddie: “Mike’s crazy, and obviously...any little thing would light his fire, any little thing,” she told the police. “Like even a little argument...would cause him to turn against you. To think that I’m out to get him, that I wanted to kill him....”

She said she thought Mike had something wrong in his head.

And that everybody knew Vince was a follower. “Eddie,” she said, “I don’t know why he was there...Eddie looked very nervous.”

The prosecutor showed Christina photos of her injuries. “Do you recognize this?” he asked. The image showed Christina in a hospital gown, a bloody bandage on the right side of her neck and two open slashes on the left, deep and red. She had a dark bruise on her right cheek.

She began to cry. “My lips are busted,” she said. “My nose is swollen, and both sides of my face are swollen.”

“As a result of this incident, do you have any physical problems?” “Yes,” she said. “I get a lot of migraines.”

The prosecutor called the next witness: Arlene Boatright.

Arlene recalled the experience of opening the door and coming face-to-face with Christina, her hands full of blood.

The prosecutor showed Arlene a photograph. “What’s the terrain like between Turnbull Canyon and your house?”

“Very hilly,” Arlene said. “And you go about a few—about 50 feet down ...the hill drops straight down to the road. So the girl would have had to come a distance before she could possibly get up the hill.”

“What would you estimate that distance?”

“Probably a quarter mile,” Arlene testified.



In the months to come, a second chance at life would change Christina. She would refocus on her son. She would refuse to allow herself to dwell on the crime. She would try instead to keep moving forward, try not to look back. Step by step. Christina had her way of surviving this life that she had been born into, and it had worked for her so far.

After the trial, Christina would apply for financial aide and enroll at El Camino College in Torrance, and begin working toward an associate degree and a certificate in childhood education.

Vince would be found guilty at trial of attempted murder, kidnapping, conspiracy, and assault with a deadly weapon, and sentenced to 36 years to life in prison.

Defense attorneys would argue that Eddie was afraid of what would happen to him if he didn't follow Mike's orders, that he had been in the wrong place at the wrong time and was forced to participate. "Mike is in total and complete control of everyone during this entire incident," the defense attorney said. The defense would ask the public to ponder this idea: If you felt, as Eddie said he did, that your life could be in jeopardy, would you play hero? Or would you play along?

But Eddie would also be found guilty of the same charges, and sentenced to 33 years to life.

Christina's dreams about her father would no longer come as often, but she still believed in guardian angels, and she knew that he and Arlene were hers.

Arlene stood outside of the courthouse that afternoon, following her testimony. Christina told her she hadn't been able to find a flower store nearby, and apologized.

"I don't need any flowers," Arlene said. She said the fact that Christina was alive was enough.

Christina began to cry. She knew most people would not have opened the door to a bloody stranger in the middle of the night.

Arlene realized that she had forgotten where she left her car, a 2002 lime green Volkswagen. Christina walked Arlene through the parking lot until they found it.

Christina gently hugged Arlene. Thank you, she said. Arlene hugged her back, and climbed into her Beetle. Christina watched as it sputtered away.

Update about Arlene

On August 9th, Arlene was discovered in her home, after suffering from an apparent fall. A nurse from First Christian Church, who stops by to visit regularly, found Arlene and took her to the Presbyterian Inter-community Hospital in Whittier, California.

“I don’t know what happened. They said they found me lying on the floor,” Arlene said from her hospital bed on Saturday, “I’m still trying to get some strength to go home. I just want to get well enough to go home.” She is recovering in the transitional care unit.

Debora Taft, secretary of First Christian Church in Whittier, said Arlene developed an infection while in the hospital. “She is awake and functioning,” Taft said, “but she’s not remembering like before.”

But when asked on Saturday about the night that she helped save Christina Martinez’s life, Arlene said she still remembered it all quite clearly.



The Black Dahlia

He spent years dispelling myths around the famous murder case.

Has he finally found an answer of his own?

—Miles Corwin

It is the coldest of cold cases, a case so old the detective in charge of the investigation wasn't born at the time of the homicide. The victim was initially known as Jane Doe number one, the first female homicide victim of 1947. Her anonymity was soon transformed into notoriety and her case evolved into the nation's most infamous unsolved murder. London has Jack the Ripper. New England has the Boston Strangler. Los Angeles' iconic homicide is not known by the moniker or the perpetrator, but the victim—The Black Dahlia.

The murder of Elizabeth Short has spawned numerous books, countless newspaper articles, several movies, in addition to video games and podcasts. The horrific homicide has sparked such enduring fascination that the crime has been transformed into kitsch. There is Black Dahlia lingerie, Black Dahlia perfume, Black Dahlia T-shirts, and a number of other schlocky items. At the Biltmore Hotel, where Short was last seen, the bar serves a Black Dahlia cocktail. A Michigan death metal band is called The Black Dahlia Murder. Unlike other crimes, there is no statute

of limitations on murder and a homicide investigation is never closed until it is solved. While most decades-old murders slip into obscurity, the Black Dahlia case attracts so much attention that the LAPD has continued to assign the homicide to a specific detective since the lead investigator retired in 1960.

“After all these years, I still get about one call a week,” says LAPD Detective Mitzi Roberts, who has been in charge of the case for a decade. “Some are from people who’ve done a ton of research and have a theory. I get a lot of calls from people with repressed memories, who tell me the killer was their dad, or their uncle, or their neighbor, and on and on. Then there are the real nut jobs who claim to have solved the case based on astrological number or pyramids.”

She is pestered so often that her captain has advised her not to do any more interviews because they take too much time away from her current investigations. The question of why this case has fascinated so many for so long has intrigued Larry Harnisch and sent him on such an intensive and serpentine journey of research, interviews, and archival study that some consider him Los Angeles’ most knowledgeable Black Dahlia authority. When asked why there is still an obsessive focus on the case among crime buffs, he says, “I’ll defer to the theory of the original detectives, who came up with three reasons. One, it’s unsolved; two, the nickname; and three, the horrible nature of the crime. Take away any one element and nobody would care today. And I’ll add one more element: noir. This was post-World War II Los Angeles and the whole noir thing is very big now. That’s kind of given the case new life.”

The nickname alone, he says, was not enough. In Los Angeles, there had been the White Orchid murder, the Red Hibiscus murder, the White Carnation murder, and the White Flame murder, but none remained the cynosure of attention. There have been countless bizarre unsolved

murders in Los Angeles and most of them have been forgotten. While other Los Angeles murder victims had been brutalized and their bodies mutilated, Harnisch acknowledges there was something sui generis about what the killer had done to Elizabeth Short. Her body was found in a weed-webbed lot in South Los Angeles, surgically severed in two, washed and scrubbed, posed, and completely drained of blood. An eerie grin was slashed along the edges of her mouth.

Harnisch has studied the case off and on for twenty-four years. He has interviewed more than one hundred-fifty people, ranging from the first officer on the scene, to family members of Short, to a former boyfriend, to detectives assigned to the investigation, to the woman who discovered the body. The office in his small South Pasadena home is crammed with five metal file cabinets, twenty boxes of file folders, and four bookcases lined with hundreds of books, all focused on the Short homicide or Los Angeles history. Harnisch is writing a book about the case, but the homicide and the investigation are only part of his focus. His research began when he was a copy editor at the *Los Angeles Times* and he was writing a 1997 fiftieth anniversary story on the killing. He had so much additional material that when the story ran, he decided to write a book. After three drafts, engaging in countless online battles with people writing about the case whom he constantly fact-checks, and struggling to find a publisher, there are days, he says, when he wished he never heard of the case. His initial outline for the book was narrowly focused. He simply wanted to tell a good crime story and to create an accurate biography of Short, tracing her life from small town Massachusetts, to California, to her death. He never imagined that he would unearth a murder scenario and a suspect who would intrigue LAPD detectives.



Harnisch did not grow up in Los Angeles with iterative reminders of the Dahlia case. He was raised in Illinois and Arizona and moved to Southern California when he was hired by the *Los Angeles Times*. In the summer of 1996, he was conducting research for a detective novel he intended to write and was looking for a “random, nasty old crime” he could employ as a plot device. During his search he recalled reading something about the Black Dahlia years earlier. He didn’t know her name and this was the pre-internet days, so he couldn’t simply Google her. After conducting some initial research at a local library, he realized that the fiftieth anniversary was coming up in January. He passed along the tip to a *Times* assistant city editor, expecting him to assign the story to a reporter. The editor, however, asked, “Do you want to do it?” Harnisch, who had always wanted to be a writer, responded, “Hell, yeah.”

At the *Times* morgue, he obtained all the clips on the case, photocopied them, and placed them in chronological order. The editor wanted “a noir stroll through the clips,” but after perusing the articles, Harnisch realized that boilerplate anniversary stories had been written by reporters on previous anniversaries. “Doing another story like that didn’t interest me. I decided to do the story like it was breaking news, like a second day story. I decided I’d report the story; I’d go out and interview people.”

To know who to interview, he needed to conduct more research. He visited the downtown library and photocopied all the microfilmed Dahlia stories from the three other major newspapers in Los Angeles at the time—the *Examiner*, the *Herald-Express*, and the *Daily News*. After creating a roster of everyone named in the stories—detectives, patrol officers, suspects, family members, witnesses, and reporters—he created a list of people to interview. Again, this was before online searches were possible, so he had to scour voter registration records, Department of Motor Vehicles databases, telephone books, newspaper clips, and other

sources. He eventually pared the list down to about a dozen of the people he believed were the most important to interview. Then he had to determine who was still alive

After tracking down and interviewing Betty Bersinger, the woman who found the body on Norton Avenue in South Los Angeles, Harnisch discovered that one of the first myths that had accreted around the Dahlia story did not match the reality. Jack Webb, who created and starred in *Dagnet*, wrote *The Badge* eleven years after the murder, one of the first books that chronicled the crime. “Along a dreary, weedy block without a house on either side, a housewife was walking to the store with her five-year-old daughter, scolding her a little because she wanted to play in the dew-wet lots. Halfway up the block, the mother stopped in horror at something she saw in one of the lots. “What’s that?” the child asked. The mother didn’t answer. Grabbing her hand, she ran with her to the nearest neighbor’s house to call the police.” Bersinger told Harnisch a different story. Sitting at her kitchen table, he felt disoriented by the juxtaposition of this sweet elderly woman who proudly displayed drawings emblazoned with “I LOVE GRANDMA” on her refrigerator, recounting how she stumbled upon the mutilated body. At about 10 a.m., she was pushing her three-year-old daughter in a stroller—not just any stroller, but a Taylor-Tot stroller, she was proud to point out—to a repair shop to pick up her husband’s shoes. Bersinger and her husband had recently purchased their home for \$11,000 in a middle-class neighborhood of primarily newly married couples with young children. She was heading south on Norton Avenue, negotiating the shards of broken glass on the sidewalk that lined the vacant lots.

“I glanced to my right and saw this very dead, white body,” she told Harnisch, her voice cracking. “My goodness...it was so white. It didn’t look quite...like anything more than perhaps an artificial model. It was so white and separated in the middle. I noticed that dark hair and this white, white form.”

Short was face up, her gray-blue eyes were open, and she had been posed with elbows bent at right angles, her hands over her head, and her legs were spread with her knees straight. The pathologist concluded that she had died from blows to the head and the loss of blood from the gashes in her face. The chunk of flesh that had been sliced from the thigh was later discovered to have been a rose tattoo. Harnisch asked Bersinger a follow-up question, but she refused to answer and said she would only tell him the story once. The memory was too disturbing.

“Right from the beginning, this shows you the force of folklore,” Harnisch says. “Webb’s story is like a mini-morality tale: A little girl doesn’t listen to her mommy and makes this horrible discovery. People thought because Jack Webb was tied into the LAPD it was all true. Nobody can tell this story straight.” Harnisch scowls and grips his knees. “Everyone wants to fuck with it.”

Some writers claimed she was lured to Hollywood from the East because she was an aspiring actress. She wasn’t. Others wrote that the newspapers gave Short the sobriquet. They didn’t. A few have intimated she was a hooker. She wasn’t. Or that, at the very least, she was promiscuous. She wasn’t. Some writers contended the original detective team was inept. They weren’t. She’d been called a war widow. She wasn’t.

Will Fowler, a reporter for the *Examiner* at the time, told Harnisch that he had been the first reporter at the scene and had arrived before the police. Fowler claimed there were no officers to prevent reporters and photographers from tromping through the crime scene and interfering

with the evidence. Shortly before police arrived, Fowler, who wrote a memoir, *Reporters*, told Harnisch that he had closed Short's eyes and later helped load the bottom half of Short's body into the coroner's vehicle. Later, Harnisch tracked down retired LAPD patrol officer Wayne Fitzgerald who, along with his partner, were the first cops on the scene. He contradicted almost every element of Fowler's account. During an interview Fowler quoted Napoleon: "History is an agreed upon lie." Fitzgerald contended that when he arrived there were no reporters or photographers.

"The first thing we thought was that it was a mannequin, that someone was playing a trick on us because there was no blood," Fitzgerald told Harnisch. "Then we realized what the hell we had. We started calling all our supervisors, telling them this was something big."

Harnisch created a timeline of when reporters, photographers, and detectives arrived by studying the shadows on the crime scene photographs. On January 15th, the date the body was discovered, he jammed a broomstick into the dirt on his front yard, spread out a large sheet of paper, and with a felt tip pen traced the progression of the shadows—a primitive sundial—and compared them to the shadows in the photos to garner a rough idea of who was at the scene and when. After encountering these early erroneous accounts, he vowed that everything he wrote would be exact, backed by authenticated sources, and he ended up spending an inordinate amount of time, which stalled his own research and writing, challenging the accounts of other writers. He is grateful he began his research decades ago, long before the case generated renewed interest in the Twenty-First Century, because many of those he interviewed are now dead.

About a dozen patrol officers, sergeants, command officers, and detectives descended upon the scene, in addition to numerous reporters and photographers. This was one of the last big stories in Los Angeles pre-television and the competition among the four papers drove the coverage. There were more than a half-dozen editions a day and editors prodded reporters for scoops so editions could be updated. *Daily News* reporter Jack Smith, later a revered *Los Angeles Times* columnist, wrote that the frenzied coverage was “The Front Page come to life.”

“I happened to be working on the rewrite desk of the *Daily News* that morning and drew the story when our police beat phoned in the first bulletin,” Smith wrote in a column years later. “Within the minute I had written what may have been the first sentence ever written on the Black Dahlia case. I can’t remember it word for word, but my lead went pretty much like this: ‘The nude body of a young woman, neatly cut in two, at the waist, was found early today on a vacant lot near Crenshaw and Exposition Blvd.’ “I tore the copy out of my typewriter and took it up to the city editor, who was eager to get the story moving into type. He raced through the two lines, pencil poised, and wrote in a single word.” Smith later discovered that the editor, who had no idea what Short looked like, added “beautiful” to describe the victim.

Examiner reporters were the most aggressive and their unorthodox and often unethical approach led them to uncover leads before the detectives. They even aided the police in determining the identity of the victim. Detectives had planned to mail her fingerprints to the FBI in Washington, but an *Examiner* editor suggested using the paper’s “Soundphoto” machine, which was similar to a fax, to transmit the fingerprints to the Hearst Washington Bureau and then hand deliver them to the FBI. *Examiner* reporters and detectives discovered that Elizabeth Short’s

prints were on file because she had applied for a clerk job at Camp Cooke in California during World War II and had been arrested by Santa Barbara police for underage drinking.

Once Short was identified, reporters scurried to find out as much about her as possible—on deadline. An *Examiner* rewrite man, Wain Sutton, used a heartless tabloid ploy to obtain background. As City Editor Jimmy Richardson sat in a swivel chair beside him, Sutton called Short's mother, Phoebe, and said that her daughter won a beauty contest in Southern California. The late Pulitzer Prize-winning sports columnist Jim Murray was a rewrite man for the *Examiner* at the time and sat next to Sutton. He told Harnisch in an interview that he was "still appalled" and the "incident was sharply etched in his memory."

"Wain called the mother and asked all these questions and took all these notes," Murray recalled. "I sat there and listened to the poor, dear mother telling him about her school-day triumphs. I can still see him put his hand over the mouthpiece of the old-fashioned upright phone and say, 'Now, what do I tell her?'"

Richardson screwed up his one good eye and said, 'Now tell her'

"You son of a bitch," Murray said, imitating Sutton.

Still, Short's mother refused to believe her daughter was dead. When police officers from her small Massachusetts town showed up at her front door, after the LAPD contacted them, she finally accepted the grim news.

Examiner reporters beat police to the locations where Short had stowed all of her belongings shortly before she was killed. Reporters interviewed an acquaintance of Short and discovered that she had checked luggage that contained all her belongings at a bus station in Los Angeles. Richardson informed Jack Donahoe, the head of LAPD's Homicide Squad

about his finding and said he would tell him where the suitcases were—under one condition. He wanted the cops to open them at the *Examiner* office. Donahoe balked. Richardson responded: “No deal, no suitcase.” Donahoe reluctantly agreed, Richardson wrote in his book, *For the Life of Me*. At the *Examiner*, detectives opened the trunk, which contained Short’s clothes, photos of her, and letters from boyfriends, which the paper printed. Reporters and detectives raced to track down the boyfriends identified in the letters. During World War II, crime surged in L.A. and generated such interest that the *Examiner* ran a daily tally on the front page. On the day Short’s body was discovered, the paper reported two murders, thirteen robberies, and forty-seven burglaries.

The FBI, who had been called into the case to provide forensic assistance, noted in their files the problematic behavior of the reporters. “Throughout the entire investigation, the reporters have talked to witnesses and published facts which were bound to hinder the investigation of the local department,” the agent in charge of the FBI’s Los Angeles office wrote to the director. “Reporters are at the Detective Bureau and it is not possible for the investigators to have confidential telephone conversation or even read mail without having some news reporter looking it over to see if it relates to this one.”

Ten days after Short’s body was found, the killer mailed an envelope of Short’s belongings to the *Examiner*. Using letters clipped from a page of movie ads, he addressed the envelope. Possibly as a taunt to the detectives, he included the phrase: HEAVEN IS HERE! The envelope included Short’s birth certificate, Social Security card, newspaper clippings, and a ten-year-old address book, which listed seventy-five men. Police launched a massive search and tracked down many of them, but most only knew her briefly and the search yielded nothing significant. They were unable to obtain fingerprints from the envelope because it had

been brushed with gasoline. Other letters from senders who claimed to be the killer were delivered to the LAPD and the papers, but they were never authenticated.

Detectives were also inundated with dozens of false confessions during the first few months after the murder and they interviewed a steady stream of men—and a few women—who claimed to be the killer. A former member of the Women’s Army Corps told detectives, “Elizabeth Short stole my man so I killed her and cut her up.” One confessor was asked by skeptical detectives to pick out Short from a series of photographs. He could not and then tried to stagger off. Detectives threw him in the drunk tank.

Among authors, the case has resonated for decades. John Gregory Dunne employed a fictional account of the Dahlia murder in his 1979 novel *True Confessions*, which portrayed the victim as a prostitute. Dunne and his wife, Joan Didion wrote the screenplay for the movie, which starred Robert De Niro and Robert Duvall. After experimental film director Kenneth Anger’s book *Hollywood Babylon II*, was published in 1984, featuring lurid crime-scene photos that exposed the grotesque nature of the crime to a new generation of readers, it created wide-spread interest in the case. Best-selling author James Ellroy was eleven—eight months after his mother was murdered—when he received a copy of *The Badge* as a birthday present from his father. He read the Dahlia section more than a hundred times, he wrote in his memoir *My Dark Places*. His obsession with the case culminated in his 1986 novel, *The Black Dahlia*, which hinted that the victim was involved in stag films. The book was made into a widely-panned Brian De Palma film. The Dahlia case helped Ellroy cope with his own tragedy and his frequent nightmares, he wrote, enabling him to experience the horror and grief over Short’s killing that he hadn’t been able to express over his own mother’s murder.

Anne Redding, chair of the Justice Studies Department at Santa Barbara City College, has researched the homicide for more than thirty years and uses it as a centerpiece in her Study of Murder class. She became increasingly frustrated by all the sloppy analysis, bogus theories, and inaccuracies surrounding Short's life and death. She began following Harnisch's blog about the case, which he launched after writing the anniversary story, and was immediately impressed. "It was so refreshing to find someone who was sticking to the facts and the original documents," she says. "He's a journalist, he lets the facts guide him, and he doesn't have any agenda other than the truth. I haven't seen anyone come close to what he's done. I believe he's the single most authoritative expert on the case."

Harnisch spent three decades as a newspaper copy editor, ensuring stories contained no inaccuracies, inconsistencies, and were grammatically correct, and he brings this punctilious approach to his Dahlia research. When asked about an element of the investigation, he is often reluctant to answer, and instead says, "Let me check my files." He then lunges out of his chair, disappears into his office, roots through the photocopied newspaper clippings, inquest reports, and investigative files, and returns with a precise answer. An intense man who chooses his words carefully, he wears wire-rimmed glasses, has neatly parted gray hair, and a high forehead that dissolves into furrows when discussing the many myths and mistakes promulgated by writers. He lives in a house befitting a man immersed in the past. The living room in his 1910 bungalow is cluttered with his great-grandmother's china cabinet and mirrors; his grandfather's tool chest, which he uses as a coffee table; his mother's piano; a Maxfield Parish lithograph that his grandfather gave his grandmother when they married; and on the mantle his grandparent's candelabras and an antique German wind-up clock.

As Harnisch delved deeper into Short's murder, he wanted to make a donation on her behalf and consulted family members. They recommended Heading Home, a Boston emergency shelter for homeless women and low-income families. Now every January 15th he sends a check. He also spends the evening wandering around the lobby of the Biltmore Hotel, where Short was last seen, paying homage to her and ruminating about the case. Several times, Harnisch visited her grave in Oakland and left flowers.

“What keeps me going is that I promised myself I would clear up all the lies and myths and try to reclaim Elizabeth Short from the Dahlia freaks. I feel a responsibility. The family has gone through so much and all writers have ever done is rip them off. They deserve to have somebody tell the story accurately. That's the least I can do for them and for Elizabeth Short, someone who changed my life.”



When Harnisch began researching his book, he had no interest in attempting to solve the murder. Those who claimed to have identified the killer, he felt, were deluded. He made a discovery, however, that altered his perspective.

During his reporting for the fiftieth anniversary story he interviewed legendary FBI profiler John Douglas. In recent years, the efficacy of profiling has been called into question, but in the 1990s, many considered it a valuable investigative tool. Douglas asked Harnisch what he knew about the neighborhood. Harnisch didn't know much, but he thought it was an interesting question. Douglas explained that the street where the body was dumped was a curious choice for the killer. Although the block had not yet been developed, there were houses nearby. In a half hour, the

killer could have transported the body to the beach or the mountains; add another half hour and he could have reached the vast expanses of the Southern California desert. Instead, he left the body in a busy residential area. “Someone is going to look out a window and see you,” Douglas told Harnisch. “You’re going to get your ass caught.” Douglas speculated that the killer wanted to shock and horrify the residents, sending the message that Short was a slut. The killer, Douglas surmised, had some connection to the neighborhood.

After the article ran and Harnisch began researching the book he intended to write, he was haunted by Douglas’ supposition, so he embarked on a search to find out everything he could about the 3800 block of Norton Avenue and the surrounding neighborhood. He hoped to discover the link between the killer, the crime scene, and the neighborhood. Harnisch decided to start from the beginning, when the area was part of a Spanish Rancho—Rancho La Cienega o Paso de la Tiejera. He read a history of the ranch and interviewed a group of scholars at Cal Poly Pomona who had conducted a detailed study of the area’s architecture and history. In addition, he met with Walter Tim Liemert, the son of the man who developed the housing tract, located in the neighborhood named after him—Liemert Park. At the city archives, he spent months searching for information about the area, studying Police Commission meetings from the 1930s and 1940s, and perusing all the city paperwork centered on the neighborhood. Harnisch discovered that mob boss, Jack Dragna, lived four-and-a-half blocks from the crime scene, so he had to determine if there was an organized crime connection to the murder.

If he ever encountered anything significant, he believed that it would “stand out like a beacon.” Nothing related to Norton Avenue did stand out, however, but he was not discouraged.

“I absolutely love research,” he says. “I’d rather research than eat. Although I’d uncovered nothing significant, I found all this L.A. history fascinating.”

When a Dahlia enthusiast heard about Harnisch’s investigation, he sent him a box filled with photocopies of newspaper articles about the crime, a transcript of the inquest that contained most of the autopsy notes, a homemade documentary, a copy of Short’s grades from elementary school, and a dim photocopy of the marriage certificate of her oldest sister, Virginia Short. Nothing seemed significant, so he forgot about it. During the summer of 1997, his family was out of town, so he had some extra time to take a more thorough look at the contents of the box. When he studied the marriage certificate, he discovered the couple was married in Inglewood. Harnisch perked up when he noticed that a witness to the ceremony listed an address that looked like Norton Avenue, but he wasn’t sure because the certificate had been photocopied numerous times and was smudged and hard to read. The original was filed in Sacramento, the state capital, so Harnisch, still not wanting to get his hopes up, sent a check and ordered a copy. About a month later, while he was talking to his wife during a break from his copy editing duties, she told him he had received a letter from the state. He asked her to open it up and tell him the name of the street the witness, Barbara Lindgren, listed. “Norton Avenue,” she told him.

Harnisch pulls a dusty cardboard box out of his office, fishes out a Manila folder, removes a copy of the marriage certificate, and points to the address—3959 Norton Avenue. “That’s only a block from where Short’s body was found,” he says, running his finger along the address. “This was a component nobody had ever looked at. Although I wasn’t quite there yet, this was definitely interesting. Now everything depended on finding out who was Barbara Lindgren.”

Harnisch now had a connection between a witness to Virginia Short's wedding and the crime scene. He wanted to interview Short and her husband in an attempt to determine the identity of Barbara Lindgren, but they were dead. The clips at the *Times* and phone book directories from the 1940s were no help in locating Lindgren. Finally, he spent afternoons in the dim sub basement of the Los Angeles County Hall of Records, leafing through plat books where property deeds were recorded. This is where Jake Gittes in the movie *Chinatown* discovers that a civic kingmaker has been surreptitiously buying up San Fernando Valley scrubland for rock-bottom prices because he has insider knowledge that the land will soon be worth a fortune when an aqueduct brings water to the area, enabling the property to be developed. Harnisch found the books for the 3900 block of South Norton Avenue and he worked his way through them until he reached the 1940s. Eventually, he found the owner of the house on 3959 Norton Avenue, the woman on the deed who paid the property taxes—Ruth Bayley. Hurrying to the *Times* morgue, he searched the clips for Ruth Bayley and what he eventually found shifted his role—from writer to sleuth.



The marriage certificate indicated there was a link between the Short family and South Norton Avenue. From studying the microfilmed *Times* clips he discovered that Ruth Bayley, who owned the house, had a daughter whose married name was Barbara Lindgren. She was the matron of honor at the wedding of Elizabeth Short's oldest sister in Inglewood. A story about Ruth Bayley's husband revealed something even more interesting to Harnisch—Ruth had been married to Walter Bayley, a Los Angeles doctor, a surgeon with the skill to have performed the bisection of Short. And his medical office, where he spe-

cialized in performing hysterectomies and mastectomies, was only a few blocks from the Biltmore Hotel. The lead detective on the case, Harry Hansen, told the Grand Jury that he believed that Short's killer had surgical expertise.

Removing a cardboard box from his office, Harnisch searches for Hansen's Grand Jury testimony. Flipping through files—muttering, "Hansen, Hansen, where is Hansen?"—he locates a folder, fishes out testimony, and points to the relevant passage. Hansen tells the jurors that he had worked cases where bodies were mutilated and bisected but the Short murder was different.

"I have a little pet theory of my own. I think that a medical man committed that murder. A very fine surgeon. I base that conclusion on the way the body was bisected. . . . It is unusual in the sense that the point at which the body was bisected is, according to the eminent medical men, the easiest point in the spinal column to sever. . . . he hit it exactly."

John "Jigsaw John" St. John was assigned the Dahlia file after Hansen retired and he kept control of the case until he pulled the pin in 1993. I shadowed him on his last day on the job when I was a reporter for the *Los Angeles Times*, and during lunch at a dim, smoky steakhouse near downtown, I asked him about the Dahlia case. St. John, who wore Badge No. 1, spent 43 years as a homicide detective and investigated more than 1,000 murders and twelve serial killers. He sipped his V.O. and water and told me that he did not believe the person who committed the murder was a serial killer. His "signature" was unique, he told me, combining a number of homicidal elements that he had not been seen since the murder. Some of those elements, he said, have never been revealed by detectives in order to weed out the false confessors. The real killer, he believed, only killed once.

As Harnisch was fruitlessly attempting to track down Barbara Lindgren, he ventured to create as thorough a biography of Bayley as was possible in those days before genealogical websites and online searches. The clips revealed that Bayley had left his wife and family in 1946 because of his burgeoning relationship with a female physician he worked with, Alexandra Partyka. Harnisch could not interview Partyka, Bayley, or his wife because they had all died, so he ended up talking to numerous retired doctors who had either attended medical school with Bayley at USC or worked with him at Los Angeles County Hospital, and later researched his years as a surgeon in France during World War One. And because his will was contested, Harnisch was able to study the probate files from the Hall of Records, which listed the contents of his office, down to the serial numbers of his typewriters, and all of his debts.

Harnisch removes from his files a 1948 *Examiner* article on the dispute over Bayley's will and shows it to me. "Intimidation by a young woman colleague caused Dr. Walter A. Bayley, physician, to disinherit his wife, the widow Mrs. Ruth A. Bayley, she claimed yesterday in a will contest suit, filed in Superior Court. Mrs. Bayley, who lives at 3959 South Norton Ave., asserts that while associated with Dr. Bayley in practicing medicine, Dr. Partyka threatened to expose and ruin him if he returned to his wife."

Former colleagues and relatives expressed to Harnisch how shocked they were at how Bayley's personality drastically changed toward the end of his life. An interview with Bayley's former secretary was of particular interest. She told Harnisch that she was stunned that Bayley and Partyka used to pick up dinner to go, listen to classical music at their medical office, and eat dinner while watching surgery films. This interview and the *Examiner* article galvanized Harnisch.

“Now I find out he had some kind of secret and lived in constant fear of being exposed. And he spends his evenings watching surgery films. That’s off the charts weird. Now I feel I’m on the right track.”

Harnisch obtained Bayley’s death certificate and one of the causes of death is listed as encephalomalacia. He wrote to a medical school professor, a board certified psychiatrist, the author of an article in a psychiatric journal on the condition, and related what he knew about Bayley and the Dahlia murder.

“Encephalomalacia is a structural lesion in the brain...softening of brain tissue,” the psychiatrist wrote to Harnisch. “The location of the lesion and the cause as well as when it occurred can have a significant impact on the behavioral manifestations caused as a consequence of the lesion. There are people with this lesion without any psychological pathology, and there are others who have significant pathology which may include bizarre violence...”

On a recent evening, Harnisch visits Dr. James Fallon, a professor emeritus of neurobiology at the University of California, Irvine School of Medicine, tells him about Bayley’s shift of personality and presents the psychiatrist’s assessment. Fallon, who is familiar with the Elizabeth Short murder, agrees that the location of the lesion is the key. As they discuss the case, they reveal antipodal personalities. While Fallon has an ebullient mien and manner, clearly enjoys discussing the bizarre nature of the case, and asks if Harnisch has explored his book’s movie potential. Harnish, solemn and staid, appears offended, and tells Fallon he’s not interested and wouldn’t allow a film to be made “that treated Short like a piece of meat.”

Fallon returns to the subject at hand and asks Harnisch if he has a copy of the autopsy notes or knows the section of the brain where the lesion was identified. If the autopsy had been conducted by the Los Angeles County Coroner, Harnisch says, he could have obtained a copy because

it's a public record, but a pathologist at the Veteran's Administration conducted the postmortem. Federal documents, he tells Fallon, are much more difficult to obtain, the V.A. refused his request, and all he has is the death certificate.

Bayley's lesion and drastic personality change could be the result of, "Frontotemporal dementia from a series of little strokes," Fallon says. Frontotemporal dementia primarily affects the frontal and temporal lobes of the brain. "With this condition you could see a radical change in personality," says Fallon, who has written extensively about the neural circuitry of criminal behavior. "The drive for violence and sexuality can come up and get worse and worse. But it wouldn't necessarily affect his sensory or motor skills and he could still do surgeries. So, the pathology lines up."

The probate records revealed, Harnisch says, even more significant clues. When I asked him to explain, he hesitated and then refused. "This is one thing I have that nobody else has. I don't want other people following my trail. I'll just say it was very helpful."

When he finally tracked down Barbara Lindgren, his initial investigation into Bayley was almost complete. Lindgren told Harnisch how scandalized the family was when her father left them for Partyka. The drastic personality shift at the end of Bayley's life "wasn't anything I could have ever dreamed of happening," she told him. When he asked her about Elizabeth Short, she became wary. She agreed to serve as the matron of honor at Short's sister's wedding, she told Harnisch, "because there wasn't anybody else." When he suggested that such a role indicated a close level of friendship, she was very dismissive and refused to elaborate. He asked if her mother ever discussed the murder of Elizabeth Short and Lindgren said she had never mentioned it. At the end of the conversation, she implored Harnisch in an anguished tone not to tell anyone how to find her.

“This seemed very strange,” Harnisch says. “The story was such big news, the body was found down the street from her mother’s house, and the family knew Short’s sister. Her reaction seemed too defensive, too rehearsed. It was like she was waiting for someone to ask her about Elizabeth Short and she had a pat denial ready.”

Harnisch had a series of building blocks that led to a viable suspect; now he had to stitch them together and create a plausible scenario. This is what he theorized: Lindgren was the matron of honor at the marriage of Virginia Short and Adrian West, who Harnisch learned quite a lot about from interviewing their son, Elizabeth Short’s nephew. West was the ultimate boy scout, Harnisch says, a devout Presbyterian. He and his wife knew the Bayley family well and Harnisch surmises that when Elizabeth Short, who had been couch surfing and virtually homeless for the past year, had been dropped off at the Biltmore Hotel, after a sojourn in San Diego, with no place to stay and little money, she might have recalled some advice from West or her sister.

“They might have said if you’re ever down and out in L.A. and need help, call the Bayley family. That’s the kind of thing Adrian West would have done. He was always trying to help people. Short might have called Barbara Lindgren, but she had recently moved to the Midwest. So, then she might have called Walter Bayley, who was listed in the phone book, and they could have ended up in his office, which was a short walk from the Biltmore.”

Harnisch adds one more variable to his hypothesis. The profiler, John Douglas, speculated that the killer was probably angry at some residents on Norton Avenue and intended “to put the fear of God into that neighborhood.” Harnisch recalled this when he learned that Bayley had adopted two girls and then had one biological son whom he doted on and who’d been killed. In 1920, the son was riding a bike when he saw

his younger sister was about to step off the sidewalk. He rode toward her, to prevent her from wandering into a busy street, when he was hit by a truck. His father was devastated. “Walter was our only son—the only child of our flesh and blood,” Bayley said in a newspaper story. “Our hearts and soul were wrapped up in him...I have seen much of death—but I never understood it before.” A few years before his death, Bayley disinherited the two people living on 3959 South Norton Ave—the daughter who Bayley might have blamed for his son’s death and his estranged wife, who was supposed to supervise the girl. Bayley’s son was killed on January 13 and Short might have been killed on that exact date, Harnisch says, because she disappeared on January 9th and her body was found on January 15th.

“If she met him on the pretext of getting help, she would have pulled the sob story about having a son who died. Unlike the other pigeons she was trying to con, he would have actually asked how he died because he was a doctor. So now they both have something in common—dead sons. Maybe he figures out she’s lying, it pissed him off, and he erupts...”

On a recent sunny afternoon, Harnisch takes me on a stroll down Norton Avenue to illuminate some of his claims. We start at the house of Betty Bersinger, the woman who found the body. The neighborhood was all-white in 1947, but now is predominantly African American with some Japanese residents who have sculpted bonsai trees in their front yards. The homes are well kept, the lawns trimmed, and the shrubbery pruned. We follow Bersinger’s path, from her gray stucco house with a postage stamp front lawn, down the sidewalk to the lot where Short was found. At the time, the street was undeveloped because the war had stopped construction, and Short was found on an empty lot, but now at the location there is a beige stucco house with Italian cypresses shading

the lawn. We walk one more block to the home where Bayley's estranged family lived at the time, a single story home with gravel instead of a front lawn, edged with purple and yellow lantana, and a broad front porch.

"As you can see," Harnisch says, "it's an easy walk from the crime scene to Walter Bayley's house—only one block. So, it's clear that Bayley has a connection to the street where Short is killed. The Short family and the Bayley families know each other. He's a surgeon with mental problems who underwent a drastic personality shift. He had the strange habit of watching surgery films at night. He has a secret and lived in constant fear of being exposed. I'll never say I'm a hundred percent sure. I still don't have all the details I'd like and I'm still hoping to get more. But it makes a neat package, doesn't it?"

In the 2001 documentary *James Ellroy's Feast of Death*, Harnisch presents his theory of the case during a dinner hosted by Ellroy, who has studied the murder for decades and has an encyclopedic knowledge of L.A. crime. He called Harnisch's theory "the most plausible explanation of the murder "that I've heard...the theory is great. It's just about water-tight in most ways."

LAPD Detective Brian Carr, who was in charge of the Dahlia case at the time, was more equivocal at the dinner, but still found all the coincidences relating to Bayley and the murder intriguing. "And when you run into coincidences in a homicide investigation, you want to go, 'Wait a minute.' And that's what it made me say, 'Wait a minute.'"

Rick Jackson, who spent a decade in LAPD's elite Robbery-Homicide Division and was the assistant officer in charge of the department's Cold Case Unit before he retired, is familiar with Harnisch's theory. He also said the coincidences piqued his interest. "The location between the Bayley house and the crime scene, his medical ability, his obsession with watching surgery films, and some other things Harnisch came

up with make Bayley an interesting suspect. Harnisch doesn't have the smoking gun, but his theory definitely has to be included in the most likely theories."



In 2003, Harnisch was sanguine about his book. He had almost completed his second draft, Ellroy was interested in writing the introduction and was going to set him up with his agent. Then another book, *Black Dahlia Avenger*, was released that "blew everything out of the water," Harnisch says. The author, Steve Hodel, who fingered his father as the killer, wasn't the first writer to make this claim. Janice Knowlton, author of *Daddy was the Black Dahlia Killer*, based her assertion on repressed memories that had recently surfaced. Mary Pacios, who grew up near Short in Massachusetts and wrote *Childhood Shadows*, suggested that Orson Welles, who appeared to saw a woman in half during a magic trick, was the killer. While these authors could be easily dismissed, Hodel's background gave him immediate legitimacy—he is a retired LAPD homicide detective. His father, George Hodel Jr., was a dashing physician who hobnobbed with actors and artists, lived in a house designed by Lloyd Wright, Frank Lloyd Wright's son, in Hollywood, and operated a downtown venereal disease clinic. Hodel's investigation began when he was retired and living in the Pacific Northwest. He was given his father's photo album shortly after his death, which was filled with pictures of family and friends, including several unidentified women. Two of the photos, he was convinced, were of Elizabeth Short. This launched Hodel's investigation. He discovered that two years after the Short murder, George Hodel was tried for molesting his 14-year-old daughter, Tamar. She also claimed that nineteen other people, including many of her classmates, had molested her. Testimony during the

trial revealed that she had previously accused her father of killing Short. Tamar's mother, however, testified that a psychiatrist had told her that her daughter was addicted to telling "fantastic stories. He described her as a pathological liar." The jury acquitted the doctor.

In addition to Short, Hodel claimed in the book that his father also killed Jeanne French a month later, which was called by the newspapers the Red Lipstick Murder because of the writing on the body. As a result of wide-spread corruption in the LAPD, Hodel claimed, the murders were covered up and never solved. Hodel's book contains numerous assertions about his father and the Dahlia case, some that are authenticated, some that are speculative; nonetheless, the book received widespread attention and immediately eclipsed Harnisch's theory. *Black Dahlia Avenger* was soon a commercial success—a *New York Times* bestseller—but the reviews were mixed. In Los Angeles, the book was savaged.

A *Los Angeles Times* reviewer called the book a "piece of meretricious, revolting twaddle, which amounts to evidence manufacturing..." The reviewer for the *L.A. Weekly* wrote, "Why would a retired LAPD homicide detective with twenty-four years of experience write such gobbledeyook." A *Washington Post* writer was the only one to mention an alternative theory of the case: "A more likely scenario, however, is the one put forth by Larry Harnisch. His research takes us to a deceased surgeon named Walter Bayley. He had family connections to Elizabeth Short: his daughter knew Elizabeth's sister and brother-in-law. Bayley had an office a few blocks from the Biltmore Hotel, the last place where Short was seen alive. Harnisch argues that Short, destitute and alone on a cold January evening, sought refuge in his company. At the time, Harnisch says, the surgeon was suffering from a severe form of dementia. Harnisch further speculates that after killing her, Bayley placed Short's body a mere 45-second walk from the house where his estranged family lived, because he wanted to frighten and intimidate them. ...Steve

Hodel completely dismisses Harnisch's theory in *Black Dahlia Avenger*. Yet the loose chain of circumstance he assembles to prove his father's guilt is less convincing still. It may well be that, barring the dramatic appearance of a written confession, the Dahlia will remain the stuff of Angeleno myth."

The two photos Hodel was convinced were Short, the photos that launched his investigation, were soon called into question. Detectives in the LAPD's Cold Case Unit said the photos bore no resemblance to Short. Harnisch, who was in touch with the Short family, received an email from one of her sisters who saw the pictures in a magazine article about *Black Dahlia Avenger*, and stated they were certainly not Short. Hodel later acknowledged that one of the pictures was of someone else, but still insists the second photo was Short.

Hodel recently talked to me about the book during lunch at a restaurant perfectly in tune with the city's infamous noir-era homicide—Hollywood's Musso & Frank Grill's, opened in 1919, which still serves dishes that were on the menu when Short was murdered: grilled calves liver, Welsh rarebit, liver and onions, lamb kidneys, and oyster stew. A hefty man with a white mustache and goatee who is wearing a Panama hat, Hodel reflects on the painful period after the release of his book when his integrity was questioned. "It was so partisan," he says, picking at his chicken pot pie. "It was very difficult to be subjected to all that negative exposure."

Hodel believes his reputation was salvaged by a surprising revelation by a newspaper columnist and the support of Stephen Kay, an assistant Los Angeles County district attorney. Kay, who had worked with Hodel on some cases when he was a homicide detective, wrote, while emphasizing that he was not speaking for the D.A.'s office, "The most haunting murder mystery in Los Angeles County during the 20th century has finally

been solved in the 21st century.” If George Hodel were alive, Kay wrote, he would file two counts of murder against him for the Dahlia and the Red Lipstick murders. Kay, however, later insisted that he did not agree with Hodel’s contention of a police cover-up.

When *Los Angeles Times* columnist Steve Lopez questioned D.A. Steve Cooley about the case, he said that Kay had presented Hodel’s theory in a closed-door presentation, but he “wasn’t close to being convinced.” Still, he allowed Lopez to peruse the previously unreleased 1949 grand jury files, which chronicled an investigation headed up by D.A. Detective Frank Jemison. “I opened a dusty old box, and it was like exhuming a body,” Lopez wrote. “My stomach turned when I came to photos of the corpses of Elizabeth Short...and Jeanne French...Flipping past those photos, a number of smaller mugshots slipped out of the stack, and looking up at me, his eyes dark and narrow, was Dr. George Hodel.

“So, he was a suspect.

“OK, but so were a lot of people. Det. Jemison had compiled a list of 22 suspects, with Dr. George Hodel among them.”

Hodel was initially considered a suspect because Jemison compiled a list of all L.A. doctors who had been accused of sex crimes. The D.A. had bugged Hodel’s home and he was recorded saying, “Supposin’ I did kill the Black Dahlia. They couldn’t prove it now.”

Later in the recording, however, he announces that he is probably being bugged, and Lopez speculates that Hodel was taunting investigators. Jemison wrote in his summary that an acquaintance of Hodel claimed that one of his girlfriends was Short, but added that the informant was later committed to the State Mental Institution at Camarillo. Jemison concluded in his summary: “See supplemental reports...and hear recordings, all of which tend to eliminate this suspect.”

Lopez studied the files and read Hodel's book, but he remained unconvinced. "Hodel draws sweeping conclusions, but when I began to investigate all I found were shadows..." He never "put the two of them together, let alone prove a murder." Still, Hodel was elated by the release of the D.A. files. His research, he believed, was redeemed. He appeared on numerous network crime shows, CNN's Anderson Cooper interviewed him, and he soon eclipsed Harnisch as the go-to guy on the Dahlia murder.

After fingering his father for the two murders, Hodel later claimed he was one of the Twentieth Century's most prolific serial killers. He attributes at least twenty-five murder to George Hodel, including the eight Northern California Zodiac killings, in addition to homicides in Chicago, Texas, the Philippines and a dozen in Southern California. In five other books Hodel describes his investigation into these killings. He has been unable, however, to interest law enforcement authorities in following up on his claims.

After *Black Dahlia Avenger* was released, the book attracted so much attention, the LAPD brass allowed Hodel to present his theory to the Cold Case Unit. Detective David Lambkin, who was head of the Unit at the time, said that Hodel lost credibility as a result of the numerous other murders he attributed to his father. His evidence was simply not convincing, Lambkin says. In addition, one of the Los Angeles homicides Hodel attributes to his father was extensively investigated by the Unit, Lambkin says; the case was solved, the killer was identified, and he was not George Hodel.

"His dad was one of the suspects in the Dahlia murder, don't get me wrong, but Hodel went way overboard," Lambkin says. "If you read the book without delving into it too closely, I can see why you might buy into what he claims. There's a lot of conjecture, but by the end of the

book it's stated as fact. I still prefer Harnisch's theory. He doesn't bring in all this superfluous stuff to prove his case. He sticks to the facts. And the parts fit better."

The LAPD's investigative files for the Short murder are stored in a four-drawer metal cabinet located in a locked storage room on the fifth floor of the Police Administration Building. Only the Robbery-Homicide Division captain and Detective Mitzi Roberts, who is in charge of the case, have the keys to the storage room and the cabinet, "which is stuffed to the gills," she says. Roberts is diplomatic when discussing theories about the case. Harnisch's theory "makes a lot of sense...I really like it," she says. And the fact that Hodel's father was named as a suspect and is mentioned in the D.A.'s files, she says, is intriguing. But without more definitive evidence, she says, the case can't be cleared.

Ellroy read *Black Dahlia Avenger*, was impressed by Hodel's findings, and wrote an introduction to a subsequent edition of the book. Harnisch was devastated. Later, Hodel says, Ellroy "pissed backwards," recanted his earlier endorsement, and told interviewers, "maybe I was fooled." I interviewed Ellroy recently for another story I was writing, and we chatted amiably for about twenty minutes. When I asked him if he preferred Harnisch's or Hodel's suspect, he snapped, "I won't talk about that anymore. There are two things I refuse to discuss: Donald Trump and The Black Dahlia."

Hodel contends that Harnisch's suspect, Walter Bayley, had a secret, but it wasn't murder. A self-published book by a former LAPD Vice detective wrote in 1950 that an abortion doctor's office was located in a building on West 6th Street—the same building as Bayley's office. Harnisch points out that this was a hulking eight-story medical building devoted entirely to doctors, so just having an office there proves nothing. Bayley was chief of staff at Los Angeles County Hospital and an associ-

ate professor of surgery at USC Medical School, and doctors Harnisch interviewed who knew Bayley, as well as his secretary, insisted that it was highly unlikely that a surgeon with his professional standing would have performed abortions.



About the only thing Harnisch and Hodel agree on is the innocence of Leslie Dillon who author Piu Eatwell identifies as Short's killer in her 2018 book, *Black Dahlia Red Rose*. Redding of Santa Barbara City College's Justice Studies Department says that both Eatwell and Hodel "have fallen into the trap of confirmation bias. They cherry pick information to confirm their view of who the killer was." Dillon had been taken into custody by detectives from the LAPD's Gangster Squad, claimed he was held against his will, and questioned for days by a police psychiatrist. He later sued the department. Both Harnisch and Hodel say they have no interest in pursuing Eatwell's theory of the case because the extensive D.A. investigation, which was initiated as a result of the Dillon debacle, placed him in San Francisco at the time of the killing.

After all the attention Hodel's book received and the defection of Ellroy, Harnisch's best known advocate, he was extremely discouraged. During this time his marriage dissolved, he moved to a small apartment, and he faced the depressing reality of spending holidays away from his wife and son. With neither the energy nor motivation to finish his book, he put it aside. Instead, he began blogging daily about Los Angeles history for the *Times*, freelancing occasional articles for the paper, and frequently challenging the accuracy of Hodel and other writers on his Black Dahlia blog. While he wasn't adding chapters to his book, the research for the blogs provided valuable background when he returned to writing five years ago, shortly before he retired from the paper. His first draft, he

realized, had been overstuffed, encyclopedic rather than dramatic. On his second draft he changed the point of view to first person, but he later realized the writing sounded too much like a parody of noir. Harnisch had spent most of his career editing other writers, but after all the blogging he had done, he realized his writing had improved dramatically, so he embarked on another draft, which he is attempting to finish as he continues to delve deeper into Walter Bayley's background. His final task is to chronicle the last few months of Short's life, and Harnisch has gone to extraordinary length to track down biographical details.

Short, who was only twenty-two when she died, was raised in the Boston suburb of Medford, the third of five girls. During the Depression, her father, who built miniature golf courses, suffered a financial setback and abandoned the family when Short was six. The family was struggling, so during her freshman year she dropped out of high school and worked as a waitress and movie usherette. A neighbor of the family, Bob Pacios, told Harnisch that Short was "by far the prettiest of the five sisters."

During the war, Short, who had asthma, moved to Florida to escape the harsh New England winters, and met a pilot, Major Matt Gordon Jr. While he was overseas and flying P-51s in the Burmese theater he wrote and proposed marriage. She immediately accepted. Gordon's mother later told reporters that Short had sent her son twenty-seven letters in eleven days. In August, 1945, five days before V-J Day, Gordon was killed in a crash and Short never overcame her grief.

Harnisch attended a reunion of Gordon's unit, the 2nd Air Commandos, in Florida and interviewed a number of his fellow pilots. In his office, Harnisch points out a framed photo of Short, who was called Beth at the time, wearing a green beret, a matching top, and a string of pearls. The picture, which is signed: "To T.J. Love and luck always, Beth," reveals Short's gracious nature. "One of the pilots at the reunion let me

copy this and told me the story,” Harnisch says. “It turns out that T.J.’s wife wouldn’t write to him, so Charlie got Short to write him and send him the photo. “

Short was working as a waitress in Massachusetts when she received the news of the crash. Gordon’s death sent her spiraling into a deep depression. She drifted around the country during the next year-and-a-half until her death, never held another job, and often stayed briefly with friends and acquaintances. In the summer of 1946, she landed in Long Beach in an attempt to resume a romance with another pilot, Gordon Fickling, who she had met at the beginning of the war. “Everyone wants this to be a noir morality play,” Harnisch says. “The aspiring young actress comes to tinsel town with stars in her eyes and this is what happens to impressionable young women who want to be in the movies. The truth is she came out to Southern California for a man. That’s a lot less glamorous.”

Harnisch interviewed Fickling but is reluctant to share exactly what he said because so many people have plagiarized his blog and he wants to hold some things back for his book. Fickling and Short spent some time in a hotel in Hollywood, but the romance fizzled. She later wrote to him: “Perhaps Matt was my man. That is why I’ve been so miserable.” He returned to Long Beach, and she spent the next few months crashing at the apartments of acquaintances, telling guys she met sob stories—she was having trouble cashing checks or she was a war widow whose baby had died—in order to cadge??? money for meals. In December 1946, she ended up in San Diego where she met the cashier at an all-night movie theater. When the woman learned that Short was homeless, she invited her to stay at the apartment she shared with her mother and younger brother. Short spent about a month at the apartment, briefly dating a number of men before she met a pipe clamp salesman by the name of

Robert “Red” Manley. They dated for about a week and then she joined him on a sales trip as he headed up to L.A. They spent one night at a motel, but it was an “erotically uneventful night,” a reporter wrote.

Writers have portrayed Short as a promiscuous loser sleeping her way across Hollywood. The truth is, Harnisch says, she was just a young woman traumatized by the death of her fiancée, a lost soul—homeless, grieving, and adrift. Harnisch interviewed Short’s youngest sister, Muriel, who told him she has avoided reading anything about the murder, although her daughters had read a few books “because after all she was their aunt...but my poor mother. There was nothing then in the way of support groups...The family has put so much time into trying to get away from it...trying to put it behind us.”

On January 9, Short made up a story about meeting her sister at the Biltmore, so Manley dropped her there. Harnisch figures she was just trying to get rid of him. Manley was the leading suspect at one time, and Harnisch interviewed a detective who investigated him. He also met with a retired LAPD captain who gave him access to material that had belonged to the head of the Homicide Division at the time of Short’s murder, and obtained the recorded interviews of two Dahlia detectives, neither of which has ever been made public. Harnisch disagrees with the claim made by some writers that the detectives were inept, and the case was compromised by department corruption.

“This was a state-of-the-art investigation at the time. They threw hundreds of cops and investigators borrowed from other departments at this murder. Homicide was the elite LAPD unit and Harry Hansen and his partner were experienced professionals. There was zero corruption in this unit. Yes, there was some corruption in the department, but that was mostly in Vice. But covering up a murder corruption—definitely not.”

The Biltmore, with its Spanish and Italian Renaissance design, Moorish beamed ceilings, lavish frescoes and murals, was the city's most elegant hotel when Short wandered inside. Harnisch strides through the hotel, built in 1923, and stops at the bar, which serves a cocktail known as the Black Dahlia, made with citrus vodka, Kahlua, and Chambord. Harnisch points out that Short did not drink and the Gallery Bar didn't exist when she arrived at the hotel.

After her body was found in the South Los Angeles lot, a savannah of-ankle high weeds and yard clippings, the afternoon *Herald-Express* immediately dubbed the killing the Werewolf Murder, but soon found a more evocative name. Reporters discovered the moniker that made her famous when they learned she used to frequent a drugstore in Long Beach. Customers called her the Black Dahlia, a play on the 1946 movie *The Blue Dahlia*, and because of her swirling black hair and black clothing.

Harnisch is now researching 1946 Long Beach, trying to create a sense of place he can recreate in his book, and searching old newspaper articles, attempting to discover who spent time at the drug store soda fountain where Short hung out and what they knew about her. "I found out that a woman in the drugstore is the one who named her. She said to a cop who also spent time there, 'They should call her the Black Dahlia.' The cop is the one who gave this account to the newspapers. All the articles just say he was a cop. But they don't take the next step. I got his name and his account. And he wasn't just a cop with the Long Beach P.D. He was a vice cop. That's why he was so interested in talking to her. They weren't just chit-chatting. He was checking her out. Multiply getting details like that with a thousand other details and you'll see why it's taking me so long to finish the book."

Researching the case and portraying it accurately has been so difficult because, Harnisch says, Elizabeth Short was the first to fictionalize her life. When she lived in Hollywood for five months, a roommate was an aspiring actress and Short appropriated her tales of casting calls and studio gossip. She wrote her mother and told friends she was pursuing an acting career, yet she never took an acting class or showed any interest in the movies. She claimed that she worked as a waitress while living in L.A., yet she never held a job here. She claimed to be a war widow, yet she never married her fiancée. She claimed her infant son had died, yet she never had a child. She concocted numerous other sob stories to con men she had briefly met out of a few bucks. What Harnisch does know is that after her fiancé was killed, her life careened out of control, dissipating her ambition and her rectitude. Researching Walter Bayley has been equally difficult for Harnisch. At times, he felt as if he was chasing a shadow. Trying to accurately chronicle the boyhood, career, war experiences, mental decline, flaws and foibles, and the marriage and eventual dissolution of the union of an unremarkable man born in 1880 seemed, at times, like a quixotic quest. Finally, the murder has been the most frustrating pursuit of all. After spending more than two decades investigating the case and Los Angeles history, and researching the victim and a suspect, Harnisch anticipates finally finishing his book next year.

“This is not a story where the victim got justice, the family got closure, and the killer was captured and punished,” he says. “As a result, this is a story that fades to conjecture. This is a story without an ending.”



Absolution

A child soldier for Joseph Kony seeks a path back to the civilized world.

—Adriana Carranca

1. Boy, interrupted

Like every kid in Northern Uganda in the 1990s, Okello Moses Rubanganyo grew up terrified of Joseph Kony. A mythic self-proclaimed messenger of the Holy Spirit, Kony was the brutal leader of the Lord's Resistance Army, waging a vicious war against the central government.

Tales of terror wound their way into the children's fantasies. So when Moses was jolted awake in his dormitory at school in Gulu one night in 1996, he couldn't tell at first whether or not he was dreaming.

Moses saw men in dreadlocks striding among the beds, and "When they shook their heads like this," he told me, standing up and shaking his head fiercely to demonstrate, "drops of water sprinkled on you." The rebels were carrying flashlights, and as the light beams penetrated the droplets they created an effect like that of a prism on the walls of the room.

What is that? Moses asked himself. *Is this a rebel thing? Or is this magic?*

‘Get up! Getup, you stupid!’ the rebels muttered furiously. ‘There is a war going on outside!’

Moses was terrified. It was not magic.



I first met Moses on a sweltering afternoon of March 2014 in Gulu, Northern Uganda, which was the stronghold of the Lord’s Resistance Army during the civil war. I had travelled to the region to cover the massive influx of refugees caused by yet another brutal war, in neighboring South Sudan. Matthew Green, a former Eastern Africa correspondent for Reuters and one of a few journalists to have met Kony, suggested I talk to Moses, who had guided him in his quest for the feared LRA leader—a journey he chronicles in *The Wizard of the Nile*, published in 2008

Moses agreed. He wore a buttoned-up blue shirt, light brown pants, and socks and shoes, even though the thermometer was at 87 degrees Fahrenheit. His outfit had been carefully chosen. If people on the streets saw the many scars in his body, he explained, they would recognize him as a former LRA soldier.

Moses had a shaved head and this, together with a thin, patchy moustache on his oval face, gave him the appearance of a teenage boy—the schoolboy he once was—in the body of a fatigued man.

He is now in his early thirties, the caring father of six, and the killer of an uncertain number of “enemies.” He is a loving husband and the former keeper of two kidnapped young women, one of whom became pregnant with his second child while in captivity. Like thousands of boys in Northern Uganda, Moses was abducted by Kony’s LRA rebel army at a young age—he was sixteen—forced into military training, and turned into a child soldier.

Over a period of eight years living in the bush and fighting with the guerrillas, he rose through the ranks of the LRA until he himself commanded thirty-four abducted boys he kept as child soldiers.

This cycle of violence repeated itself for three decades after the Holy Spirit Movement of Alice Auma “Lakwena” (“messenger,” in Acholi), a self-proclaimed prophetess, started waging war against the Ugandan president, Yoweri Museveni. In 1987, when Alice fled into exile, Kony inherited her role and built the movement into the Lord’s Resistance Army, Central Africa’s most feared rebel group. It was as recently as 2017 that the United States announced the end of an \$800 million manhunt for Kony, a program that had lasted for six years but failed to capture him.

Only one LRA commander has ever been brought before the International Criminal Court at The Hague: a man named Dominic Ongwen, who faces seventy charges of war crimes and crimes against humanity. Like Moses, he was kidnapped as a schoolboy (he had been fourteen) and turned into a child soldier. This spring, the closing statements in the case started this March, 2020. The judges will then have ten months to issue a verdict: victim or criminal?

That same question has haunted me since the afternoon that Moses and I sat to talk inside a blue-plastic tent in the backyard of a guesthouse in Gulu.

As we sat in tottering plastic chairs, Moses took a tiny notebook out of his pocket, and placed it on the table in front of us. In it was the diary he had kept during his last years in the bush. He was also carrying a book: *Tall Grass: Stories of Suffering and Peace in Northern Uganda*, written by Father Carlos Rodríguez, a Catholic missionary who served in the area through the war, and who had influenced Moses’ escape from the LRA.

Moses wanted to take me back to his years with the LRA. A decade since his escape, he was still trapped in his past, struggling to move on. So for the next four hours, Moses performed what was almost a monologue—an extraordinary tale of aberrant truth—about his journey since the day of his abduction, when the rebels came to his school.

At times, Moses's testimony sounded to me like a confession in the sacrament of Reconciliation. It was as if he was seeking something. Something like absolution.



Samuel Baker Secondary School opened in 1953, and over the decades the all-boys institution established a reputation as one of the best in Uganda, known for bringing forth thinkers—ministers, ambassadors, judges, professors. When Idi Amin took power in a coup d'état in 1971, there came a period of conflicts, economic neglect, oppression, and atrocities against Northern Ugandans by successive ruthless leaders. All of this fueled the emergence of rebel groups like the LRA.

Just 7.6 kilometers from Gulu, the region's largest town and the heart of Acholiland—home to more than one million Acholi people, an ethno-linguistic minority group—the Sir Samuel Baker campus was surrounded by conflict and began to decline. But dedicated schoolboys like Moses still tried to live up to the expectations placed on the students of the golden generations.

That all ended for Moses the night the rebels came.

Get up, get up! Moses still remembered their voices, the way they shook the beds. “We are suffering in the bushes and you are sleeping here? – you lazy stupid kids!”

During the war, students and teachers did not leave the school campus for months. They lived in five dormitories, with eight double-decker bunk beds in each. The facility was supposed to be guarded by the Ugandan Army, but that night the soldiers were nowhere to be seen. Still, the rebels moved carefully, fearing that a neighbor might alert the military detachment that was positioned just a kilometer away.

The boys were tied together with a rope at the waist in groups of five, and within a few minutes they and the rebels had vanished into the bush. Forty stumbling schoolboys were taken that night, including Moses and his two half brothers.

Moses tried to note the directions they were heading: *Okay, we are following east. Now north. Ok, northeast. No, not east, south. Oh, are we going back south?* They seemed to be walking in circles, but in the dark in the bush it was hard to tell. He only realized they were not walking in circles when they arrived at a forest clearing, where a smell of burning lingered in the air.

They boys were led inside a straw hut. There a man—Moses later learned he was an LRA commander named Mariano Lagira Ocaya—sat in front of a radio transmitter. “He looked very ugly. Very, very ugly, with a sad, gloomy face,” Moses said, grimacing. “He spoke like someone who is not human. And he never smiled.” Rebels holding walkie-talkies and rifles searched the abductees’ pockets for money, IDs, or whatever else they might be carrying, then lined them up before the commander.

“Do you know me?” Moses remembers Lagira asking.

“No, sir, no,” the terrorized boys responded, wondering whether or not this was the right answer.

“Do you know anyone here?”

“We don’t know anyone, sir,” the boys lied. Moses tried to avoid eye contact with his schoolmates and brothers.

“Where are you from?”

“From school, sir.”

The commander turned to Moses: “You! Why were you at school?” Moses was trembling. “Sir, we don’t know. It was our parents who took us to school.”

The commander asked what he was studying, but Moses was too nervous to reply. His mind went blank. Sir Samuel Baker School already felt distant.

“Do you think you are cleverer than me?”

“No sir, I am not, I am not.”

“Why did you go to school instead of joining us here so that we could fight the dictators in the government? You, stupid Acholi!” the commander shouted.

A ray of hope lightened the boys’ spirits when the commander recognized one of them. “He introduced him as the son of a brother. If they are relatives, maybe we’ll be released,” Moses thought. But instead the commander ordered the boy to lie down, and then made a sign to four armed men in the hut.

They came with large clubs. “They beat that young boy seriously,” Moses said. Sixty strikes, from each of the four rebels.

Moses soon learned that the beating was part of the LRA’s “registration” process, when new abductees had their names “written” on their own skin—“Not with a pen, but with big, big sticks,” Moses said. Moses spelled out his own name for me, reproducing the noise of each strike

in between the letters, just as it happened then, writhing as if he could still feel the pain. “They beat you with full strength,” he said. “They were called the ‘fire brigade’.”

Those who were seventeen and older (the eldest was twenty) had to stand during the “registration.” “They call it waiting for a bath,” Moses said, bending over to show the position. It was meant to be a funny name, but only the rebels were laughing.

The children were supposed to show no emotion. Crying could cost them their lives. “They put you at gunpoint, and you are not allowed to make any sound,” Moses said. “The first twenty strikes you believe you won’t survive the pain. But then you stop feeling it.”

To stop feeling was precisely the point. This was a strategy developed by the LRA, and described by Moses as intended “to remove the civilian life and school ideology from you, and transition you to the military.”

The beatings lasted for three days, after which the boys felt crushed, their bodies battered and swollen. The “registration” dehumanized the recruits, but was also a tool of natural selection. Only the strong endured.

The survivors were separated into battalions under the command of the LRA’s four brigades: Gilva, Sinia, Stockree and Trinkle. Moses and his brother Francis were assigned to Stockree brigade, but put in separate battalions. His other brother, Baptist, was part of a group immediately taken to one of the LRA bases in Sudan. They never saw each other again.



The abductees mainly performed heavy-duty work. They carried supplies to the rebels—food, water, ammunition. And they soon learned to never, under any circumstances, even when asked, say they were tired or needed to rest. In the rebel’s language that meant “to die.”

Beatings were frequent, and any misstep could be fatal. “It went on until most of us realized that the only way to stop that was if we changed our attitudes,” Moses said. “So, you pretend to be sharp.”

This was the beginning of Moses’s transformation.

Soon the boys began receiving military training: “assembling and disassembling a gun, firing, marching,” Moses said. For some time abductees carried wooden logs, chosen to be the size of a Kalashnikov, so they’d get used to the weight. Only after getting a real gun would they become a soldier and no longer be beaten, Moses was told. “So we started craving for a gun,” he said. The boys would never be given one. They had to earn it. And the way to earn a real gun was to take one from the dead body of a Ugandan soldier.

Two months after Moses’s abduction, Stockree brigade left on a mission to Aboke, in the neighboring Kole district, south of Acholiland. On their way, Moses’s battalion was caught in an ambush. It was his first experience in crossfire. But all he could think of was that he had to earn a gun. “When we saw ourselves in an ambush... *trtrtrtrtrtr*,” Moses said, reproducing the noise of a machine gun and bending down as if bullets were again flying over his head. “We couldn’t do anything with a log. So, our strategy was to hide and look for dead soldiers.”

Moses quickly found one. “The uniform was stained with blood. I had to pull it off,” Moses said, repeating the movement. An expression of disgust filled his face as he did so. “I removed his boots, the gun belt . . .”

Moses then put the gun on his shoulder and waited. He had no intention of using it.



From the moment of his abduction Moses carefully observed the rebel's movements, and nurtured plans to escape. But he could not see a way out. "Let me tell you, because many ask me why I didn't escape earlier—I call it a silly question," Moses said. "When you are in the bush for a week, you don't know the security. You can escape. But can you survive?" He looked at me as if he was still seeking an answer.

At first Moses thought that it might be possible to escape if he had a gun. And then he had one. "But after one or two months, you will know all the tactics of security and defense. You will know that there is an observation patrol over that tree, and that one, and that too," Moses said, pointing into the air. "You will know that, at night, at least ten patrols block this road, and that, and that one too, everywhere around."

"And they trick you," Moses continued. "Once you acquire your gun, they will test you. They will send you out alone into the bushes on a mission"—to fetch water, for example—"but you know there is always someone following you secretly, someone up on a tree observing your movements. So you don't risk." Those who dared were killed in front of all the others.

And that's not all. One LRA tactic to prevent abductees from escaping was to beat them all for the misdeeds of one. Another was to randomly pick an innocent boy and force the others to beat him to death. "That made us keep an eye on each other," Moses said.

The new abductees were kept "under heavy security" until they gained the trust of the commanders.

By then, they were complicit. They were LRA.



Shortly after Moses acquired his gun, the battalion went on with the mission. “Around 1 a.m., we reached Aboke,” Moses said. The rebels scanned the area surrounding the village to make sure government soldiers were nowhere to be seen.

The target was St Mary’s College, a Catholic school for girls. The recruits were ordered to guard the gate outside while senior rebels went on with the mission, Moses said.

It was October 9, 1996: Ugandan Independence Day. Inside the gates at the school, rumors had begun circulating that the LRA was preparing an attack. By then, the group’s many atrocities were well known. Those included mutilations, summary executions, and sexual enslavement—young girls were often abducted and given away as “wives” to the commanders.

The LRA was at its peak. Their forces numbered in the thousands and the army seemed overwhelmed. When the students and nuns went to bed that evening, the government’s promise to send a few men to protect the school was yet to be met.

As described in *Stolen Angels: The Kidnapped Girls Of Uganda*, at around 2:15 a.m. the college gatekeeper knocked on the door of Sister Rachele Fassera, the school’s deputy headmistress: ‘Sister, the rebels are here.’ The men had broken into the school through the back gate and moved into the students’ dormitories. They left just before dawn, taking 139 girls from thirteen to sixteen years old with them.

Moses remembers marching for hours afterward when, all of a sudden, Sister Rachele and a young teacher named John Bosco Ocen emerged from the bush in front of the group. As the two stared at the Kalashnikovs pointing at them, a Ugandan helicopter surged into the sky and bullets started to fly.

The group kept marching for another four hours, walking and hiding until the Ugandan military lost sight of them. They reached one of the LRA's camps, where several hundred other rebels were also gathered.

Sister Rachele pleaded with the commander to let the girls go. Perhaps because she was a nun, and the LRA was allegedly fighting to establish a Ten Commandments-based theocracy in Northern Uganda, Sister Rachele eventually persuaded him to release 109 of them. But, the thirty youngest girls—for they had a better chance to be virgins and free of HIV—remained with the rebels. They were all to be handed over to Kony.

According to Moses, one girl secretly told the visitors where the students from Aboke were being kept. “The other girls were made to kill her, after they left,” Moses said. His eyes looked wild, haunted, as he remembered this.

Five of the girls abducted from Aboke never returned home.



On the way back from Aboke, the rebels set up camp to rest and eat. Moses had been assigned to cook for his battalion, and the commander called him over.

‘Rubangangeyo, come!’

Moses interrupted his story here to tell me how annoyed he felt that the recruits had to address the commanders as “*japwonj*,” which translates as “teacher” in Acholi. “It was funny,” Moses said, though he wasn’t laughing. “I was used to educated teachers, real professors. Now I had to respond to these illiterate men.”

“Yes, *japwonj*?” he answered, hiding his discontent.

As he recalled what happened next, Moses cringed; his whole body shivered. “I was a very good cook, so I thought he’d ask me to cook for him.” Instead, the commander gave Moses an order he couldn’t have anticipated.

“Go and cut off that man’s legs!”

The rebels handed a small axe to Moses.

By then it was forbidden to ride a bicycle, Moses explained, because it would be easy to go and report the rebels’ location, and the soldiers could respond quickly. So the LRA had been warning villagers not to ride bicycles.

“They caught that stubborn man riding that bicycle. He was a big man, thirty-five maybe. They laid him down there . . .” The punishment was to chop his legs off, “so he couldn’t ride his bicycle again.” Moses had been “selected” for this task.

“I was forced to ...I was forced to do it,” he told me, avoiding eye contact.

The commander noticed that Moses was “a bit dodgy” about this task. “They hit me with the gun in the head. So, on order, I started . . .”

In front of me, Moses repeated the movements he had made that day, cutting the air with his arms as if swinging the small axe. “It took me several times, ten times, *argh!* I was feeling so bad!” he said. “They should have given me the big axe. You know, those used to cut firewood.”

Moses interrupted his narration again, taking a piece of paper and drawing a small axe on it. “These can’t cut anything. Women dance with it.” Then, he drew a bigger one. “This one is heavy. You can do it at once and forget it. But, with the small one, it took about ten times to cut off ...with blood splashing on you, with the fat splashing on you...” His face contorted with distress as he described the scene. “It was so painful to me. But I did it.

“On orders, I did.”

As Moses descended back into hell, and the hell imposed upon others, he alternated between narrators—the schoolboy, the child soldier, the commander. My own feelings alternated too: from empathy, in the moments I could see the schoolboy he once was, to deep sorrow, as I thought of the victims of all this horror. I also felt anger. How could the international powers have allowed such atrocities to persist for so long?

Moses elevated his head and took a deep breath. He looked tortured, as if emerging from a waterboarding session. But his memories soon pulled us to the next ambush his battalion was caught in. This time, Moses fought back.

When the battle ceased, the rebels were happy. “Because it was an ambush from UPDF!”—the Uganda People’s Defense Force, meaning the Ugandan Army. Moses no longer looked at me as he spoke. Instead, he stared into space. It was as if he was still in the bush, carrying that gun again.

“We defeated them!” Moses said, with a long laugh. “Actually, let me say, we *defeated* them!”

I couldn’t help but notice that this was the first time during our conversation Moses had used the pronoun “we” while referring to the LRA.

The recruits were greatly relieved after that fight, because about half a dozen of them got guns. “There would be no more serious beatings,” Moses said. “And, you know? You start becoming used to things, because there is no way you can escape.”

For the next eight years, Moses lived in the bush, mostly in Sudan, with almost no contact with civilian life.

“So,” he said, “I became a soldier.”



2. God knows

Moses was taken to southern Sudan four months after his abduction. At the camp, he joined thousands of fighters and newly abducted boys and girls. The camp was the largest of the many LRA camps that were established in the area during the late 1990s. It served as a training camp as well as the group’s main headquarters—and it was home to Joseph Kony.

One Sunday morning, the new recruits—boys and girls—were gathered around a big mango tree. This was just two weeks before Christmas, and Moses loved Christmas, when his family would gather around a decorated tree and share traditional dishes.

A man wearing a light brown suit and a robe appeared before the children. “You are most welcome to Sudan,” the man began. “You are the new Acholi. We’ve liberated you from the dictators of the Museveni government.”

The mysterious man was holding a Bible. He opened it, as Moses remembers, to a verse from Matthew 5:30: *And if your right hand causes you to stumble, cut it off and throw it away. It is better for you to lose one part of your body than for your whole body to go into hell.*

“It is in the *Bible!* That’s why we are chopping people’s hands; they are doing bad things with them. If they can’t listen to us, we chop off their ears. And if their mouths talk something bitter, you better cut it off too.”

The man also used the Old Testament to justify the LRA’s enslavement of women. “You can take as many as you can keep, like King David. It is in the *Bible!*” he said. “And Kony can keep 200 women.”

The man moved to Sodom and Gomorrah, the sinful cities destroyed in Genesis 19:24. “God killed people because He got angry,” Moses remembers the man saying. “If anyone disobeys you, kill him! Those who obey you, bring them closer! It is God’s words.”

“God is a *soldier!*” the man concluded. “Kony is a soldier!”

Moses only later learned that the man preaching was Kony himself. “I never imagined,” Moses said. “The way he was talking ...He was a very gentle man, actually. Very gentle.”

That Sunday the brutal leader of the LRA made the children feel special: “You obeyed to Kony, and that’s why you are here. You’ve survived. You are the new Acholi!” he told them. “We are going to kill all the stupid in Uganda. They say Kony is bad, but Kony is not bad. If Kony asks the local council to give fifty young boys and girls to join us, will they accept that? No. So, the only option is to take you. But we are not kidnapping anyone. We are uniting our brothers and sisters.”

“Have we abducted anyone among you here?” the leader asked the crowd.

“No, no, no sir!” the terrified boys and girls responded.

“Is Kony bad?”

“No, no, no, no sir.”

“Are you happy?”

The boys and girls lied again. “Yes, yes, yes, yes.”

“Are you happy to join the new Acholi?”

“Yes,” they repeated loudly, making sure their voices were heard: “Yes, sir!”

“Those were silly answers,” Moses told me. “We were pretending. We couldn’t even feel our legs. We had walked for three weeks, and thousands of miles, seeing people die on the way.”

After the sermon that Sunday, the newly abducted boys and girls were “baptized”—their naked chests, backs, and arms marked with a cross, using a mixture of white clay and water. They were anointed with “holy oil” made of Areca palm nuts, poured on their forehead and parts of their body. During the ceremony they were asked to confess their sins. If they refused, they were told they would die soon. If they confessed, they’d become invisible to “enemies” and no bullets would ever reach them.

“They were indoctrinating us, brainwashing our minds!” Moses said. “You start thinking that maybe the polygamy, the killings or even chopping ...might be connected to something spiritual.”

But such thoughts wouldn’t last. Later that day, Moses learned that his brother, Baptist, had been beaten to death. His other brother, Francis, also had died, possibly “from cholera and hunger.”

Their bodies were never found. “Those who were a bit stronger,” Moses said, “we got used to life in the bush.’

The surviving recruits were required to attend Kony's sermons twice a week, on Fridays and Sundays. "He could preach for six hours, standing. So we all had the chance to see Kony," Moses said. But if there was any part of Moses that, even for a moment, wanted to believe in Kony's spiritual powers, that part died with his brothers.



Joseph Kony was one of seventeen children of a catechist father. He grew up in Odek, a sub-county of Gulu district, raiding cattle and attending Catholic services. At a young age he became a traditional healer, or "witch doctor," attending to the community from his family hut until he left with a number of followers to fight against Museveni's government. Museveni, an ethnic Munyankole, took power in Uganda in 1986, after a rebellious campaign that overthrew Idi Amin and the brief Acholi-led military government of General Tito Moses. Northern soldiers either defected or were discharged. Back home in their villages, they organized several resistance groups to fight against the National Resistance Army led by Museveni. They counted heavily on popular support from local Acholis, as well as on spiritual guidance. It was in this context that the self-proclaimed prophetess Alice Auma came to prominence.

Neglected in the real world, the Acholi blamed evil spirits and witchcraft for their misfortune and illness, and relied on traditional healers to scare them away. As anthropologist Tim Allen of the London School of Economics and Political Science wrote, "Spirit mediums helped to establish a degree of social accountability in a world where the state had largely lost its credibility and collapsed, and where witchcraft and sorcery were widely believed to be the most common causes of mortality."

Traditional beliefs, old grievances and new forms of violence and oppression by Museveni all nurtured the growth of the movement. And marching semi-naked, with ash crosses drawn in their bodies, Alice's followers managed to scare Museveni's army away from Northern Uganda. This success helped attract more followers to the movement. By 1987 the Holy Spirit Movement was believed to have as many as 8,000 fighters, but the group was defeated after crossing into the Museveni-controlled south. Alice fled to Kenya (she died in 2007), and was replaced by Kony. As the group's brutal tactics and mass atrocities—mostly against its own Acholi people—became known, Kony lost credibility and his popular support evaporated.

This is what led him to adopt new strategies to grow the ranks of the LRA: massive abductions of young boys, who would be turned into soldiers, and of girls, who would bear their children.



Moses learned that the more senior the officer in the LRA ranks, the better the food and treatment. Officers were spared from heavy work, and enjoyed relative comfort and perks, such as having a *ting-ting* (maid) and being allowed to choose a “wife,” or several.

Major General Kony lived with many “wives,” including Lily Atong, sister of Dominic Ongwen, the commander who is now on trial at the International Criminal Court in The Hague. She gave birth to six children with Kony. The LRA leader is said to have fathered as many as fifty with girls and women in captivity, though the exact number remains uncertain.

The LRA had a well-established and controlled structure, according to reports by the NGO Enough Project. Camps were organized in several parallel circles. Senior officers resided in the inner circles, protected from all sides by indoctrinated fighters. Kony stayed in the center, surrounded by a personal escort.

Kony appointed those who were granted higher status in the hierarchy; his commanders had to get his blessing before promoting their own subordinates. The perks and the recognition motivated younger fighters like Moses to show more loyalty, discipline, and bravery in conflict.

The LRA chain of command followed a line of authority similar to that of the Ugandan army, but with a few tweaks: “They’d give you boys and women to be under your command,” Moses said. “And this became your unity. But not like in the government. They called it your family.”

Moses was promoted to sergeant, the initial step up in the chain of command, and later to battalion administrative officer and brigade administrative officer. Moses grew closer to the group’s leadership—or the “Control Altar.”

As an administrative officer for the Stockree Brigade, Moses counted the dead; the sick; the disappeared; the fighters in combat and those on standby; the women; and the children, both the abducted and those born in the bushes. He knew the LRA’s positions in Uganda and Sudan, and the moves they were planning. “I knew everyone of the 1,500 people in the Stockree Brigade by heart.”

At times, Kony called the brigade administrative officers together for a meeting. “There were just four of us, and the chief administrative officer and his second in command. So, he came to know us,” Moses said, with a smile that looked like pride. “Also, I was a very good administrative officer, because I was a bit educated, uh? So Kony knew me personally.”

But it was a harmless skill that brought Moses closest to Kony. “I was also a tailor, and this skill gave me a lot,” he said. “Kony would invite me to his place to sew his wives’ dresses.”

I asked Moses if he came to like Kony. Moses remained silent for a while, and his answer, when it came, was reluctant. “Yes, sometimes ...because the stories we heard were different from what we saw. It was rare to hear him give an order to kill. But it was common to see him quarrel with his commanders-in-chief who gave such orders. So I wondered if those illiterate commanders were the bad ones.” (Several reports contradict this, affirming that Kony did give orders to kill, including those who disobeyed him.)

In times of peace, Kony would come “say hello.” The feared chairman of the LRA would call Moses “writer,” for he was one of the few among the LRA who had a good education. “Hey, writer, how are you? Thank you very much, writer!” Moses says, mimicking Kony’s voice. “Those were his kind of words.”

“Also my name, Rubangangeyo, amused him a lot,” Moses added. “It means ‘God knows’.”



Life at the LRA headquarter camp in Sudan was not easy, but it was better than hiding in the bush in Uganda. In Sudan, the rebels didn’t need to raid villages for food as often—basic supplies as well as arms were provided by the Sudanese government. Sudan President Omar Al-Bashir had adopted the LRA as a proxy in retaliation against his rival, Museveni, who was supporting rebel groups that were fighting for the

independence of the Christian-majority southern part of Sudan from the Muslim North. (South Sudan would eventually gain its independence, but not until 2011).

LRA soldiers shared bases with Sudan's Army and received military training derived from "British tactics from the 1960s and early 1970s, with an emphasis on anti-ambush drills and jungle fighting," according to reports by the Small Arms Survey.

On Fridays, the day of worship for Muslims, Sudanese Arab fighters joined the LRA for prayers. According to Moses, Kony would adapt his sermons in what he describes as "a kind of mixed, hybrid religion," combining Christianity, Islam, and traditionalism.

Under the protection of Sudan, the group enjoyed years of relative stability. This allowed the LRA rebels, or at least those allocated in the brigades' headquarter camps, to build an infrastructure similar to that of the rural communities in the region.

After he became a sergeant, Moses was allowed to have a "wife": a sixteen-year old girl abducted from Uganda, who was chosen for him by his direct commander. Once a girl was given to an officer, he had to accept her, and no one in the group was allowed to touch her. "She was too young," Moses said, "but they forced me." When he climbed further in the ranks of the LRA and gained a little bit more freedom, Moses gained permission to choose another girl. The one he chose had been taken by the group during a raid in Northern Uganda. "She was eighteen. That was a fit for me."

At the camp in Sudan, Moses's "wives" spent their time doing things like cooking, laundry, fetching water. They helped others to give birth, and to raise the children.

The experiences of LRA-enslaved ‘wives’ vary, often depending on the status of their husbands. They invariably involve horrific physical and emotional torture, and rape. But there are also tales of survival. Amid the violence and horror they suffered and witnessed, everyday life superimposed itself. The rebels were often abductees who had been taken away from their families as children, just like the girls, and it was not rare that they would bond over time. Others deliberately forged such bonds as a way of coping, of carrying on with their lives while still in captivity.

Eventually Moses was allowed to have his own “children”—child soldiers, just like him. “They’d give you ten children, and that became your unity. In periods of abductions you could increase that number, depending on how well you could keep them. I had thirty-four,” he said. “They became the children of Rubangangeyo. You are responsible for them.”

Moses described how he repeated, at least partially, the cycle of violence imposed upon him, beginning with the “registration” into the group. “I can’t even regret, because the same thing happened to me,” Moses said. “It’s like bullying in school. You are mistreated, and when the next group comes in you are supposed to mistreat them.”

Hierarchy was taken seriously in the Lord’s Resistance Army. None of the fighters were allowed to loot or abduct or kill without the consent of their immediate superior. Moses said he “specialized” in the big ones, sixteen to nineteen years old, “because, in case you are wounded in a battle, they can carry you.”

But there was another reason too: “The big ones know how to separate what is good and what is bad,” he said. “Those who are fourteen, fifteen years old—they simply kill, annoyingly, even without order. They can do bad things.” Most commanders, according to Moses, refused to keep the older boys, because “they know better, and they tend to escape.”

But, with time, Moses learned something: “I learned that if you treat them well, they stay.”



Moses rose through the ranks of the Lord’s Resistance Army in a time of renewed fighting. In December 2001, the George W. Bush administration had included the LRA on its list of terrorist groups. The designation wasn’t exactly meant as a way of directly targeting the rebels, but rather as a way of applying pressure to the Sudanese President Bashir, who, in addition to adopting the LRA, had also hosted Osama bin Laden in the 1990s, a decision that attracted American sanctions and cruise missiles.

The US war on terror indirectly provided new fuel to the conflicts in Uganda. Pressured by Washington, Bashir signed an agreement in 2002 that allowed US-backed Ugandan Forces to enter Sudan to hunt for Kony. “Operation Iron Fist” was launched in March 2002, and inaugurated one of the bloodiest periods of the war. The Ugandan military raided and destroyed several LRA camps in the Sudanese province of Eastern Equatorial, but Kony and the group’s top commanders managed to elude capture, fleeing to the mountains at the border, where they continued waging war against Museveni.

In retaliation for Uganda’s military offensive, Kony ordered his rebels to return to their old battlefields in Northern Uganda with full force. The group conducted dozens of attacks and ambushes in the Gulu, Kitgum and Pader districts.

By then, the government had forced the population to relocate to “protected camps.” Residents often lived in appalling conditions, and they were anything but protected.

Rebels raided the camps, looted villages, burned homes and disrupted humanitarian aid. Abductions increased dramatically, with thousands of children enslaved and forcibly conscripted into the LRA's ragged army. Brutalized recruits terrorized, raped, tortured, and killed scores of civilians, leaving behind traumatized people, orphans, and a trail of corpses.

Amid this extreme violence, local clergy organized around the Acholi Religious Leaders Peace Initiative, and travelled to Kampala to try to persuade President Museveni to give them permission to initiate contact with the rebels. He agreed. A landmark meeting was held on July 14, 2002 with the clergy and the LRA's most senior members, including Kony's second in command, Vincent Otti. In the following months, religious leaders ventured into the bushes unescorted at least twenty times, delivering secret letters from the rebels to Museveni, and vice-versa, in an effort to bring both sides to the negotiation table.

On March 4, 2003 Moses was sent to one of these meetings, along with other LRA commanders. He helped to receive the delegation and to arrange for them to talk to Kony via radio. As Moses followed Kony's broken conversation with the delegates, he found himself distracted. "I was thinking, like deeply thinking: *What kind of war am I fighting? What is the agenda? Might this be a senseless war?*" He asked himself, in silence: *Do I want to die in captivity?*

For seven years, Moses had been assigned to the LRA headquarters in Sudan. Being back in Northern Uganda changed something in him. He started thinking about his family again. He also realized that, of the boys abducted from Sir Samuel Baker School with him and taken to Sudan, he was the only one still alive. It dawned on him that "all of the others had died in the battlefield," he told me.

Just before the delegation prepared to leave, he managed to discreetly whisper something to Father Carlos Rodríguez, one of the Catholic missionaries present in the talks: “Tell mom I am alive.”

3. Back from the dead

Neither side honored the plea for a ceasefire. The government accused the LRA of using the peace talks only as an opportunity to regroup. The LRA argued that the talks were a government cover to spot the rebels’ positions. In fact the meetings did often “coincide” with operations by the Ugandan Army. For its part the LRA continued pursuing relentless attacks across Northern Uganda, and its targets came to include religious leaders, whom the group accused of being puppets of the Uganda government.

The LRA also extended attacks beyond the Acholiland into the neighboring territories of the ethnic Lango and Teso people. Pro-government militias, armed and trained by government forces, were established in such areas, and they were also accused of recruiting child soldiers.

The Ugandan Army too were accused of abuses, including “torture and rape, summary execution, and arbitrary detention of suspects” as well as recruiting “boys as soldiers,” a Human Rights Watch report based on field research stated in 2003.

Jan Egeland, the then-UN Under-Secretary General for Humanitarian Affairs, referred to the situation as the “world’s biggest neglected humanitarian crisis.”

But the war was nowhere near an end.



In an attack against an army position in Northern Uganda, Moses was gravely injured. He felt a strong force that threw him several meters away. Moses first thought he had been shot, but he felt the impact in every part of his body: “The chest, the eyes, the legs,” he told me, pointing to the location of the scars still visible on his skin. He had been thrown by an explosive; fragments of the bomb remain in his body today.

Moses realized he couldn’t walk, so he crawled to a hole nearby and covered himself with leaves. Some fifty army soldiers were in the area, he calculated, and he feared they would seek him out to make sure he was dead.

“I decided to maybe shoot myself,” he said, pointing a finger to his chin, as if holding the gun again. “But I said no. I still have six magazines.”

Blood gushed from his waist, and he pulled his magazine belts tighter to try to stop the bleeding.

The soldiers were near. “I knew they would come and kill me. So I held the gun, and waited,” Moses said, taking position in front of me and looking down an imaginary rifle.

That was Moses’s last memory of the battle. “I fainted,” he said, throwing his body backwards in the white plastic chair and closing his eyes to demonstrate, his legs extended and his arms hanging over the sides. Moses doesn’t know if he fainted because of his wounds, the impact of the bomb, loss of blood, or the scorching sun. He woke up at dusk. He was hurt, stained with dried blood, confused about the passage of time, but fully aware that the Ugandan soldiers might still be around. He spotted smoke coming from a fire, where they must have been cooking.

Luckily, they left before noticing the hole where Moses was hiding. His LRA comrades had also left. He was alone.

During missions ordered by the Control Altar, the brigades had to report to Kony every three hours, via radio, and communicate any incidents. When Moses' comrades informed Kony that their Brigade Administrative Officer was missing Kony, Moses was later told, was furious. "He ordered some commanders to go and look for me." But the group never found Moses. Fearing Ugandan soldiers could be close by, he remained in hiding for three days.

For a brief moment, he thought of never returning to the LRA. But then he feared being jailed or killed by the Ugandan Army. He didn't want his parents to see him in his wounded and disheveled state. So three days later he marched back, deep into the bush. Kony celebrated his return.

As usual in the bush, he had his wounds treated by cleaning them with water and traditional Acholi herbs in the mornings and evenings, and letting them heal.

Among the LRA rebels, Moses became known as the one who rose from the dead.



The army's escalation of violence meant that the LRA fighters had to move carefully. It had become harder to stockpile supplies for the battalions, especially now that they no longer enjoyed the protection and support of Sudan. In these times of intense battles and constant marching to elude their hunters, the fighters were short of two essential items: "Wellington boots and socks," Moses said.

Back in Northern Uganda, the LRA commanded a chain of “collaborators,” civilians from nearby villages who would smuggle a variety of items to the rebels. Just a month after the meeting with religious leaders, Moses advanced with a group of about thirty fighters to a secret location in the outskirts of Gulu to meet one of these.

Moses had grown obsessed with the idea of seeing his family again. “I kept asking the newly abducted from town for news.” So, that day, besides Wellington books and socks, he had a special order for the boy: “Go and check if my family is okay.” Three days later, the collaborator returned bringing the cargo—and Moses’s father.

This meeting was highly risky for Moses. Even though he was the commander in charge of the mission, he feared that his subordinates, who included two junior commanders, would report him to the Control Altar. What he didn’t know was that the two had been secretly planning to escape themselves. The junior commanders feared Moses, and they may have thought that keeping quiet about Moses’s meeting with his father would increase mutual trust and facilitate their escape.

The efforts of the religious leaders involved in the Peace Initiative had not been entirely fruitless. They had played a significant role in advocating the Ugandan government for blanket amnesty for LRA soldiers, as a way of motivating defections. The Amnesty Act passed in 2000, and the religious leaders took advantage of their meetings in the bush to discreetly inform rebels. A “come home” messaging campaign by local community radio stations had also begun to encourage demobilization.

It was in this context that Moses’s father found his son—heavily armed and surrounded by loyal subordinates.

They greeted each other from afar. Then his father approached. He showed Moses a picture of a little girl. “Your daughter,” he said. “She is seven years old now. And she is waiting for you to come home.”

In high school, Moses had started dating a girl who got pregnant just before his abduction. (Uganda has one of the highest rates of teenage pregnancy in Africa.) Moses's parents had helped raise the child.

"Come home with me," his father pleaded. But Moses refused. "There are rules," he told his father. "Time will come."



Two weeks later, the two junior commanders in Moses's group told him they needed to return to the site near Gulu to get some remaining cargo. They never came back. Moses's direct commander blamed him for the loss. The punishment could range from 500 strokes to being beaten to death. This time Moses refused his fate.

"I rejected it. I became so aggressive with the top commanders! *How could they?*" Moses recalls. "I was abducted as a child, I was a student back home, I am still here, and you don't *appreciate* it?" he remembers shouting at them. It was the first time he had confronted his superiors at the LRA. But by then Moses had earned their respect, and the loyalty of his "children."

The "children," he said, "were very well trained and very loyal to me, because I was a good commander." He summoned his unit and bodyguard, and ordered them to shoot anyone who approached him. No one did.

But Moses knew that whatever ties bonded him to the rebels had been broken. He had had enough. From that moment he began planning his escape.

Soon after, Moses heard on the radio that his father had died. Rumors were spreading that the man had succumbed to despair after meeting his son and failing to bring him home.

Nearly seven months passed, and the war only worsened. Moses promised himself that he would see his daughter at least once before he died.

“I was getting a lot of bullets,” Moses recalls. “I decided that the next battlefield would not see me there.”

Three months after his father’s death, Moses’s “wife” escaped. He told his immediate commander that he needed to go bring her back. Moses took his gun and a torch and set off with his bodyguard into the darkness.

But he had planned this all out. A few hours earlier, he had ordered the girl—who was pregnant—to run. He and his bodyguard walked for hours, while Moses pretended to hunt his wife. Then Moses took his bodyguard’s gun and told him to run away too.

Expecting that his bodyguard would return to the LRA camp and report him, Moses climbed a tree and waited. When dawn broke he put on the uniform, which he believed would buy him some time if he was surprised by Ugandan soldiers, and he walked to the nearest army detachment, in Pader district.

He introduced himself as a defector from the LRA and turned in his gun. It was over.

As a commander, Moses was brought to Ugandan Army headquarters in Pader. “You have to give away some secrets,” Moses said. They offered him two options: “Join the army,” through which he could earn good money by local standards, “or go back to civilian life.” The offer of a job was tempting, but Moses was tired of fighting. He chose civilian life.

Moses was granted blanket amnesty, as promised, and airlifted to Gulu, where he was driven home by a Ugandan Army regional intelligence officer.

Moses found his house empty. From a distance, he recognized an old neighbor on the street, and approached him. Realizing the man wouldn't recognize him, he introduced himself. "Moses Rubangangeyo," he said.

"I only know one Moses Rubangangeyo," he heard from his neighbor. "And he died a long time ago."

Moses would have to rise from the dead once again.

4. Searching for Mercy

Moses had lost eight years of his life when he left the bush, and he returned to a collapsed world. Some two million people were displaced by decades of war, and living in extreme poverty in Northern Uganda.

The red clay earth has a more intense tone in this part of Uganda, and local residents say it is colored with the blood of the Acholis. More than one hundred thousand people were believed to have perished in the region between 1987 and 2006, when peace talks started—though those talks collapsed two years later. More than 52,000 people had been recruited by the LRA, half of them children. Many were never seen again.

Yet, more than 20,000 did return. Whether perpetrators or victims—or both, as in Moses's case—many were rejected by family members and neighbors. They had been held for years, and were often blamed for having adhered to the group.

Returnees were referred to the reception centers run by aid organizations, where they were sheltered and received immediate healthcare and psychosocial assistance. They could stay for up to six months. But Moses felt

such services were inadequate to deal with the long-lasting challenges faced by returnees. “They wanted me to stay and learn carpentry with the others. They didn’t believe I could go back to doing normal things, like studying, because I had stayed in the LRA for eight years. They said I was traumatized and would fight,” Moses remembers. “I told them they were wrong, and quit. I just wanted to go home and start a new life.”

He received a “resettlement package”—basic household utensils, a mattress, farming tools, beans and maize seeds, as well as a single donation of 260,000 Ugandan Shillings, the equivalent of \$70. “The focus was not reintegration,” Moses said. “We had no further support.”

Moses’s two half-brothers had died in the LRA. Back home, he learned that his older brother had died too, of an undiagnosed illness (during the war, many succumbed to treatable diseases like cholera, hepatitis, and malaria due to the collapse of healthcare infrastructure.) He had also lost his father. His mother was disillusioned and sick.

Moses called Father Carlos, the Catholic priest he had met in the bush during the attempt at peace talks. For a year, Moses contributed his services to the priest’s parish while taking a computer course. He subsisted on vegetables he grew on a piece of family land, and on fish from a small pond his father had built. That allowed him to survive, he said, though not to truly live again.

He realized it wasn’t possible to move forward without looking back. To regain his life, Moses would have to start all over again—from the moment when his life had been interrupted.



At age twenty five, Moses returned to Sir Samuel Baker School, which had recently been rebuilt. The fresh paint covering the walls was not enough to erase his memories, however, and he transferred to a smaller school and picked up where his education had been halted.

Father Carlos helped him open a small shop, where he sold part of his harvest to pay for his school fees and support his mother. It wasn't easy. "I struggled to get through it," Moses said. "There was stigmatization."

But in 2012—eight years after his escape from the LRA—Moses graduated with a bachelor's degree in Development Studies from Gulu University.

In Gulu, returnees could blend in more easily and have better opportunities than those settled in isolated rural areas. Still, that created a situation where perpetrators and victims constantly crossed each other's path. It was a city of amputees and traumatized people, of orphans and families enduring endless mourning—56 per cent of the families in the Acholi sub-region of Northern Uganda had at least one member who was still missing in 2012, according to a Gulu-based think tank, the Justice and Reconciliation Project.

Their encounters on the streets kept bringing back memories of the war. "Three days won't pass without me seeing one of them," Moses said, referring to former LRA commanders who later joined the Uganda army. "And they are receiving big salaries from the government."

It was March 2014, a decade since his escape. I asked Moses if he had managed to forget his past. "I can live," he said, "but I can't forget. It is like a disease. You have to learn how to live with it."

Then I asked Moses if he could forgive. "I have forgiven myself and have forgiven those who abducted me," he said. "But forgiving Kony is not easy, because he destroyed my life. He is the one who should be trialed."

To this day, only one LRA commander has faced trial at the International Criminal Court—Dominic Ongwen. He surrendered to forces in Central African Republic in January 2015, and was transferred to a jail cell at The Hague. The seventy counts of war crimes and crimes against humanity he has been charged with by the International Criminal Court include enslavement, inflicting serious bodily injury and suffering, and conscription of child soldiers—the same crimes that were committed against him.

The trial is of extraordinary importance, for it is the first of a former child soldier, and the court's verdict can set a legal precedent for future cases. Can children who were abducted, submitted to years of physical and mental abuse in captivity, and who then become perpetrators, be held responsible for their acts? Should the indoctrination they were subjected to, and how it shaped their perceptions of what's right or wrong, be considered?

“Ongwen was a child soldier like me. We were abducted from school, because the government didn't protect us,” Moses argues.

While there is no doubt that the LRA's methods and crimes were horrendous, the politics and interests of national, regional, and international players that allowed—if not fueled—the conflicts for almost three decades are difficult for outsiders to comprehend. Northern Ugandans and experts largely agree that the central government had a responsibility to protect its population, and (purposefully, many believe) failed to do so. Pardoning high ranking commanders such as Ongwen, they say on the other hand, would send a signal of impunity to perpetrators of mass atrocities in Africa. But is it fair to persecute only one side of the war? they ask.

Along with Ongwen, the ICC has indicted Joseph Kony and three other LRA senior commanders—Vincent Otti, Raska Lukwiya, and Okot Odhiambo. Last year, the ICC dropped the arrest warrants issued against Lukwiya and Odhiambo after the court received evidence of their deaths. Otti is also believed to have died, and the court is waiting for DNA tests for confirmation.

Kony remains at large. The LRA is still active, mostly along the border of the Democratic Republic of the Congo and Central Africa Republic, from where they abducted at least forty three children in 2019, according to Invisible Children and community-based organizations.

To this day, none of those who sponsored the LRA and provided them safe haven have been held responsible. Sudanese authorities are yet to hand former president Omar al-Bashir to the ICC to face charges for crimes committed in Darfur, in 2003. He has not been indicted for his actions relating to the LRA. The Ugandan government, too, has not been held responsible, despite its many failures to protect its population through three decades of savagery. President Museveni has remained in power since 1986, and Uganda's parliament recently approved changes to the constitution to scrap the age limit for presidential candidates, making Museveni, now seventy four, eligible for re-election in 2021.



In the long-term, Northern Ugandans have been left to their own fate. As the war waned and the LRA moved elsewhere, support for the survivors waned too, perhaps when it was most needed.

Returnees are “commonly abused because of their LRA past,” according to a study by Tim Allen and other researchers recently published in the *Journal of Refugee Studies*. Like Moses, they continue to be disturbed

by their memories. This sometimes manifests in nightmares, high consumption of alcohol, and aggressive behavior, which reinforces stigmatization. As the troubling choices they made in order to survive become known, they are deemed as having “bush mentalities,” or are feared to be carrying *cen*—a “malevolent spirit” widely believed to possess those involved with violence.

They are, as one local counselor told the researchers, “just half-loved.”

This is true for the women, too—it’s believed that 10,000 girls abducted by the LRA between 1988 and 2004 became child mothers. “Hundreds of them came back bearing children of Kony and Ongwen and others. Those babies, now teenagers and young adults, are ostracized; the girls are getting sexually abused,” Allen said on a phone interview. “And this is happening now.”

In an earlier study, by Professor Myriam Denov, sixty children aged twelve to nineteen—all born to women abducted by the LRA—said “they felt a greater sense of family cohesion” while in the bush, and that they believed their life was better during the conflict than it was afterwards, given the hatred, stigma, and rejection they face.

Those who stayed with the LRA for several years, like Moses, were “more capable to move on,” according to Allen, for “they had to be resilient to survive.” But their reintegration into society depends on a range of things—the help they receive from individuals like Father Carlos; whether they settle in cities, where more opportunities are available; and their education, moral ethics, and religious beliefs. These things mattered more than reintegration programs. In the long-term, instead of fostering social inclusion for children and young adults returning from the LRA, “humanitarian agencies have, for the most part unwittingly, participated in rendering most of them invisible and potentially more vulnerable,” Allen’s research found.

Moses is a rare case. “Many of us are still desperate and vulnerable,” he said. “Some simply can’t cope with the past. For me, it was possible through education.”

In 2018, Moses earned a postgraduate degree in Project Planning and Management from the Faculty of Business and Development Studies at the University of Gulu. “I want to transform my negative experience into something positive,” he said. And he motivated other returnees, like his friend Celere, who spent five years as the abducted “wife” of another commander in Moses’s battalion, to do the same.

Over the years, he and other former abductees have developed their own informal safety net, in which they help each other to cope, bonded as they are by their past and by their shared struggle to return to civilian life. “It is a brotherhood and sisterhood we maintained from captivity,” Moses said. “It is hard to relate to those who didn’t go through what we did.”

Celere almost committed suicide when she escaped in 2009. “So I called her and we sat together.” The last time they spoke, Moses said, Celere had graduated from college and was working for the local government in Pader. She has remarried.

Moses, too, remarried: to a returnee named Mildred, who had spent three years enslaved by the LRA. They met in one of the reception centers. Moses moved—with his mother, his wife, and their children—to rural Gulu, as he could no longer afford the expense of the city.

In 2015, Moses started building himself two buildings with three classrooms each, and he has opened a primary school for vulnerable children from nearby rural villages. Moses shares his time these days between managing the school, working for an Italian NGO that provides assistance to children with cancer, and farming—fresh cucumbers, beans, and collard greens—to increase his earnings and feed his family.

But if he wanted to make peace with his past, there was someone else he needed to seek out: the girl who had been abducted by the LRA at sixteen and turned into one of his enslaved “wives.” His older “wife” had died in an ambush. But this younger one was alive, and Moses knew she had been pregnant at the time he set her free.

He had no idea what happened to her after her escape. So, Moses wrote a letter describing the girl in detail, asking for help locating her. He sent it to NGOs, reception centers, and local councils. But they refused to give him information. So he gave up, until a community leader gave him a tip: He believed the girl Moses was looking for was living in Agago District, 180 kilometers west of Gulu.

Moses went to find her.

He travelled to Agago District several times. His presence roused suspicion, but he managed to discover that she was living in Arum, a small sub-county of Agago. Last year, he learned of a funeral of a man in the village, and decided to attend.

Moses was surprised to learn that the widow was the woman he had been looking for. After she escaped the LRA, she had married a man of her choice, who helped her raise the child Moses had fathered long ago. Out of respect for their mourning, Moses decided to give them time. Eventually he hopes to bring the daughter to live with him, as is Northern Ugandan tradition.

“But, for now, at least I accomplished my mission to find the child,” he said.

The girl is just about the age that Moses was when he was abducted from Sir Samuel Baker School. The mother named her Mercy.



To learn more about the child soldiers of Uganda before, during, and after the war, here is a reading list compiled by the author:

- Tim Allen et al. *What Happened to Children Who Returned from the Lord's Resistance Army in Uganda?* Journal of Refugee Studies (2020). Oxford University Press.
- Helen Epstein. *Another Fine Mess: America, Uganda, and the War on Terror*. Columbia Global Reports, 2017
- Tim Allen and Koen Vlassenroot. *The Lord's Resistance Army: Myth and Reality*. Zed Books, 2012
- Matthew Green. *The Wizard of the Nile: The Hunt for Africa's Most Wanted*. Portobello Books, 2008
- Kathy Cook. *Stolen Angels: The Kidnapped Girls of Uganda*. Penguin Canada, 2007
- Tim Allen. *Trial Justice: The International Criminal Court and the Lord's Resistance Army*. Zed Books, 2006
- Transcripts of Dominic Ongwen's trial are available at the ICC website: www.icc-cpi.int/uganda/ongwen

A Trial by Fire

She warmed some chicken for her nieces and took out the trash. Then everything changed

—Carol Mersch

1. Apartment #716

It was a joke among members of the ragtag maintenance crew at the Section 8 housing project, as well as a convenient answer for local fire marshals who sometimes inquired: “Blacks frying chicken with grease, they keep burning down these apartments!”

The London Square Apartment complex where the crew worked was an aging misfit in the midst of a well-established middle-class neighborhood in Tulsa, in central Oklahoma. When it was built in 1965, the sprawling complex was considered a jewel in the midtown community, boasting seven private in-ground swimming pools and immaculate landscaping. Fifty years later, neighbors see it as a tinderbox—its aging wooden roofs, dilapidated stairs, and boarded windows a testament to neglect. Numerous fires through the years served to evacuate unlucky tenants, along with the colonies of bedbugs hiding in mattresses of previously burned-out units.

One of those occurred on November 18, 2013.

For Miashah Moses, it began with a plume of black smoke. She saw it rising from her building as she crossed the parking lot. She broke into a run. Her two small nieces were inside.

Miashah had left Unit #716 only minutes earlier to empty the trash. She raced up the staircase to her front door on the second floor, still unsure if the smoke was coming from her unit. She was shaking so badly she kept dropping her keys. Frantic, she ran next door to #718 and pounded on Tina Long's window, screaming, "*Fire! Call 911!*" Tina dialed 911 and bolted out her door to Miashah's apartment. Neither could budge the door. Noni, four, and Nylah, eighteen months, were locked inside. They were the children of her older sister, Keahmicee.

Two men appeared out of nowhere and tried futilely to bust the door. Finally, on Tina's count, they rammed it off its hinges. A wall of thick black smoke rolled out. The men lunged in, only to be driven back, coughing. They couldn't see two inches in front of their faces. Repeated attempts were futile.

Tina wasn't giving up. "I had on a really thin T-shirt, and I bunched it up as best I could over my face and I made it to the hallway. I couldn't breathe anymore. And I started thinking of my kids and I thought, 'I can't die here, I've got kids.'" She retreated.

Visibility was near zero and the heat level was rapidly increasing to the level required for spontaneous ignition. Miashah knew where the children were and was determined to save them or die trying. She nearly did. After several attempts to grope her way along the hallway to the bedrooms, she collapsed outside from smoke inhalation.

By this time, temperatures in the ultra-dense smoke had reached flash-over. Fifteen-foot flames began leaping out the kitchen window. “She would have gone in again had one of the guys not physically restrained her,” Tina said, “and she would have been dead along with the children.”

Tina was kneeling over Miashah in the courtyard below when she caught a glimpse of the apartment maintenance man running up the stairs, down the walkway, and throwing something into the burning unit. “I can’t be sure, but it was round and white and looked just like the smoke detector in my unit,” she said. “I mean, what else would he be throwing in there?” She says she never heard any smoke detectors going off during the episode. “All I could hear was Miashah screaming, ‘My babies, my babies, get the babies!’”

Fire trucks arrived within minutes. Several hydrants located inside the complex had become non-functional several years ago, so the firefighters struggled to drag the hose from the hydrant across the street, some three hundred feet around the far end of the building, up the back stairs, and across the walkway to #716. “I felt like it was taking forever,” Tina said. “It was probably ten or fifteen minutes just to get the hose up.”

By this time, smoke was belching from the balcony of #716 across the entire complex, the length of a football field. Fire Captain Zachary Willis was parked at the side of the complex in a city SUV talking to firefighters. “At this point I was still unaware of possible victims inside the apartment,” Willis’s report states. “I had [Engine 14] at the window of the car when a friend of the mother approached us stating there were kids inside the apartment.” He noted in his report that another fire unit had become aware of the children earlier and tried to radio out, but the call had been “stepped on” by another radio call.

Although the children were just inside the window, Fire Captain Stan May said firefighters didn't know that and came in from the other side. "There was no direct access back to the bedroom—that slowed them down," he said.

After Miashah's frantic call, Courtney Fletcher, her stepfather, rushed to the scene. He found her curled up on the sidewalk in the midst of firefighters, hoses, tenants, and onlookers, her screams lost in the chaos.

Tina watched helplessly as firefighters emerged, carrying two small, limp bodies to a waiting ambulance. Emergency Medical Services Authority (EMSA), Tulsa's ambulance contractors, rushed the girls to Saint Francis Hospital's emergency room. Members of the Moses family were crowded in the hospital emergency waiting room, praying that the girls would pull through, when a uniformed stranger approached and asked the names of the children "for the coroner."

They stared in disbelief.

2. A Charge of Murder

One week later, Miashah, then twenty-three, was charged with second-degree murder in the deaths of Noni and Nylah.

Her pro-bono attorney was Sharon Holmes, a former assistant district attorney who was well known by the judges and other attorneys in the Tulsa court system. A trim African American woman with a military background, she often represented high-profile clients. In addition, she routinely assisted underprivileged clients on a pro bono basis.

Holmes said privately that she felt the District Attorney's stance in the case was harsh and unwarranted. She mentioned this to Dennis Wharton, a bail bondsman for eighteen years in the Tulsa court system and

a licensed California attorney. He agreed and said, “I don’t think the facts support the charges.” The Moses family was struggling to meet Miashah’s out-of-pocket court costs, and he gave Holmes \$500 to help with legal expenses. To him, the cause seemed a worthy one.

Local news outlets adopted a different view than that of Holmes and Wharton. Based on skeleton facts from police and fire reports—including the fact that Miashah had talked briefly with a neighbor after dropping off the trash, with the girls inside—television stations displayed graphic footage of the London Square inferno and vilified her. The reports noted Miashah’s past arrest record—including assault, a second-degree burglary guilty plea, and one for possession of marijuana.

A local CBS news anchor reported Miashah had left the children “trapped” in the apartment. A FOX23 news channel reporter left television audiences with this: “Two children died that day. Somebody has to be held accountable. Who?”

3. Tulsa County Courthouse, Room 423

On June 23, 2014, seven months after the fire, Tulsa County District Court Judge James Caputo was to hold a hearing on the Moses case in his courtroom at 9 a.m. The charges against Miashah had been brought by the Tulsa District Attorney, Tim Harris, and if proven, could result in a lifetime behind bars for her. The case was delayed, and Caputo called a recess. A large group gathered outside the courtroom, including a tall striking black woman with tight braids laced close to her head.

She was Chrisandria Moses, Keahmiec and Miashah’s mother. Through years of struggle, including experience with domestic violence, she had worked her way from menial jobs to positions commanding a degree

of respect—a trained security guard, a Certified Nursing Assistant, and, until recently, a Tulsa public school bus driver. She was passionate and well spoken, a woman who seemed able to differentiate common sense from nonsense—which is what she believed the justice system had perpetrated on her daughter. She quit her job as a bus driver after the death of Noni and Nylah. The exuberant schoolchildren were a reminder of the little ones she had lost.

The rest of the crowd gathered outside the courtroom. Some carried posters with photos of the two small victims. More than a dozen members of the crowd were family members: aunts, uncles, cousins, as well as Miashah and Keahmie's brothers and sisters. In age they ranged from Nubia, thirteen, who is Keahmie and Miashah's little sister and an honor student at Carver Middle School, to Doreen, the dead children's great grandmother, in her late sixties.

Front and center was the children's mother, Keahmie, nineteen, there to defend her sister's innocence even through the pain of her own loss. "Nobody asked me," she said. "I'm their mother, and I'm telling you my sister is not a murderer. My sister loved my kids."

The outpouring was an odd combination of rejoicing, remembrance, and fierce defense of a family member who, they believed, was nothing more than another victim of a tragic accident. Chrisandria sat beside Courtney Fletcher, her soft-spoken partner of seventeen years. Their emotions were written on their faces—sorrow, shock, and a determination to face down a district attorney armed with virtually unlimited resources and power.

4. A Protective Mother

Chrisandria, a mother at thirteen, had been seven months pregnant with Miashah, her second child, when her husband attacked her with a screwdriver.

It was 1990 in their North Tulsa apartment. As Chrisandria tells the story, their son, Keontae, then two years old, had been playing nearby on the floor of the apartment. As an argument between Chrisandria and her husband grew heated, he turned and unleashed a torrent of anger on the two-year old, landing a blow across the child's back that sent blood gushing out of his nose. Chrisandria stepped between them to block his fury. He flung her against the closet door.

Clambering for the first thing she could grasp to defend herself, she tore a clothes rod from the closet behind her and swung it at him. He jerked it out of her hands and threw it across the room. It wasn't until he was nearly on top of her that she saw the eight-inch screwdriver over her head, lashing at her wildly—first across her chest, then across her back as she turned to protect her unborn child. Chunks of flesh were punctured out like divots.

The fight continued into the front yard and out into the street. One last punch blacked her out on the ground. When she came to, Chrisandria remembers, she was drenched in blood. A neighbor was standing over her with a shotgun pointed at her husband. "If you hit her again," he said, "I'll blow your head off."

This was the first battle she would fight to protect her children, and it wouldn't be the last.

5. Life in London Square

Miashah and her younger sister Keahmice moved to London Square only two months before the fire. Keahmice worked as a housekeeper at Hillcrest Hospital while Miashah cared for Noni and Nylah, who by all accounts were crazy about their “Auntie Mo.” She had been babysitting Noni and Nylah since the day they were born.

The two-bedroom apartment was cramped, but the sisters were close and glad to finally be on their own. It wasn't the Hilton, but the aging housing complex was affordable and located in a decent part of town. Keahmice, now twenty two, is petite, with shoulder-length smooth hair and a winsome face. Miashah, now twenty five, is the opposite, a five-foot two-inch tall, stocky, soft-spoken girl with a boyish appearance. Between Miashah's six siblings and extended family, there was always a baby in the house, and she was the one who cared for them, juggling homework and diaper changes, then jumping out of bed early the next morning to make the opening bell at McKinley Elementary School. She was cooking meatloaf at the age of seven. She babysat family children all through high school.

Photos of her at her high school graduation show a bright-looking girl with an easy laugh. All she wanted to do was get a job and live her life. Always a tomboy, she loved shooting baskets in the driveway with her younger brother. Family gatherings at the Moses house were jubilant, her mother said, with smiling Miashah at the center of them. She was outgoing and talkative, a light at the center of things.

When Keahmice leased the London Square apartment, it seemed only natural that Miashah would move in with her and take care of the kids. “That's all I knew, was those kids,” Miashah said. “I had been taking care of them my whole life.”

The situation also worked well for another reason: Miashah had been booted out of her house after she told her mother that she was gay. It wasn't something Chrisandria felt she could deal with at the time, she said. The November 2013 deaths of Noni and Nylah would change that. Having her first-born daughter accused of murdering her own grandchildren would force Chrisandria, as well as other family members, to see the comparative irrelevance of Miashah's sexuality. But meanwhile, the two sister's arrangement in the Section 8 housing worked well for everyone.

Several things about apartment #716 were quirky, though. One item of particular concern was the wood railing along the second-floor walkway just outside their door, which was missing several slats. Noni was prone to let her little sister "out for a walk," and there was ample room for a toddler to squeeze through and plummet to the sidewalk. As a precaution, Miashah and Keahmiec kept the front door securely locked.

Also: The dials on the stove didn't line up with the heat levels, and you could never be certain if a burner was on or off. Their stove was electric, and the sisters learned that the only way to turn a burner off was to twist the knob to the right until it stopped, something a neighbor, Tina, was keenly aware of since her stove dials had no heat level markers at all. "They had all worn off," she said. "There's supposed to be a light that turns on when the burner's on," said Tina, "but there's been times when the light's not on, but I know the burner is on because I feel the heat coming off."

Also: The apartment did not have a smoke detector, and the fire extinguisher outside on the walkway had an expired inspection sticker. Exposed wiring could be seen sprawled along the upstairs walkway and dangling from exterior walls. Tina worried that the wiring in the aging complex was antiquated and overloaded. In her case, the lights in

her ceiling fan flickered and wouldn't work at the same time as the fan. Finally, the entire fixture blew. The light in the bathroom short-circuited one day and threw the breaker, and when she plugged in a nearby oscillating fan, it sparked and blew the circuits in all three bedrooms. According to Tina, if tenants complained too much about problems, they were threatened with eviction.

Jon Hodges and his friend, Andrea, lived in the apartment below Miashah, and experienced electrical problems of their own. "We had to have our entire apartment rewired because we had several electrical fires," said Hodges. "We would be watching TV and all of a sudden the TV would go out and we would see smoke coming out of the wall. There was one time we could actually see a black line starting to burn up the side of the wall," he said. At that point, he threw all the breakers and called the manager.

6. Fire in #716

On November 18, 2013, Keahmiee fixed herself shrimp in a skillet with grease for lunch and left the skillet on the back burner of the stove. She kissed the children goodbye and departed for her two o'clock shift.

Less than an hour later, Miashah heated pre-grilled chicken strips for the children's lunch, a task that took less than five minutes. After feeding Noni, she changed the baby's diaper and put the two girls in her bedroom to watch television. She then turned the burner off, as far she could tell or remember, and—carrying the dirty diaper and the rest of the trash—she went out to the dumpster, taking care to lock the door behind her.

Surveillance cameras show Miashah leaving her apartment in the far southwest corner of the building and proceeding down the outside stairs to the trash bin in a parking lot at the opposite end of the building. After emptying the trash, she stopped at a pop machine and crossed the parking lot to visit briefly with a tenant who had waved her down from a nearby building.

It was when she turned back to her apartment that she saw black smoke rising from the southwest corner of Building 700—where moments before she had left Noni and Nylah secure and happy.

The rest was a blur.

As fire trucks, EMSA, and Tulsa Police converged on the scene, a helicopter from a local news station circled overhead, capturing the ferocious blaze and chaos. A man was seen trying to climb up the outside of the building to the porch but he fell off because the bricks were too hot.

When Courtney, Miashah's stepfather, raced to London Square in response to her frantic call, he found her crumpled on the ground in front of the complex, hysterical and vomiting from smoke inhalation. He watched as a police officer approached and said he would need to handcuff her if she couldn't get herself under control. Courtney wrapped his arms around her and held her tight as they watched #716 burn. There was nothing they could do.

Miashah's mother, Chrisandria, was completing her shift as a Tulsa public school bus driver when her cell phone rang. Drivers are prohibited from using cell phones on duty, so she didn't answer. By the sixth or seventh call, though, she got a bad feeling. With the phone in her lap she punched the speaker button. What came next would change her life: Courtney was sobbing and screaming something about the babies, Miashah, and a fire.

The conversation was overrun by an urgent call from the school radio dispatcher: *TPS Route 1120, SB21*. Please, come in. “They almost never used my government call sign,” she said. Her hand was shaking as she keyed the radio. An emotional dispatcher pleaded, “Chrisandria, sweetheart, please, *please* call the office!”

News from the dispatcher confirmed her fears. Chrisandria returned the bus to the depot, picked up Keahmice from work, and drove straight to Saint Francis Hospital. When they entered the children’s hospital room, Noni appeared to be sleeping peacefully. “Wake up, baby,” Chrisandria whispered, patting her cheek. “Wake up.”

The children were pronounced dead at 3:45 pm.

7. The Fallout

What followed next is vivid in Chrisandria’s mind: She had been home from the hospital with the family only a few hours when an Oklahoma Department of Human Services representative knocked on her front door demanding to question Keahmice about what had happened.

Keiahmice hadn’t stopped crying in the hours since the fire, and now the state had dispatched somebody to interrogate her? This, plus the negative light already being cast on Miashah by newscasters at the fire and the devastation of ten grieving family members inside the house, drove Chrisandria to the edge. “You turn it around and get off of my porch!” Chrisandria screamed at the white woman, employing a word she rarely uses: “Do you really want to come inside a houseful of crazy screaming niggers?” The woman left. By this time, Keahmice was in dire emotional straights and Chrisandria drove her to Tulsa’s St. John’s Hospital, where she was sedated and kept overnight.

As Miashah and Chrisandria were leaving the hospital the next morning, a black SUV with tinted windows raced through the parking lot and screeched to a halt in front of them. Several police officers emerged. Miashah was arrested for outstanding court fines for some misdemeanor warrants. She was handcuffed and burst into tears.

Still shell shocked, she was taken to the Tulsa Police Department's Detective Division, where she was read her rights and then signed a virtually blank Miranda form, with only her name scribbled at the top. There was no mention of charges for child neglect, and she waived her right to an attorney. She was interrogated by detectives and booked into the Tulsa county jail.

Chrisandria felt she was losing everybody. In the days following, she searched desperately for something of her granddaughters to cling to. "I was having such a hard time, and I couldn't find any of Noni's toys or anything around my house. And I said to myself, 'God, please, let me find a shirt, or a sock, or anything.' I went to the babies' apartment and found Noni's doll. They had put up a memorial outside the apartment, and there were all these teddy bears and stuff like that. I bought Noni that doll in 2010, and she named the doll "Sheah," after Miashah.

"And when I went there that night, this doll was sitting right out front," Chrisandria said. "The only thing on her was soot on the bottom of her feet, where I could tell she had been in the apartment." She remembers it was the day before her 39th birthday.

8. The Investigation

In the aftermath, questions of how and why the fire started were answered within twenty-four hours: fire investigators determined it started in the kitchen, likely the stovetop, probably a grease fire.

London Square's insurance company moved swiftly to assess the scene. Within a matter of days, #716 was gutted. Somewhere along the way the oven was removed, and all physical traces of the fire or its cause were destroyed. For nearly a month, the only people allowed at the scene of the fire were city officials and London Square employees.

Whether it was a tragic accident or a criminal act depends on which version of the story you believed: The fire investigator who reported that it was an accident? The fifteen-line police report, which implied that Miashah had abandoned the children with chicken frying in grease? The DA's conclusion, that it was murder? Or the tenants who witnessed the event and concluded it was another one of the many electrical fires that plagued the complex?

The police report states that Miashah was "cooking with grease" and referred to the neighbor who had waved her down as a "homie." Chrisandria and Miashah's neighbor, Tina, contradict this, saying Miashah told them she was only heating, not frying, the pre-grilled chicken strips, and used Pam Cooking Spray, as stated on the package instructions, rather than grease. Chrisandria had been in the apartment only one hour earlier and remembers seeing a can of Pam on the counter.

Tulsa fire investigators officially ruled the fire accidental, as according to fire analysis there was no indication of foul play. Tulsa's District Attorney, Tim Harris, however, drew a different conclusion. He viewed the death of the children as more than an accident—rather, it was depraved, criminal neglect.

Then on November 26, a week after her arrest, the DA upgraded Miashah's charges—from child neglect to two counts of second-degree murder, one for each dead child, citing “an act evincing a depraved mind” when she fixed the children lunch and left them unattended for eight minutes to empty the trash. She had abandoned the children, he alleged, to do something other than merely empty the trash. The specifics would come later.

The DA's upgraded charges were handed down the same day that Noni and Nylah were laid to rest at Crown Hill Cemetery in two unmarked patches of earth. Money was scarce for the Moses family, and grave-stones would have to wait. Miashah was not present when her nieces were lowered into the ground. She was in Pod F-18 of the county jail, clad in an orange jumpsuit.

As the DA pointed to Miashah as the culprit, a narrative began taking hold in the local press: Miashah had left two small children locked in an apartment to die a horrific death. Chrisandria was mortified. “I know Miashah. I know my daughters,” she said. “I have seven children. And I would leave Miashah at home at seven and eight years old because I couldn't afford a babysitter. She would cook *whole meals*. She would never do this, never in a trillion years.

“We're the ones who lost the babies,” she said, “and they treat us like criminals.”

9. In the Courtroom

After fading from the headlines for several months, the case erupted in the media again after a March 13, 2014, preliminary hearing, when Assistant District Attorney Sarah McAmis purported to have evidence that Miashah had left to do more than just empty the trash—that she had gone to another apartment building to buy drugs.

McAmis's star witness was Torrance Williams, the tenant in Building 400 who allegedly waved Miashah down. But his testimony was less than star quality.

According to McAmis, Williams, a husky, twenty-year-old African American, had made a statement to police officers at the fire that Miashah had come to his apartment around the time of the fire to settle a dispute with his cousin over drug money that she owed for marijuana. McAmis contended that Williams specifically told detectives that Miashah was acting, in his words, as if she were high, that she was aggressive, paranoid, her eyes big.

When Williams took the stand, McAmis led him directly to her point. His answers were not what she expected.

“You formed an opinion that she was under the influence of something, this female. Is that correct?”

“Yes.”

“All right. And what led you to form that opinion.”

“I mean, 'cause you could tell. Just like it wasn't hard to see that she was drunk off dope. She was drunk off (unintelligible) or (unintelligible)—I mean, like she was just slurring her words. I mean, I know that. But I don't know nothing about buying—about anything like drugs or pills or nothing like that.”

“All right. And on that day, did you, in fact, sell her any marijuana?”

“No.”

“Did she ever act aggressively towards you that day?”

“No.”

“Did she act paranoid towards you that day?”

“No.”

“Did you ever tell the detectives that she acted paranoid towards you that day?”

“No.”

“And specifically the photograph that I showed you earlier, State’s...”

“No.”

“...Exhibit 3, did you ever tell the detectives that this was, in fact, the woman in State’s Exhibit Number 3 who had come to your apartment that day?”

“See...that’s what I’m trying to tell you. They never showed me a picture of nobody. They showed me a picture of me walking to my house. And they said that she came to my house and I told them, yes, a female came to my house that—that had short hair with a tattoo right here. *But that’s not her.*” (pointing to Miashah).

“A tattoo right where?” the judge interjected.

“Right here (indicating lower right eye) And like I told him, ‘how can I come to court about somebody that—that they never showed me?’”

Miashah had no visible tattoos.

McAmis was visibly upset and aggressively questioned him, over the repeated objections of Holmes, who believed that McAmis was attempting to smear Miashah's character by painting a portrait of a drug-addicted woman to support her second-degree murder charge of a "depraved mind."

The judge then interrupted McAmis questioning of Williams:

"Counsel, my understanding is that at some point he alluded to that the female was not this female."

"Yes, your honor. Again, the State should have the opportunity to impeach him with prior inconsistent statements..."

"Has he provided any substantive testimony that would assist the Court today? I mean, *you're impeaching your own witness...*"

After a brief exchange with the judge, McAmis asked Williams a few closing questions and he was excused from the stand.

McAmis then called to the stand Tulsa Fire Marshall Mark Milstead, who led a fire investigative team that included three investigators from the Tulsa Fire Department as well as a member of the ATF, the Federal Bureau of Alcohol, Tobacco, Firearms, and Explosives. The team followed a structured procedure for analyzing the scene to determine the cause of fire. Milstead gave a detailed technical description of the heat levels and path of the fire from its ignition source on the stove burner throughout the apartment from the ceiling to the floor. When McAmis asked if Miashah's statement—that she had left the stove on low heat—was consistent with his own findings, Milstead was unable to give a definitive answer.

“The stove hood had extensive oxidation, which means extensive fire damage to that hood element.... We—we are currently going to try to do some investigation and more data to get more of a finite detail.... So with that information—you know, it would take, obviously, a lot longer with a low versus a higher temperature to reach that.”

He went on to add:

“In the hallway, I located a smoke detector that was battery powered that was on the floor of the hall in between the two bedrooms...It did have a battery located inside it with the numbers 6 of 15, assuming that’s the expiration date on the battery. But it was still intact, plugged in; however, it wasn’t operational, obviously, at that point.”

McAmis then called a Tulsa police detective, Jeanne Mackenzie, to the stand; Mackenzie testified that during her interrogation, Miashah told her she’d used day-old grease to fry chicken before she took out the trash.

“When you spoke to the Defendant, did you ask what she had been doing before the time of the fire?”

“She said that she was cooking on the stove; that she left it on “low;” that she left the apartment to throw out—to take out the trash.”

Only seconds later, Mackenzie then appeared to contradict herself, saying Miashah had said she left the stove on “6,” a heat level six levels higher than “low.”

“Did she tell you whether or not she had locked the door to the apartment?” McAmis asked.

“Yes, she said she locked the door because the oldest one would let the youngest one out.”

“Did you ask her if she had done anything else outside the apartment other than go to take out the trash?”

“Yes, she said that she talked to a gentleman for two or three minutes.”

“Did you talk to her about time frames and how long she had been gone?”

“Yes, I asked her, when she went to talk to the gentleman, if maybe she was gone more than eight minutes. And her response was ‘I hope not.’”

“Did you ask the defendant whether or not she had gone to purchase marijuana from any individual?”

“Yes, I did. She said that was not true.”

“Did she tell you anything else at the fire scene?”

“She stated that she was patted down by somebody from the fire.”

Yielding to the state’s proposition, the judge ordered Miashah held without bond and bound over for arraignment in Judge James Caputo’s court. By this time, she had already spent nearly four months in jail.

Several people in the courtroom, meanwhile, remember Williams stating during the preliminary hearing that he had been pressured by the DA’s office to testify against Miashah in return for leniency on an outstanding drug charge. When Williams refused to implicate Miashah, McAmis threatened to impeach him at trial, purportedly with the testimony of Tulsa police officers who took his statement after the fire.

Five days after the preliminary hearing, when Williams appeared in court on his drug charge, his public defender abruptly resigned from the case. The judge then ordered Williams to reappear in thirty days with a private attorney. When Williams arrived on April 15 without an attorney, the judge ordered him taken into custody and he was placed in a holding chair in the courtroom to await a deputy. But somewhere between the docket call and his arrest, Williams disappeared. Subsequent subpoenas issued from the DA's office ordering him to appear at trial were returned undelivered. Williams was later located and placed under DA supervision for payment of back court costs and fines on the drug charge and other charges.

Miashah later said she had never met Williams before the fire and didn't know who he was.

10. Another Statistic

When Miashah was incarcerated on November 19, 2013, she joined an inordinate number of female counterparts. According to the U.S. Department of Justice, Oklahoma had recorded the highest rate of female incarceration in the country, every year since 1993. By 2014, it had doubled the national average.

Ed Martinez Jr., a local Tulsa Hispanic businessman and vocal member of the Tulsa World Community Advisory Board, noted in an August 17, 2015 news article that his daughters and other young women frequently describe a common theme when coming in contact with law enforcement: "Their cell phones are seized, which seems like a personal violation. If they try to prevent this violation, they are threatened with obstruction

of justice charges. Women stopped for suspected traffic violations are immediately asked for permission to search their car without probable cause. If they decline, they are threatened with arrest.”

Meanwhile, “Once they enter the criminal justice system, they are assessed with multiple fines and fees, most of which support the criminal justice system itself. The state of Oklahoma also enforces sentencing enhancements, mandatory minimums, and harsh drug laws that result in unnecessary felony convictions and long prison sentences for non-violent women.”

A review of Tulsa municipal and county records shows that multiple charges stemming from even a single traffic violation are often added by the arresting officer in a practice known as “stacking,” where related charges and fines are imposed for essentially the same violation. Unable to pay the steep fines and court costs, warrants are issued for “failure to pay” and more fines and court costs are added to the old. The system disproportionately affects the poor and members of minority groups, who often cannot miss work, pay for daycare, or find transportation to make payments or appear at court hearings. This system frequently feeds on itself, resulting in layers and layers of debt for the offenders, as municipalities attempt to raise revenues.

It’s worst for women who are African American. The Oklahoma Sentencing Project reported in 2012 that black women were incarcerated in 2010 in the state at nearly three times the rate of their white counterparts. The likelihood of a black woman receiving a lifetime sentence is six times greater than for a white woman.

As for drugs: marijuana is classified as a controlled drug, and possession of even the smallest amount can land an offender a jail sentence, the single most common charge found among Oklahoma’s female prison population.

If she was not exonerated, Miashah was destined to join the state's female incarceration statistics.

In August, 2014, almost nine months after Miashah's arrest, an ugly comedy of errors ensued when Judge Caputo finally set Miashah's bond at \$60,000. Bail bondsman Dennis Wharton posted the bond and waived her bail, and Miashah was, for twenty-four hours, free.

The next evening however, at the insistence of Assistant DA Steve Kunzweiler, she was ordered back to court for a hearing—the next morning at 9:00 a.m.

Her attorney, Sharon Holmes, attempted to reach Miashah's mother that night with no luck, as Chrisandria was working the evening shift at a nursing home with no access to her cell phone. Chrisandria was the prime contact for Miashah, since Miashah did not own a cell phone or car. The hearing began promptly at 9:00 a.m. the next morning in Judge Caputo's courtroom.

At the meeting, Assistant DA Kunzweiler appeared upset over TV news coverage announcing that Miashah had been released on bond. Judge Caputo, in turn, was upset that Holmes had not advised him of the earlier judge's no-bond order, handed down at the preliminary hearing. Caputo became further agitated when Miashah failed to appear at the new hearing.

Kunzweiler pushed for a total bond of \$1 million, \$500,000 for each dead child, but Caputo set a new bond at \$250,000 per child, a total of \$500,000, and the hearing was adjourned.

Chrisandria finally received Holmes text message fifteen minutes before the 9:00 a.m. hearing was to begin. She and Miashah hurriedly dressed and rushed to the courthouse, arriving around 10:15 a.m. Miashah was promptly handcuffed and taken back to jail.

Meanwhile, unaware of Miashah's late arrival, Kunzweiler was standing on the courthouse steps advising news reporters that the defendant in the high-visibility case had failed to appear proving she "was a flight risk" and "a danger to the community."

Kunzweiler was also running for election as the Tulsa District Attorney at the time—an office he would win in November, 2014.

11. A String of Fires

For London Square, the inferno in Apartment #716 was only the latest in a long string of fires that had plagued the complex for years.

On September 30, 2013, less than two months before that fire, a fire in building 400 displaced a dozen families when a tenant, Latoya Berry, was frying chicken and witnessed the stove suddenly erupt in flames. "I don't know what happened," Berry said. "I was cooking, it flamed up. I put flour on it. It went everywhere."

On March 5, 2010, five people in Building 500 barely escaped their apartment when a bedroom wall inexplicably burst into flames. The fire started on the second level of the apartment complex and quickly spread into the attic. Wooden shingles on the roof made controlling the fire difficult. The fire also spread to the basement, where buckets of paint and other cleaning supplies burst into flames. Firemen had to force open several doors and windows to get residents out. Sixty people were displaced. The cause was listed as "undetermined."

On February 10, 2007, a fire in Building 400 ripped through twenty-seven units. At least fifteen families were displaced, some left homeless. The fire quickly engulfed a large section of the two-story building from the attic to the basement. Anita Hamblin lived in unit #404, directly

beneath the second story fire, and was gone at the time. She was forced to move out. The cause was again listed as “undetermined.” Hamblin said there had been another fire early that year too.

Tulsa Fire Department records show a total of nine building fires in London Square since 2002. Internal accounts from tenants and London Square contractors reveal other unreported fires just since the Moses fire in #716, all of which were handled internally by the maintenance crew.

Allen Gorenflo, a handyman electrician and long-time resident at London Square, was often called upon to do electrical work in the complex. He was among the last to work on #716 prior to its rental in 2013. “I lived in the same building. That’s the last unit I worked on,” he said.

When asked to inspect a dysfunctional ceiling fan in the bedroom of #716, he traced it to a hard-wired smoke detector on the same circuit and said something about how the breaker box “didn’t look right.” He says that when he was instructed by a London Square maintenance supervisor to tape electric wires together behind the oven’s back wall—rather than cap them in a junction box as required by code—he abandoned the project. “I may not be a licensed electrician, but I’ve got thirty years’ experience and I don’t do things that way,” he said.

Gorenflo recalled another time when London Square asked him to swap out a number of stove vent hoods. He never asked why, but suspected it had something to do with a grease trap mounted in the vent hood next to a light bulb. He noted that clogged grease traps are highly combustible. If overloaded, the wiring to the light could arc and cause a flash-over to the grease trap, enveloping the vent hood in flames and traveling through the wiring to the electric oven and down the hall to the breaker box. When he first moved into London Square, Gorenflo said, he had his own oven replaced after he lifted up the stovetop and observed a half-inch layer of grease beneath the burner.

“I don’t think they ever inspected #716,” he said. “I think a lot of things were swept under the rug.”

12. A “Fire Waiting to Happen”

While the origins of these fires in London Square remain undetermined, Gorenflo was not alone in his observations of electrical problems at London Square. By late 2014, publicity about the case had reached social media, and others were taking note.

On January 29, 2015, a message was posted on a Moses family Facebook page by a person claiming to have information as to the real cause of the fire—and that it wasn’t cooking.

Three days later, Chrisandria and a small group of five huddled in a corner booth of a local café to hear a man named Famous Tankersley present a litany of electrical deficiencies in the aging complex, which he claimed had been ignored by London Square management and passed over by city inspectors. “There’s a young lady in jail right now who shouldn’t be there,” he said.

The family immediately asked him to get in touch with Miashah’s attorney, which Tankersley did, as well as turning over all available evidence. Tankersley is the owner of EWS LLC, an electrical contractor. The company had been hired by London Square’s owner, Paul Forkeotes, as the general electrical contractor to repair Building 400 after the September 30 cooking fire had burned half of the building—the one in which Latoya Berry said her stove had burst into flames.

The documents that Tankersley spread across the table for the Moses family to examine were extensive—numerous engineering reports, internal emails, and technical analyses—coupled with his first-hand knowl-

edge. To hear him tell it, London Square was a dangerous tinderbox, the result of outdated wiring and breaker boxes ill-equipped to handle the electrical load generated by the twenty-four-unit buildings. Over the course of his work, Tankersley said he had found burnt wires running through live circuits inside rusted conduits with no grounding. “Literally, there were melted down raw wires inside of a circuit that is still working,” he said at the meeting. “You’ve got to have proper grounding. You’ve got to have two hot wires, a ground, and a neutral. They didn’t have that. It’s illegally wired.”

“That exact and very apartment was the one management pointed out to me personally as having defective wiring *before* the fire!” he said later, in a May 2016 email. “Specifically, in Building 700 they didn’t have a ground. They kept losing ground and were always jury-rigging, making it look like it has ground when it didn’t. Grounding is important because it protects circuits from overloading and causing fires. That makes your stove unsafe, too. You get any kind of short in it and they go on their own. They don’t need grease or food, the metal itself will melt.”

Tankersley said the first electrical engineer he contacted, fearing future lawsuits or trials, refused to do the work, saying “it was some of the worst they had ever seen.”

As Tankersley explained it, the point of getting an engineering report was to verify that if the part of the system damaged by the fire was brought up to code, other parts of the system would also have to be brought up to code to handle the increased electrical load. “The engineering reports were to get the insurance company to pay for the electrical upgrades. I had to prove that the electrical was so far out of compliance, so deficient, so dangerous,” Tankersley said.

The engineering firm he eventually hired to evaluate electrical loads prescribed no less than 800 amps per building, with a recommended capacity of 1200 amps to allow for future expansion. “In my house I have a 200-amp electric breaker box,” Tankersley said at the February 2015 meeting. “They have the exact 200-amp breaker box running twenty-four apartments, plus the laundry room, plus the boilers—all of it! There’s no way that can happen.”

But, he said, if London Square were to upgrade to 800 amps, the electric wires coming in from the city are undersized to handle this capacity, which means trenching and running new wires into the complex from PSO, the Public Service Company that is the Oklahoma electric service provider for the Tulsa area—a hefty cost born by the owner.

There were other problems, too. The breakers were insufficient, in his view. “Each apartment has only a 60-amp Zinsco breaker,” he said. “And the electric oven alone pulls 40 to 50 amps. That leaves only one additional electrical outlet before it’s overloaded.” When more outlets are used the electrical load increases and things begin to blow, he explained. Lights flicker and circuits get fried.

It gets worse, he said. According to published manufacturer hazard warnings, the original Zinsco breakers have a twenty-five percent failure rate of tripping from overloads, meaning one in four might not trip when it was supposed to, failing to protect the circuit from overload. “Plus, not a single breaker is wired right,” he added. Tankersley said it appeared as if many of the fifty-year-old wiring and breaker boxes were originally rated for the use of gas ovens, not electric. “It looks like somebody slipped the electric ovens in after the fact. You see gas lines stumped up. And then all of the sudden they disappear. Somebody switched them over to electric.”

He said that if several tenants turn on their ovens at the same time, the lights in neighboring apartments begin to dim, and oven burners begin to heat slower. “I took out all the stoves and all the wires” from Building 400, because they were “burnt” from overload, he said. “The reason is that you’re trying to pull all this current, all the amps, when everyone’s got their stoves on—and then if several tenants turned their ovens off, whoosh—you have a fire.”

Miashah’s dilemma, in Tankersley’s view: “She thought the stove was off and a power surge made a cool stove hot.”

The problem is compounded in the winter, Tankersley said, because tenants use their ovens and space heaters to warm their apartments, adding to the overload. He shook his head. “It was a fire waiting to happen,” he said.

13. Another Voice

Jack Palau was standing on top of Building 400, site of the September fire, when the Moses fire broke out in November 2013.

“I was standing in the attic—most of the roof was gone—and one of the crew members said, ‘There’s another fire. Turn around,’” Palau said. “So we all turned around and there were flames coming out of the side of 700. Smoke was pouring out of the roof.” Along with Tankersley, Palau and the construction crew ran down to 700 to help tenants evacuate.

A balding, bearded man who often speaks in quips, Palau had recently been hired as the insurance adjuster to represent London Square in negotiating a settlement with the insurance provider for repair of fire damage to building 400. He was subsequently asked to negotiate the Building 700 insurance claim, too.

He said that the city refused to allow him access to #716 for nearly a month after the fire, “which was highly unusual.” But when he finally got in, he and Tankersley found more code issues, they said. “In rooms in 700 that only had smoke damage—we were pulling out wires that had melted inside the wall and had actually started electrical fires that then put themselves out somehow,” Palau said. “It was pretty obvious that there were major issues going on.”

According to Palau, on the same day that fire investigators were onsite to investigate the #716 fire, a separate fire broke out in a nearby apartment. “I asked what happened,” he said. The maintenance crew told him that “the guy got up and was cooking his breakfast. It was taking forever to cook, he turned his back, and it burst into flames and burned up all of his cabinets and melted the pan. So it’s the same scenario across the board.”

According to Palau, after an insurance settlement was reached on Building 400, that insurance company dropped the London Square account. A second insurance company covered Building 700 but balked at the total claim amount—which included supplemental payment for upgrades, work that Palau said he felt was necessary to bring the electrical up to code.

For both men, London Square was becoming a moral dilemma. If their assessment of electrical conditions at London Square was correct, this left tenants and their belongings exposed to an unpredictable threat of incineration.

By March of 2014, Tankersley and Palau had come to view both London Square’s owner and the city agencies as hostile. The city’s reluctance to hand over open public documentation to the Moses family—officials ignored requests despite clear public records laws—underscored their

nagging suspicion of a possible cover-up of electrical deficiencies in the apartment complex. Both men had conversations with maintenance crews during their contract work that they say reinforced their views.

For his part, Tankersley said that shortly after the fire investigation of #716, Miashah's unit was boarded up and Forkeotes severed his agreement with EWS LLC for repairs and upgrading resulting from the fire damage. And Palau says that after receiving the insurance settlement for Building 700, Forkeotes then terminated his services, too, leaving outstanding invoices unpaid to both men in June 2014. "I would be inclined to hire you again in the event we were to have another fire," Forkeotes wrote to Palau in a January 2015 email. "The 700 fire last year almost put us out of business. And we have had seven small stove fires since the last fire claim, which indicates we may be going through this process again in the future."

The discussion of electrical codes—what is legally required and what is simply prudent—can get complicated. One dilemma is that London Square was built in 1965, and thus is largely exempt from current building codes. That means service panels installed fifty years ago to handle 200 amps in each building are still in place to handle current tenant electrical demands fast approaching 800 amps.

Does the law require upgrades in such situations? The City of Tulsa Inspection Supervisor, Dale Gero, does not think so. He explained that London Square's original electrical installations are grandfathered. Under city code regulations, he said, there is no mandate to upgrade existing electrical systems unless a problem requires a repair of a specific deficiency. "Any building is built under a certain set of codes, but a property owner has a right to maintain what was built lawfully," he said.

“Electricians or inspectors have no obligation to report electrical problems other than those they’ve been asked to work on. Only the portion worked on must be brought up to code.”

Tankersley disputes this, saying National Electrical Code (NEC) regulations stipulate that any electrical part a component “touches” must also be upgraded to current code. In his view, any breakers, wiring, and electrical panels connected to an upgraded portion of the system must also be upgraded to current code.

In June 2014, city inspectors finally cleared Building 700 for occupancy. London Square’s owner, Forkeotes, queried Tankersley in an email: “Can you confirm that it is now safe to occupy all the vacant units including 716?”

“The city says they are safe to occupy,” Tankersley replied. “I disagree with the city. I strongly believe that all the electrical systems in all the buildings must be upgraded. There was burnt live wire pulled out of rusted conduit.... this situation puts people in imminent potential danger of electrocution....I fear that if we do not bring the buildings up to date soon, the city could eventually come in and condemn these buildings. The problem is that severe.”

Addressing unit #716 specifically, Tankersley responded in an email, “If you are asking me point blank if 716 is safe: The right answer is it is as safe as all the other units in non-upgraded electrical buildings. The moral answer is that the electrical system in Building 700 needs to be upgraded....”

Forkeotes’ reaction did little to allay Tankersley’s concerns: “As you have warned me in the past, I am going to have another fire at [London Square]. I would hope that you can still be a trusted contractor to be considered for future work,” he said.

When contacted for comment, Forkeotes was adamant that “trying to blame or assume that any of the London Square fires were due to electrical issues is completely false,” he responded. “All fires were caused by tenants leaving their stoves unattended. None were caused by electrical wires or deficiencies. This is also the conclusion of the investigators.”

Forkeotes has been a part owner and investor in the complex since 2010, along with a foreign investor, National Holding LLC of Abu Dhabi, United Arab Emirates. He insisted that the only code repairs “required by the City were caused by the fire itself...We are upgrading all wiring caused by the fire in the building where the fire took place.” When asked if he was aware of any other fires in London Square in the last ten years, Forkeotes said he was aware of only three, all caused by “tenants leaving their stoves on while unattended,” he said.

On April 23, 2015, the Tulsa Fire Department responded to yet another fire in London Square. The fire incident report states it started in a downstairs wall in Building 700 and burned across three units. All three were vacant at the time. The cause of the fire was listed as “Undetermined.”

14. Building a Defense

To build a defense requires extensive evidence. So on September 12, 2014, Chrisandria and Keahmie Moses, the children’s grandmother and mother, sent a Freedom of Information request to Tulsa Fire Chief Ray Driskell, requesting fire forensic data and photographs relating to the #716 fire. The Oklahoma Open Records Procedures Act, implemented in 1995, assures that citizens’ requests “shall be handled promptly.” After several months with no response, Chrisandria phoned the Fire Department records coordinator and was told the request was “under legal

review” and she was referred to city legal. She spoke to the legal department twice and received the same response: “under legal review.” More than a year later, the Moses family had yet to receive an answer.

In early January 2015, the Tulsa Fire Department Public Information Officer, Stan May, suggested the Moses family forward a more specific request directly to the head of the Tulsa City Legal Department, David O’Meilia. The second request on January 26, 2015, for “any and all Tulsa Fire Department after-action reports and related photographs” also went unanswered.

Perturbed by the dismissive attitude of city officials, on February 7, 2015, a friend of the family contacted a Tulsa City Council member, G.T. Bynum, whose district included London Square. Bynum attempted to orchestrate a response from the fire and legal departments but was unable to do so. Chrisandria then phoned Bynum’s aide and asked specifically if their request was being ignored because the family was black. This prompted a phone call and a home visit from Chrisandria’s own city councilwoman, Connie Dodson—who also ran into a dead end. Procedures for Oklahoma’s Open Records Act were instituted in Tulsa in 1995 by executive order of the mayor’s office. When Tulsa Mayor Dewey Bartlett’s office was contacted in late 2015, however, a spokesman said the office is not responsible for oversight of the Open Records Act, and didn’t know who was.

By early 2015, Miashah’s attorney, Sharon Holmes, had been elected as the Tulsa County District Court’s first African American female judge. Fred DeMier, with whom she had routinely shared cases, took over Miashah’s defense. DeMier, an Oklahoma native, had been a rodeo bronco rider, pilot, roughneck, skydiver, assistant district attorney, appellate court judge, and, lately, a criminal defense lawyer in Tulsa. In his spare time, he writes crime fiction. With forty-seven years of

experience, DeMier was well respected as tenacious and not easily intimidated. He had obtained the DA's evidence: Miashah's interrogation, photographs, and copies of all interviews conducted at the scene. Included in the fire department's evidence was the federal ATF analytical data, detailing the timing, heat source, and levels of heat emanating from the source. (The ATF is frequently called in to help at crime scenes involving possible arson).

DeMier's partner, Charles Reese, had spent days pouring over the ATF data. At Chrisandria's urging, DeMier and Reese agreed to meet with her to review their early findings. In the meeting, Reese cut to the bottom line: The skillet could have been left on a heated burner for ten minutes, twenty minutes, or half an hour and not have ignited the fire, he told Chrisandria.

The fire, he said, was electrical.

With the evidence from the investigators at the scene clearly pointing to the pan on the stove as the ignition source, Tulsa Fire Department fire investigators had little reason to consider other factors that could have sparked the fire, such as corrosive conduits or wiring that can generate an arc flash with potentially deadly consequences. (An arc flash develops and can quickly migrate from a single circuit to the phases of the panel itself.) Arc flash temperatures are high enough to liquefy metal.

This was the very condition Gorenflo had feared with the breaker box he examined in #716—a compromised breaker that offered no defense against an arc flash initiated by faulty wiring in the stove, which, in this case, could explain the pan melted to the coils on the burner, as observed by Fire Marshall Mark Milstead in his testimony. According to Gorenflo's theory, this could account for the fire investigators' conclusion that the ignition source was the pan on the stove, when the source of the fire was actually an electrical arc—or the stove itself.

15. A Troubled Past

Miashah's soft voice and diminutive demeanor mask a fierce independence—a trait that had landed her in court more than once. Her past is not without blemish.

Court records show she pleaded no contest to a misdemeanor assault and battery charge in 2009 at nineteen, after she fell into a heated argument with another girl that turned combative. Police were called, and the officer had difficulty pulling her off. Twice, after the two had been separated, Miashah lunged back after the girl.

Some three years later, in 2012, a deputy was called to the Tulsa transit bus station where a security guard had tasered Miashah for an unspecified reason. The deputy conducted a pat down and found a cigarette box in her pocket. Assuming from her appearance that she was under age, although she was twenty-one, he advised her she was under arrest for possession of tobacco by a minor. The tobacco charge then became justification for a continued frisk, during which he found “a folded piece of notebook paper in the right front watch pocket” of her jeans containing a small amount of marijuana. Her plea that it was her brother's jeans did nothing to dissuade the officer. Oklahoma law defines marijuana as a controlled substance, which then resulted in an added charge against Miashah for possession of a dangerous drug. Meanwhile, when the deputy first confronted her she couldn't produce a driver's license and gave him a false name, to avoid another arrest. But the deputy found a Social Security card showing her real name and added a felony charge for “impersonation to create liability.” This then resulted in yet another charge of “obstructing an officer.”

“It was only crumbs,” Miashah said later. “There was no marijuana, just crumbs.”

She was arrested again in September 2012 when she was a passenger in a pickup truck belonging to an acquaintance who said he had permission from a business owner to pick up several junk appliances left in a field behind his business. A neighbor saw them loading rusty washers and dryers into the back of the truck in broad daylight and called the police. The property owner was called to the scene and said he had not given them permission to take the appliances. Miashah was charged with burglary along with the driver.

She had no money to speak of, so her court costs and fines mounted and went unpaid. By the time she moved into #716, in August 2013, her total unpaid court costs and fines had grown to more than \$5,000—the equivalent of nearly a full year’s rent for Keahmiec and the kids at London Square.

And now, Miashah’s murder case was awash in a sea of white faces: DA Tim Harris; Judge James Caputo; Assistant DA Sarah McAmis; lead prosecutor, DA Steve Kunzweiler; and—once Holmes was elected judge and replaced—DeMier, her defense attorney. Even if all the officials were without a bone of prejudice, and even with DeMier, a seasoned attorney, taking on her case on a pro bono basis, Miashah was an African American with an arrest record, one who had already been portrayed in the media as a murderer. She knew it would be an uphill battle.

16. To Plea Or Not To Plea

On August 31, 2015, the day of the scheduled jury trial, DeMier stood before Judge Caputo and reported that he was prepared to proceed. However, the Assistant DA, McAmis, said the state wasn’t ready, and instead offered a plea agreement, a maneuver not totally unexpected in protracted court cases where a negotiated agreement could avoid an

expensive jury trial. Caputo scheduled a hearing for two weeks later for the attorneys to present the proposed agreement. The Moses family was hopeful that a reasonable compromise would result in partial exoneration for Miashah—and possibly freedom. Miashah would be transported from jail to Caputo’s courtroom to hear and agree to the decision. At 2:00 p.m. on September 14, deputies ushered a line of female inmates into the court room chained together at the wrist, all dressed head to toe in prison orange. Miashah, the smallest of the group, was last in line, her hair close cropped, looking like a schoolchild.

One by one, more than a dozen members of the Moses family filed into the courtroom. Kunzweiler, now Tulsa’s newly elected District Attorney, sat in a chair against a wall near the front of the courtroom, focused on his cell phone. His bold stance in prosecuting Miashah’s case—one of the few high-visibility cases during his election campaign—had garnered media attention during his contested runoff election.

DeMier and McAmis entered the room and approached the bench, each looking confident. McAmis announced they had reached a plea agreement, at which point Kunzweiler looked up from his cell phone. Caputo first directed his attention to Miashah and asked her to raise her right hand as best she could to swear to the truth. The wrist chains were so short that when she attempted to raise her hand, the hands of the women on her left involuntarily raised as well.

The judge then asked McAmis to state the terms of the agreement.

“We’re asking ten years, followed by five years’ probation...” She didn’t get further.

“That’s not what we agreed to,” DeMier interrupted. McAmis turned and glared at him. They had discussed the agreement only hours earlier. A terse, hushed exchange took place as they tried to reconcile the misunderstanding. It was to no avail.

Miashah was unshackled and DeMier took a seat beside her, whispering intently for several minutes and explaining her choice: She could accept the DA’s plea or move on to a jury trial. In spite of her lengthy incarceration, she chose to let a jury decide. Caputo set the jury trial for May 9, 2016, eight months later.

Outside the courtroom, DeMier proceeded to lift the curtain on the defense argument for waiting reporters: “It was not something cooking on the stove that started the fire,” he said flatly. “But I really can’t go into that.”

When asked about claims that the fire was not caused by cooking, McAmis said prosecutors “look forward to the true facts and evidence about the fire being presented during jury trial.” Both DeMier and Kunzweiler’s offices declined to comment further.

As the Moses family exited the courtroom, television cameras were trained on them. Up to this time, Keahmilee had not been featured prominently in news coverage. Now, wracked by the plea bargain scene after an eight-month delay, the otherwise soft-spoken girl stepped in front of the cameras and delivered a heartfelt defense of Miashah.

“I lost my sister,” she said. “I lost my two children. I buried my two kids when I was nineteen. I finally came to see the reality that I have to deal with it. And it’s hurt me every day.

“She’s my sister. She’s not just a friend. *She’s my sister.* She’s taken care of my kids for years. I had my first baby when I was only fifteen, and if it weren’t for her I wouldn’t have graduated high school.” Tears were welling up. “They’ve pitted me against my sister.

“We need time to grieve,” she went on. “I thought I would see my sister come out free. It was an accident. It shouldn’t have been dragged out this long. We haven’t had a chance to grieve, and we need to grieve together.”

A reporter shoved a microphone toward her, “What does she say happened that day?”

With that, Chrisandria moved in, a great deal on her mind, including a recent shooting with racial overtones. Only five months earlier, a wealthy seventy-three-year-old Tulsa County Sheriff’s Office Reserve Deputy, a white man named Robert Bates, had mistakenly shot and killed a black man pinned to the ground by another deputy. Bates, a long-time friend and fishing buddy of Tulsa’s Sheriff, Stanley Glanz, had been using his own unauthorized weapon. Since becoming a reserve deputy in 2008, he had donated thousands of dollars for vehicles, guns, and stun guns to the Sheriff’s Department and chaired one of Glanz’s re-election campaigns. For shooting an unarmed suspect point blank, Bates had been charged with second-degree manslaughter, whereas Miashah was charged with second-degree murder for leaving the children for eight minutes to empty the trash.

The disparity was on Chrisandria’s mind as she faced the cameras.

“She *doesn’t know* what happened that day! But what everybody should know is: This apartment complex keeps having fire after fire. Everybody in here has stepped away from their children for six to eight minutes—you dump your trash, you cut your lawn, you talk to your neighbor. The real question is: Why is her charge second-degree murder when you

have the Fire Department saying it was an accident? Everybody saying it was an accident? Then somebody accidentally shoots somebody and is only charged with second-degree manslaughter. *Now ask yourself that!*"

The reporter was taken aback. "Are you a family member?"

"I'm these girls' mother," Chrisandria shot back. The dead girls, she said, "were my *grandchildren*. And this is *wrong*. This is all kinds of *wrong*.... If they want to go to trial, bring it," she said. With that, she exited the scene.

17. Bunk 2, Cell 5

Miashah has been confined to Pod F-20, a large multi-person chamber with no windows. She spends most of her time watching television or sitting on Bunk 2 of Cell 5, reading her Bible. Women in F-20 do not leave the pod except for meals, and Sunday services, or for medical reasons. Snacks and outgoing phone calls come with a price tag. Incoming calls to jail inmates are not accepted.

Trauma has taken its toll on her. When she is asked about the day of the fire, Miashah gets a bewildered look. When asked how she learned of the children's death, she looks vacant. She can't remember.

The same is true for her arrest and questioning by detectives. "Everything just kind of floated past me," she said of her interrogation. "I don't think they gave me the proper time to even gather my thoughts because I was in some type of state of shock. The only thing I remember is seeing the fire and trying to save the babies. But everything else was a blur."

But she says she is at peace with whatever the outcome may be. "The DA doesn't care if I'm guilty or not. He only wants to convict me," she said.

“I don’t care what the DA wants. I don’t care what the jury wants,” she said. “I only care what God wants.”

18. Imperfect Justice

While London Square’s shoddy electrical work doesn’t negate the fact that Miashah left two small children unattended for eight minutes. For a curious child, everything is a potential death trap. They could stick a fork in an outlet, or trip and fall and hit their head, or swallow household cleaner.

Way back at Miahshah’s preliminary hearing, in March 2014, the judge grappled with Assistant DA McAmis’s contention that a responsible parent could not leave the room for eight minutes without being charged with second-degree murder if the child died while they are gone.

“Would it have been neglect had a fire *not* occurred?” the judge asked.

“It could have been, your honor,” McAmis argued.

“So the State could file one that the child was left unsupervised for a minute and something happened and then that is sufficient...?”

“I think it’s always fact dependent, Your Honor...”

Miashah’s attorney at the time, Sharon Holmes, disputed the notion. “Your Honor, I would disagree with the state’s position. In order to even use child neglect as a predicate for this offense they’d have to show that the actions taken by Miss Moses were imminently dangerous and also show a depraved mind. Stepping out to empty the trash, we all do it on a daily basis. We don’t know whether the fire started two minutes before—two minutes after she walked out—or three minutes or five minutes after she walked out.

“She was conducting an activity that’s done in the regular course of everyday business. And I would argue that it’s not imminently dangerous to lower the setting on a stove and take the trash out.”

McAmis countered with the argument that what legally constitutes inadequate supervision in this case should ultimately be decided by a jury, not by the state. “Based upon the evidence demonstrated at the preliminary hearing, the defendant left the children alone, unsupervised, behind a dead-bolted door, and with food cooking on the stove for a minimum of eight minutes, during which time a fire erupted and took their lives. It then becomes a question of fact [for a jury] as to whether those eight minutes constitute a ‘failure to provide adequate supervision.’”

McAmis argument may be accurate, but one that exists within an inconsistent, often unfair, system. Two recent similar cases in Tulsa resulted in decidedly different outcomes.

On May 2, 2014, twenty-one-year-old Makayla Rhotenberry put her one and two-year-old girls in the bathtub together and went to the kitchen to start dinner. Affidavits show the mother checked on the girls once and they were fine, but when she went back about ten minutes later, the two-year-old was wandering in the bedroom and the youngest, Avery, was face down in the water. Makayla was charged with “failing to provide proper supervision.” Bond was set at \$25,000, and Makayla was released from jail after four days. She was later given four years’ probation on a reduced charge of second-degree manslaughter and remains free.

On July 1, 2014, Amber Alexander, the wife of a police officer, failed to check on her two-year-old foster child, Mia, from 7:30 am to 9:30 a.m., when she found her drowned at the bottom of the family swimming pool. The toddler had somehow gotten through an unlocked security

gate and out the back door to the pool. Mia was buried in a yellow dress and her favorite red shoes. No charges were filed against Amber, and the family received an outpouring of sympathy.

The tragedy of losing a child is no less for the Moses family than for the Rhotenberry or Alexander families. The three cases have dire similarities, but with one distinguishing difference: Rhotenberry and Alexander are white.

In looking at the Rhotenberry case, it's difficult to assess the nuance of difference between leaving a child in a bathtub for ten minutes to fix dinner in the next room, and leaving a child in front of a television for eight minutes to carry out the trash.

Amber Alexander failed to check on her two-year-old foster child for a full two hours in the morning with back exits from the house left unsecured. On the other hand, Miashah Moses was attentive to the children, feeding them and changing diapers. She then secured the door to protect against their wandering out and falling to their death, such as little Mia had done when she wandered out and fell into the pool.

More recently, in September 2014, Angela Russell, 34, crashed her 2013 Honda ATV while driving drunk with her two-year-old daughter, Ava, strapped to her chest. The two were thrown from the car and Ava later died. The toxicology report indicated Russell had barbiturates in her system. Like Miashah, Russell was charged with second-degree murder while in the commission of a felony and ordered held on a \$500,000 bond. Unlike Miashah, however, her bond was reduced in less than two weeks to \$25,000, and she bonded out of jail. And in May 2016, she was given a 25-year suspended sentence and remains free with a DUI monitor. Russell is also white.

How do you weigh which tragedy is more egregious? How do you weigh the grief that will endure for a lifetime? It is difficult, certainly on the scales of justice. Grief knows no color.

19. ‘Stuck in Unforgiveness’

In November 2015, Keahmilee Moses and her children’s father, Tyler Rentie, filed a civil suit against London Square Apartments and the manufacturers of Zinsco breakers for the wrongful deaths of Noni and Nylah. The suit names six manufactures of electrical components as defendants along with London Square and its owners, Paul Forkeotes and National Holdings LLC, headquartered in Abu Dhabi.

When asked to describe the situation, Chrisandria crumbled. “I just don’t understand the fact that they *kept* having fires...*and kept having fires*,” she said tearfully. “And it’s the same thing *every time...every time*. I mean, at the end of the day, you know, whatever happened I have to accept. And I have no problem doing that. And I know everybody’s got their degrees, and they’re specialists...and they know this and they know that,” she wiped tears from her face. “But common sense is just common sense. I know in my gut—and whatever happens, *happens*—but I know in my spirit that something is not right with that.”

Miashah is scheduled for jury trial, facing a combined sentence of twenty years to life in prison. By this spring she will have spent more than two and a half years in jail already.

“It’s a depressing place,” she said during visiting hours January 2016. “One day I’ll be staring off in space, and all of the sudden I’ll go back to that day. And I want to know why God put me here. I try to understand the guy—and I can’t. *I’m stuck in unforgiveness.*”

While Miashah's future has yet to be determined, one twist of fate remains: If, on November 18, 2013, Miashah and her sister had all lived somewhere else, she might have returned home after the trash run to find her nieces alive and happy, watching television right where she left them.

The Killers of Swaziland

*Fifteen years ago in this African kingdom, two serial killers were at work.
Just one of them was human*

—Shaun Raviv

I. The Sad Man

IN MID-MARCH OF 2001, twenty-six-year-old Samantha Kgasi-Ngobese disappeared. She had planned to travel to Mbabane, the capital of Swaziland, a kingdom of a million people in southern Africa, to apply for a job at the High Court. Samantha had a law degree from the University of Swaziland and was hoping to use it.

But at the bus stop in Manzini, she met a man who promised her a different job, and she never made it to Mbabane. The man said his name was Thabiso Sikhodze and that he could get her a position at a chemical company. The job would pay 4,000 emalangeni (a bit less than \$500) per month, a very good salary in Swaziland, then and now.

Excited about this opportunity, she ran home to change. When I first spoke to Mable Kgasi, Samantha's mother, in 2011, she described how hopeful her daughter had been when she came home. "Mommy, mommy! I've got a job," Mable remembered her saying. "There's a man that's offered me a job."

Fourteen years ago, as today, it was not a trivial thing to offer a job to a woman in Swaziland. In 2001, unemployment stood at nearly 30 per cent. Men from Swaziland often went to South Africa to work in mines, leaving the women to provide more immediate income. The women and children would be left at the husbands' homesteads, which often included several buildings with housing for different wives and older relatives as well as land for agriculture and animals. "In that situation of socioeconomic vulnerability, all hope is pinned on this one female member of the family who has gone to look for a job," said Nonhlanhla Vilakati, a professor at the University of Swaziland who has written about the murder of women in Swaziland. "What becomes important is finding the job, and all issues of personal safety just fade into insignificance." Most young women actively seeking jobs don't find them. To turn down an offer, even from a stranger, in a country where it is impolite to not greet everyone in the room, would be unthinkable, particularly when the man making the offer seems to have money.

"I heard nothing that day," Mable said. The next day, Samantha's sister-in-law phoned and asked where Samantha was. She hadn't come home, and the baby was crying.

Around the same time, a man named Simon Motsa reported that his wife, Fikile, a thirty-seven-year-old preschool teacher, and his one-year-old daughter, Lindokuhle, were missing. Simon had last seen his wife and daughter on the night of March 10, when he and Fikile had an argument. The couple did not live together during the workweek, and she had left Simon late to head back to the home of her in-laws. Simon was concerned because Fikile and Lindokuhle would have to walk in the dark. There were few streetlights in Swaziland.

Days later, Motsa found out that his wife never arrived, and her pre-school students had no teacher. He contacted Fikile's family, but they hadn't seen her. He reported her missing to the police in Matsapha. He called all three major hospitals, in Mankayane, Mbabane, and Manzini, but Fikile had not been admitted. He even visited what he called "diviners"—people who could help Simon through supernatural means—but they "could not see her in their mirrors," leading Simon to think that his wife was dead.

Then on April 2, 2001, in nearby Eagle's Nest farm in Malkerns, a one-market town fifteen miles from the city of Mankayane, a worker was answering the call of nature when he came upon the decomposing bodies of two women and a baby girl. The bodies had been in the bush about three weeks, and one of the child's legs was missing.

Simon Motsa was able to identify two of these bodies as his wife and child. Fikile's hands had been tied behind her back, and she had deep cut wounds on her head and neck. He recognized little Lindokuhle by her clothes. The third body was not positively identified. A few days later, a skull was found in a plastic KFC bag in the same area. On April 10, six skeletons and a decomposing body were also found, all within a short distance, bringing the total dead to eleven. The police began warning people to stay in their homes at night.

THE FIRST BODIES WERE ALL FOUND in Malkerns, in and near Usutu Forest, a huge man-made forest spreading over more than 160,000 acres. These constructed woodlands of pine and eucalyptus, cut for pulp and timber, cover nearly four percent of Swaziland's landscape and thrive in the western highveld, where the trees can mature twice as fast as they do in the northern hemisphere. For miles, the long-trunked trees are set apart from one another at perfectly matching heights, like

armies of clones. Viewed from afar, the well-ordered forests seem too planned to be beautiful. But they make the natural land of the Swazis even more stunning by comparison.

Swaziland is shaped like a west-facing profile with a hooked nose. It's about 120 miles from the neck to the top of the head and eighty from nose to ear—not quite as large as New Jersey. A landlocked teardrop in southern Africa, Swaziland is the second-smallest country on the continent, but within its tight boundaries are four distinct geographical regions: the high, middle, and lowvelds, and the Lubombo Plateau. Each veld runs north–south, with the topography getting closer to sea level as you move toward the eastern border.

During the rainy summer season in the western highveld, the mountains turn a tropical green that would fit in well in Costa Rica. Dotted the Swazi landscape are enormous boulders, piled high enough in some areas that you can go caving underneath. In between are grasslands and forest. One rarely gets far from a homestead or herd boys with their grazing cows. Rivers and waterfalls are clean and plentiful, but the moisture can make it easy to get lost when the fog comes. It can engulf you as you drive, with vehicles, people, and cattle emerging as if out of nowhere. From the top of a mountain, a view that would stretch for miles on a clear day is swallowed up by the mist, until you feel utterly alone.

“It is a fact that few men who have entered into Swaziland life care afterwards for any other,” wrote the Archdeacon of Swaziland in 1922. “A land of contrasts!” he proclaimed. “The very life of joy and color, and of the gratification of the senses, steals over [a visitor], and he realizes that call of the bushveld which is in the marrow of every old Swazilander’s bones.”

The few outsiders who experience Swaziland's effortless natural splendor, often international development workers or tourists on a side trip from South Africa's game parks, come to appreciate the Archdeacon's words. But even years spent within its borders don't necessarily translate to anything like an understanding of its esoteric culture. To explore the meaning of the bodies found in Malkerns in 2001, and as an attempt to get inside that complex culture, I started with a ghost story.

STORIES ABOUT GHOSTS ABOUND in Swaziland, but perhaps none is as real as that of Solinye Dlamini, the boy who was not murdered.

At the end of May 1959, Solinye returned to his home of KaMkhweli after a decade away. He had been only a boy when he left, but now he was a man, and it took two days for his mother, her eyesight failing, to be convinced that the person in front of her was her son. A special commission assigned by the British colonial authorities of Swaziland, in those pre-independence days, reported that when he finally persuaded his mother that he was Solinye, she "looked at him with the light of a firebrand and knew him and wept."

Solinye's poor mother may have wept because she was happy to have her son back. Or she may have wept because she was frightened. After all, like everyone in KaMkhweli, she knew that Solinye was a ghost. He'd been murdered a decade earlier, and his killers had been brought to justice. As she told the investigators who questioned her upon Solinye's return, "I was convinced that he was dead."

Back in 1949, at the time of Solinye's disappearance, colonial police in the KaMkhweli area heard that a child had been killed. When the police investigation concluded, prosecutors presented a harrowing story to the judge: Solinye's brother had been chosen to be a chief. But the members of the family all agreed that the brother was too weak for such a role, and

that he required strengthening in order to become a leader. Strengthening required “medicine,” which, in these remote parts—at least according to the prosecutors—required human flesh. And once it was decided that the brother would need medicine, all that was left was to pick the “buck.” The family chose Solinye.

The prosecutors’ story opened as young Solinye, all four feet of him, was out herding the family cattle. He was seized by several of his family members and tied to a tree near a stream. He was kept there until the “doctor” could come to perform a strengthening ceremony. Witnesses testified that, in order to keep Solinye from escaping, a powder was blown into his ears and nose, “the effect of which was to render him helpless and half-mad.” Another witness who came upon the “frightening sight” of the bound boy in passing told investigators that Solinye, like an animal, was “just going round and round.” For eight or nine months, Solinye was manacled by his own family and subjected to the elements, until “he clearly became demented and he wasted away to skin and bone.”

Finally, months later when the doctor arrived, Solinye was felled with an axe by his “nearest and dearest” and his body was dismembered, with portions of it—including the head, lower lip, and testicles—used to make “medicine” at a subsequent strengthening ceremony. Solinye’s mother, the report said, was present for the ritual, but refused her portion, saying she did not want medicine made with the flesh of her son.

Word of the “medicine murder” eventually got to the authorities, and six men were arrested, including Solinye’s brother, father, cousin, and two uncles. No trace of the boy’s body could be found to use as evidence in the ensuing trial, but nevertheless three of the men were declared guilty, and two were hanged soon after. Solinye’s father was sentenced to seven years in prison. The future chief, Solinye’s brother, was spared. In the 1951 judgment, the presiding judge wrote: “It is quite clear that the peo-

ple living in the vicinity must have known of Solinye's existence... But as so often happens in these cases, there was a conspiracy of silence and the child was left to his inevitable fate."

Except Solinye's fate was not as the colonial authorities had determined. The child Solinye had not been killed. He had simply gotten up and left the village to look for work. He brought nothing with him except a blanket and the loincloths on his person, one white and one red. For several days, he walked, sleeping at night near the Great Usutu River and eventually in the hills of Hlatikulu. He walked until a storm came, and a man in a car stopped and asked what he wanted. Solinye said he wanted work. He was taken to the southern town of Nhlngano, where he found a job with an Afrikaner farmer. He took the name Joseph because he thought Solinye was too difficult for his white employers to pronounce. For most of the next ten years, Solinye was sixty miles away from KaMkhweli. And then, in 1959, Solinye came home.

According to the 1960 report on the mysterious case of Solinye, after his return, it was determined that a murder had in fact taken place, but that the victim was a "person unknown." In following up on the case after Solinye's return, it became clear that many of the witnesses had been coerced during the original investigation into testifying that Solinye had been murdered.

Part of the difficulty the police faced was that they had no body, only evidence from so-called accomplice witnesses. The commission wrote that "the witnesses spoke of the police threatening 'to kill them'" if they did not testify. Though the commission did admit that threatening to kill people was improper, it did not recommend disciplinary action for the original investigators because of how difficult it is to obtain evidence in such cases.

Of medicine murder, the commission members said that “as a rule the offense is committed at the instigation of or on behalf of some person of authority”—in this case, Solinye’s brother, father, and uncles. And of the typical witness to such murders, usually an accomplice, the commission stated: “He knows quite well that if he speaks he will incur the wrath of a large number of people, one of whom is nearly always a witchdoctor, who, in some cases for their own safety, would quite likely revenge themselves on him in a most unpleasant manner. Further, it is a well known fact that witchdoctors form an elite which is very much feared in primitive societies.”

However, the witnesses were motivated to lie by fear, not of the supernatural as much as of the territorial authority, according to the commission. The consensus of the inquiry was that two men were executed for the murder of a boy who had been alive all along, and the original witnesses had finally said they’d lied because they were scared of the interrogators.

BY APRIL 2001, WHEN THE BODY COUNT reached eleven dead women and children, two of the nation’s top cops, Superintendent Jomo Mavuso and Senior Superintendent Khethokwakhe Ndlangamandla—with a combined fifty-three years of experience on the force—were assigned to head the investigation. Their cell phone numbers were printed in the newspaper, and they led a team of nine other officers. On April 12, 2001, they brought more than 200 police officers and soldiers to comb the Eagle’s Nest area. An additional thirteen sets of remains were discovered, some just loose bones, but several more recent victims with flesh still remaining.

The total was now twenty-four, and with news of the bodies spreading to all corners of the country, reports of missing women began pouring into police stations. All of a sudden, women who had been absent for as long as sixteen months, whom no one had heard from, were displayed

on the front pages of the dailies. Sizakele Letsiwe Magagula, twenty, of Emalangeni, under Chief Hhobohbobo, had disappeared weeks earlier. Sipiwe Goodness Ginindza, seventeen, of Feni, under Chief Myengwa, hadn't been seen since September 2000. Nelsiwe Ndzinisa, twenty-five, of Madlenya, under Chief Madlenya, had vanished in December 1999. The list went on and on.

The deputy police commissioner at the time said, "Never in the history of the country have we experienced such a spate of killings." In Swaziland currency, the *emalangeni*, a reward of E50,000 (a bit more than \$6,000 in U.S. dollars) was posted for information leading to the arrest and prosecution of the guilty party. That amount was roughly equivalent to the yearly pay of the job offer that had led Samantha Kgasi-Ngobese to her death.

In a country with a reputation for peace, the bodies in Malkerns were a rude awakening.

THE SWAZIS DESCEND FROM a group that came down from East-Central Africa hundreds of years ago, along with the ancestors of the Zulu and Xhosa peoples. On their journey south, these Swazi predecessors were faced with the mighty Zambezi, a river so big that it forms Victoria Falls and helps divide six countries. Oral history has it that the settlers, both farmers and domesticators, crossed the Zambezi on rafts of reeds, and Swazis now say *savela elublangeni*, "we came from the reeds."

Over the centuries, the people who crossed the Zambezi formed clans. Peacefully or by force, weaker clans were absorbed into stronger ones. The Zulus became a power to the south in what is now the Kwa-Zulu Natal region of South Africa. One clan that showed strength in the southeast, near the Tembe River, in what is today Mozambique, was led by a man called Dlamini, a name that would later become synonymous

with Swaziland and its royal family. By the beginning of the 19th century a Swazi kingdom was birthed, and for at least another century the Dlamini clan continued to absorb other semi-independent clans in the area, including the Zwane, Shongwe, Tsabedze, Hlope, Kunene, Mabuza, Motsa, and Ngwenya. The names of these clans and many others are the names that survive today in Swaziland. Spend just a few weeks there, and you will meet their descendants. Clan names have become surnames.

There are written records of Swazi leaders, all from the Dlamini bloodline, going back until the late 18th century. Sobhuza I was a particularly impressive Swazi king who ruled from 1815 to 1836. It is said that shortly before his death, Sobhuza I had a vision in a dream where white people would come to his land and bring books and round metal. He said to accept the books, which are now known to have been Bibles, but to avoid the round metal, money. The Swazis listened very well on one account. Swaziland is now about 90 percent Christian.

Sobhuza's son, Mswati II, continued aggressively uniting clans who sought protection from the Zulu, and eventually the people living under his rule became known as *bakaMswati*, or the people of Mswati. Europeans called them the easier-to-pronounce "Swazi," and their territory Swaziland.

The land of the Swazis in the late 19th century was situated in just the right place to stay under the rule of locals. But due to a combination of fear, illiteracy, greed, and lust for power, Swaziland's leaders signed away nearly every inch of workable land during the late 19th and early 20th centuries, sometimes three or four times over, leaving Swazis dependent on colonialists to survive. Despite occupying one of the most fertile lands in Africa, by the 1930s Swazis could no longer feed themselves or

the cattle that were and remain so important for survival, prestige, and traditional rituals. Swazis were also made to live in “native areas” that were situated like a patchwork quilt across the Swaziland map.

After the British won the brutal Second Boer War—ending in 1902—the victors began a “conquest by pen” of Swaziland until it was effectively under British rule. An independent Swazi nation in the modern sense would not be real and true until 1968.

Still, despite all the land-grabbings, concessions, and de facto rule by outsiders, Swaziland is perhaps the least artificial state in Africa. As Swazi historian Alan R. Booth put it, “It is inhabited by a fairly homogenous people living on the same land as their ancestors. They are bound by countless customs and traditions that unite them and permit them to pull together when necessary. This has been a definite strength when they have been attacked by other African peoples or subverted by Western colonialism, and it permitted an exceptionally smooth transition to independence. But these traditions can also be a weakness when they hamper progress toward more ‘modern’ social, economic, and political practices.”

BASED ON THE LOCATIONS OF THE BODIES and the last places the missing women had been seen, the police traced the routes of the victims. Most of them were last seen in, or known to have been traveling to, Malkerns or Manzini, towns where job seekers might head in Swaziland. Manzini, along with its next-door neighbor Matsapha, is the center of industry in the country, and comes closer than any other city to a truly urban atmosphere. Malkerns, by contrast, just a few miles down the road, is situated in a picturesque agricultural valley of maize and pineapple fields, lined by unsullied mountain ranges where Swazi royalty are buried.

Police also attempted to track down those who had last been seen with the victims. Different names were floating about. It was clear that the killer or killers were taking advantage of women desperate for money, for jobs of any kind. Several victims had last been seen with a man who had promised them work at a garage or a packing plant, or even in a police station. Because of the great number of victims, an officer told me, they were certain they were looking for more than one murderer.

South African police officers were brought in, including specialists in forensics, investigative psychology, and profiling. “As part of our effort to solve this historic mystery and to bring to book these heartless killer maniacs we have solicited assistance and support from our neighboring force,” said the Swazi police commissioner. Besides assisting with the investigation, South African police were meant to help identify the bodies using DNA profiling and facial reconstruction, expertise not available in Swaziland.

The victims’ families and dual police forces were not alone in their quest to find the murderers. “There was this hype,” the husband of one victim told me. “Immediately after the bodies were found, all of Swaziland got worried. Everyone contacted the investigators, and everywhere, *everywhere* there were prayers. Religious people were praying, women were marching, saying ‘the killer must be found.’” As part of a prayer service at the national soccer stadium during the Easter festival, the *Indlovukosi*, the king’s mother and co-ruler of Swaziland, asked the nation to work with the police to find the people responsible for the murders. As one newspaper writer put it, the *Indlovukosi* “called upon Christians to pray for the country, as it was apparent that the demons of the devil have taken its toll.”

Also offering help was the Zionist Christian prophet, Simanga Mthalane, who vowed to assemble a team to use divine powers to aid in the investigation. Mthalane said that he and his team of prophets would find those responsible and bring them to the authorities. “This is war,” he said. “Everyone should come together and work towards getting the killers.” Before he got started, Mthalane requested that the police provide his team with protection, in case his investigation led to people in power.

With radios blasting about dead bodies; people reporting missing women from all over Swaziland; and the diviners, the Swazi community police, and detectives from two countries under such pressure to find out who had killed what was now at least twenty-eight women and children, the manhunt did not last long.

David Thabo Simelane, a.k.a. David Mhlanga, a.k.a. Phephisa Yende, was recognized at a supermarket by the husband of a missing woman and arrested on April 25 in Nhlngano. David was brought to the station by local police, who called in the investigative team and who, in turn, said David confessed to the crimes then and there, without coercion. The head officer told David that he was investigating the deaths of the women and children who had been found in Malkerns.

“Calm and collected,” one of the original arresting officers told me, “that man said it was him.”

DIVINERS WHO CAN COMMUNICATE with spirits make up one part of the body of Swazi customs and practices. These traditional healers, also known as *sangomas* or *inyangas*, are for many Swazis the first line of defense against hard times, whether caused by illness, romance, or poverty. They are called upon to harness the power of traditional medi-

cine, called *muti*, and heal wounds both physical and spiritual. In 2000, there were as many as 8,000 traditional healers in Swaziland, versus 150 medical doctors.

In July 2013, I spoke with Lydia Makhubu, a retired Swazi chemist who studied traditional medicine for much of her career. As vice-chancellor at the University of Swaziland, Makhubu was key in creating a department at the school to study the effects of the sangomas' treatments. We met in the living room of her large house on the outskirts of Manzini. The walls were covered with items picked up from her travels around the world. Makhubu did her undergraduate studies in Lesotho, earned a Ph.D. in chemistry in Canada, and then returned to Swaziland to conduct research on traditional healers.

Makhubu had grown up with healers, so when she decided to study their work from a chemist's perspective, they welcomed her in. In 1984, she wrote a paper with Edward C. Green, an American medical anthropologist, on how the medical community could work with healers to improve Swazi healthcare. They found that one in every twelve rural homesteads had a healer living on the premises, and that an estimated 85 percent of Swazis used their services. "The traditional belief system," wrote Makhubu and Green, "provides answers to the basic questions that perplex people."

Healers act as both medical doctor and psychologist in one, providing much more than medicine for particular symptoms. They "treat the whole person" and "know how to calm a patient's fears, explain how and why he became ill, and perhaps even make sense of his problems with neighbors and family." The authors found that some traditional medicines appeared to be effective in controlling diarrhea, sedating patients, easing pain, and reducing swelling. And healers would often have a strong psychosomatic effect on patients, who sometimes stayed with a healer for days or weeks,

removing them from stressful situations at home. “Swazi healing practices,” they wrote, “are based on a belief system of magic and religion that parallels Western science and Christianity in its attempt to find order, regularity, and simplicity in the apparent chaos and randomness of nature.”

The social anthropologist Harriet Ngubane, who died in 2007, wrote about the role of Swazi traditional healers in society. “They are seen as fully possessed of professional skills and professional responsibilities, in quite the same way as Western practitioners are,” she wrote. “The difference lies in what is expected of them.”

A Western doctor is expected to fix some sort of chemical breakdown within the body, and while the same may be asked of a healer, a healer may also be asked to treat such things as bad luck or unpopularity. They may be paid to help an unsuccessful business or to boost a chief’s rise to power, as in the case of Solinye’s brother in 1950. Traditional treatment for such ills may include eating or inhaling powdered herbs and actions by the patient, including self-induced vomiting or the sacrifice of livestock. Medicines are derived from plants and animals and are prepared in many different ways, including boiling and burning.

For many Swazis, everything that happens is caused by the ancestors. Like those who believe Jesus is present in every moment, Swazis believe the ancestors are watching them and often speaking to them. “They are our guardians, the spirits that really want to look after us on Earth,” wrote one famous traditional healer. “If we don’t listen to them, and don’t start their assignment, then there is a high chance that we will die early. Then the tasks that were assigned to us will be passed on to the next generation.” The ancestors have a social structure after death, as they did

in life. They have personalities that change over time and grow much as those in life. A traditional healer is often thought to be able to speak with the ancestors better than the average person.

The most extreme version of muti involves ritual murder, also known as *muti murder* or *medicine murder*, in which a human is killed and his or her body parts made into a concoction or charm.

It's hard to believe that ritual murder still occurs, but it's important to understand that in southern Africa, it is at most a fringe practice, and yet a brutal reality. Rarely does a week go by in Swaziland without rumors or reports of a person killed for body parts, with victims ranging from albino children to old women to healthy teenagers. It's been a part of Swazi history as long as it has been written—in the 1950s with Solinye's faux death, certainly, and well before that.

AFTER ARRESTING DAVID SIMELANE—whom the public would soon simply call David—the police and prosecution spent the next five years building a case against him. By 2010, both senior investigators had died, and apparently taken their paperwork with them to the grave, so how exactly they built their case will never be known. But through court records, newspaper archives, and interviews with police officers, journalists, and the families of victims and others, a sort-of chronology began to appear.

The police had their confession seemingly the instant that David was caught, though getting it on paper was more of a challenge. Two written confessions were submitted as evidence during the trial, one from the day after he was arrested, and the other taken twelve days later in front of a different magistrate. Though the common language of Swaziland is siSwati—a click language similar to Zulu—the confessions were written by a translator in English, the language used for police and court records.

The man they arrested was forty-three years old and had not finished high school. When word of David's arrest reached the public, there was speculation that he was going to be very good looking, an Adonis even. How else could he have led so many women to dark places to kill them? He had to be charming, rich, educated, and good with the ladies.

But when he first appeared in public, David let the gossipers down. He was far from an Adonis by almost any standard. As one Swazi writer put it, "when David Simelane stepped out of a white minibus, handcuffed to a police officer, numerous lower-lips fell to the ground in disappointment. He was dark in complexion, with a broad forehead, average-size bloodshot eyes, an apology for a nose, and a mouth that must have been carved with a pencil knife. David was anything but handsome. He was dressed in blue jeans and a navy-blue T-shirt with a red stripe and a brown windbreaker—a rather unsavory color combination."

He was not a looker and he was not rich. At his most recent known residence, he had been paying E60, or seven dollars a month, for a single room with one lightbulb and no electrical outlets or running water.

He was born a Mhlanga, his father's surname, but was raised from infancy on his aunt's Simelane homestead, located in a remote part of the country far from a paved road. In exchange for herding the family cattle and helping with the harvest, the Simelanes paid his school fees. But after he finished the 10th grade, he stopped going to school, according to his aunt, and "was all over the place."

He would spend nights in the forest, eat from other people's fields, and come back to the homestead and sleep in the kraal, a domestic animal pen. "Even when he was in school," said his aunt, "he was someone who was leading a nomadic life." But she also called him a "very brilliant child" who started school later than some of his peers and soon surpassed them. "We do think a lot about what went wrong in his mind,"

she told me one night as the sun was going down under the mountains on the family's rural plot. "What really caused him to have such a bad heart, to brutally kill people?"

He was first arrested at age nineteen, his aunt told me, for stabbing his girlfriend. She didn't die, and he served fifteen months in prison. Police records show that he was convicted of indecent assault, robbery, and housebreaking in the late seventies and early eighties. He once went to jail for threatening to stab a woman with a knife in order to steal a handbag containing the equivalent of two dollars. One of his ex-girlfriends who I tracked down told me that, "He seemed like a very kind man. But when I looked deeply, I noticed that he had a subtle violence in him that he was trying to suppress." In the early nineties, he was arrested for rape and robbery, and was sentenced to another five years in prison.

IN HIS CONFESSIONS, DAVID ADMITTED to murdering thirty-two women and three babies. His motive, he said: revenge against women due to a false rape charge from 1991, for which he served time. He claimed he did rob this woman, but did not rape her. In his second written confession from May 2001, he stated, "I then told myself that I will revenge to [sic] any woman if the chance avails itself."

David's descriptions of his methods for luring the victims to their death follow a very simple pattern. Here is one of the dozens from his confession:

Her surname was Tsabedze. I found her at the Manzini bus rank looking for a job. I promised her one and we proceeded to Malkerns. I went with her to the Bhunya forest where I strangled and stabbed her to death.

That June, the police took David out of his holding cell so he could lead them to more bodies, to add to those found in Malkerns. Much of the search was videotaped, including when he was read his rights and told that what he showed them could be used against him in court. The video follows David as he leads officers to several skeletons in a heavily forested area so difficult to access that it was later visited with the aid of a helicopter. The real mystery, Judge Jacobus Annandale later wrote, “is how on earth he managed to persuade the deceased to accompany him to such a remote place in the mountains.” Even the most trusting person, or the most eager, would have had to suspect something.

Once all the bodies were recovered, the next step was figuring out exactly whom he had killed. The reported number of victims reached as high as forty-five, but I don’t believe anybody knows the true total except perhaps David. The written confession that included a numbered list of the victims had two number sevens, and several of the women he said he killed were either unnamed or identified only by a surname. David was eventually held on thirty-five counts of murder, but four years into his trial the number of counts was reduced to thirty-four when it was discovered that two of the victims named were the same person.

Since most of the found bodies had long ago decomposed, the police quickly turned to using the victims’ clothing as proof of identity. They held an “identification parade,” calling in to the Matsapha police station friends and family of all the women that David admitted to killing. They were brought in to match pieces of clothing to those that belonged to their sisters, daughters, and wives. Some of the clothing had been found near the bodies, and some had been found in the possession of one of David’s girlfriends.

More video footage was taken and confirms that David was in the room, uncuffed, helping the police and victims' loved ones attribute pieces of clothing to each woman and child. In the room were half a dozen police officers on one side, family members on the other, and David in the middle. The clothing was not gently handled, and during the video, the police can be seen riffling through items in plastic bags or old suitcases, and some just tied up with white string. The relatives identify bras, scarves, dresses, blouses, baby clothes, sweaters, T-shirts, traditional skirts, shoes, and more. At one point in the video David takes the shirt off his back, telling the investigators that it belonged to the victim whose family is sitting in front of him.

It's bizarre, and chilling, to see seventy-year-old grandmothers, called *gogos* in Swaziland, sitting in the room with their grandchildren's murderer, listening to him describe how he met and killed them. The noble composure for which Swazis are known is on display.

With help from the Department of Anatomy at the University of Pretoria in South Africa, reports on at least some of the skeletal remains were made, but they only proved the sex and the likely age range and race of the bodies found. Even after years of waiting, DNA evidence never came through. Not a single body could be positively identified by experts post-mortem, nor could the cause of death be confirmed. South African police told me that they didn't receive the help they needed from the Swazis. The Swazi police never said why they couldn't get conclusive DNA evidence, and it soon became a lost cause.

The prosecution had to make sure David was fit to stand trial. From the time of his arrest to the beginning of his trial, several incidents indicated that he might not have been psychologically sound, or even physically sound. Over the years, it was reported that he went on a hunger strike, overdosed on some unspecified substance, had a stroke, beat his head

against the wall, and tried to hang himself with a shirt. In October 2004, he was taken to Mbabane Government Hospital where he was unconscious for five days in the ICU. Both in 2001 and 2004, he was reported to be very sick with an “undisclosed illness,” leading many to believe he was HIV positive.

Just before his head-banging incident, a psychiatric assessment said of David:

He is an adult male who claims he has no physical or mental problems. He is fully conscious and fully alert. He presents with a restricted affect. He also claims to feel sad most of the time but with no suicidal ideation. He also admits to auditory hallucinations in the past, but [they] have since stopped. His thought form is normal and no delusions have been noted during interview. Also he shows no signs of being disordered...He is coherent and gives a good account of himself. He is fit to stand trial in court.

One and a half years later, his day would come.

DAVID'S TRIAL DID NOT BEGIN UNTIL 2006, more than five years after his arrest, with the delay attributed to the police's failed attempt to collect DNA evidence. The first of eighty-three witnesses for the prosecution appeared on May 29. Because most of the remains found were just bones, the prosecution depended on amassing an irrefutable amount of circumstantial evidence to prove that these were the missing women.

In addition to family and friends of the victims, those who took the stand included members of the investigative team, arresting officers, magistrates, and David's landlady and girlfriends. The trial was plagued with delays. According to one report, there were twenty formal postponements between September 2004 and August 2009. During the final

six months of the trial, which included a two-month holiday break, court was postponed due to a faulty recording system; attorneys who were sick or didn't show up; late arrival of the accused or of witnesses; lack of an available courtroom; multiple no-shows by both lawyers; missing documents; lack of a translator; a broken copy machine; a power failure; the prosecutor forgetting her robe; and the replacement, at the tail end of the trial, of David's lawyer.

The High Court in Mbabane was suffering from serious organizational snafus. When the primary translator was not available, a sub-par one would take her place, leaving Swazi witnesses and lawyers and the Afrikaner judge all listening to different versions of testimony, and often squabbling over the meaning of words and phrases. One day the noise of construction outside the courtroom was so raucous that you could actually feel the room shaking. When Lucky Howe, David's attorney, responded by saying, "Well, it's coming down anyway," it was clear he didn't just mean the courtroom.

At the start of the trial, fifteen police officers were needed each day to keep order among all the spectators. By the time it ended, five years later in 2011, I was sometimes the only one watching. A couple of local reporters would usually show, but friends and family had long ago lost faith in seeing justice for their loved ones.

When things were looking particularly grim, the prosecutor said, "I wonder if we'll ever finish this case." The judge said, "This matter has dragged on for so long that there are feelings that the wheels of justice have stopped to turn."

OVER THOSE FIVE LONG YEARS, victims' family members who had met David took the stand and told their stories. The women David killed were mostly from rural areas, part of the forgotten major-

ity of Swazi society. They were largely poor and uneducated, and many were living off the food they grew or donations from NGOs and foreign governments. Most of them did not start high school, much less finish. In sharp contrast with the wealthy few who enjoy the country's modern amenities—cable Internet, good roads, satellite TV, stocked supermarkets—many of these women lived without electricity or running water. Their homes were made of mud and sticks, with thatched or corrugated-metal roofs. Their yards were mostly dirt, with shade provided by lowveld gardenias or marula trees, and clothing hung to dry in the branches.

Sibongile Dlamini was fifteen when she met David in January 2001 (No relation to Solinye Dlamini. Dlamini is the most common name in Swaziland; the current King's name was Makhosetive Dlamini until his coronation.). One day, she and her older sister, Vosho, traveled to see a traditional healer because Sibongile had taken ill and become "bewitched," she told me. They were at a bus station when David introduced himself and "proposed love" to Vosho. Over the next three months he became a regular visitor at the Dlamini homestead in the St. Philips area as he courted Vosho and got to know the family. Sibongile said she knew David well. She remembered him as a quiet man who always seemed to have money, though she never knew where it came from. "He sounded like a nice person," she said, "but he wasn't someone who would smile....He always looked sad."

In court, David said that he and Vosho had discussed building a house together and that he had proposed marriage. He claimed to be a recruiter looking for female workers. Vosho knew that her sister Twana badly needed a job. She had recently left her marital homestead and was caring for four children on her own. Twana was the first to leave with David to start a job as a maid in Ezulwini, a valley just outside Mbabane, which translates to "place of heaven."

About a month later, he offered employment to another sister, Thandi, who traveled with her eighteen-month-old child, Kwanda. When she didn't return after another month, the family became worried. They had no phone, and "each time we suggested we go and see Thandi's place he would say that Thandi was busy," Sibongile said. "He would perpetually postpone the visit." But David came back to the homestead once again, this time with a letter supposedly from Thandi, in which was written in type, "It is a long time not coming to see you...but there is nothing I can do because at present I am alone at work, my partner is on leave until April 8...Anyway I am okey [sic] here nothing wrong so far." In the letter she also asks for her sister to meet her. Soon after, Vosho left with David, too.

They had already been suspicious of the letter. While Thandi knew some English, they didn't think she'd be capable of actually typing out a full letter in her second language. Just weeks later, when David's arrest filled the headlines, they knew that the letter was a fake. Thandi had been killed a month earlier. Years later, while being cross-examined about the disappearance of Thandi, David said to Judge Annandale, "My lord, the truth of the matter is that I'm not the one who requested better employment. She came to me." Twana, Thandi, Vosho, and young Kwanda were never seen alive again.

Thandi had been a breadwinner for the family. She was the only sibling to have finished high school, and she had a decent, if not great, job at the post office, sorting mail and such. "She was very kind and generous," Sibongile told me about her sister. "She liked children and she wouldn't hurt a fly." In addition to buying her little sister clothes, Thandi was paying Sibongile's school fees, but when she died, the income died with her, and Sibongile never made it past grade seven.

“I think he noticed that we are easy people who wouldn’t give him much trouble,” Sibongile told me. “That’s why it was so easy for him to come back and fetch more people.” She believes she would have been the next victim if David had not been caught. He had come by her school and brought her new clothes and groceries. He said they were presents from her sisters. A friend of the Dlamini family told me: “He would bring these things, these groceries, and we were convinced that where they came from, there was life.”

IN JANUARY 2011—ten years after the bodies were found and David was arrested—the prosecution rested, and Lucky Howe, David’s defense attorney, boycotted the trial. He accused the judge of bias, and David was assigned a new lawyer, who was nicknamed “Tsotsi” (a South African term for a gangster). After just one week of familiarizing himself with the entire trial, including more than a thousand pages of testimony alone, Tsotsi presented his case, calling exactly one witness: David.

Rather than defending against the thirty-four counts of murder of which his client was accused, Tsotsi decided that twenty-nine of the counts had not been proven by the prosecution, and ignored them completely. The remaining five victims, including three of the St. Philips Dlaminis, had all last been seen with David or a man thought to be David. On the stand, David admitted he had known each of them, but said before they went missing he had handed them off to an employment agent named Siphon Dlamini—a name that had not been brought up in a single police report, witness account, or cross-examination in the previous ten years. In Swaziland, the name Siphon Dlamini is similar to John Smith in America. The 2015 phonebook in Mbabane listed fourteen Siphon Dlaminis, and those are only the ones with the luxury of landlines.

David's testimony and cross-examination took two days. In his closing statement, Tsotsi used an analogy of a case of stolen golf clubs: If the clubs are found in someone's house, he said, that is not proof that the owners of the house are the robbers. It didn't work. There are no juries in Swaziland, so Annandale made a judgment on his own, on March 23, 2011, finding David guilty on twenty-eight of the thirty-four counts. *The Swazi Observer*, a popular daily, printed the entire 40,000-word judgment the next day.

A week after he handed down the guilty verdict, and a day before he would hand down the sentence, I met Judge Annandale at his house outside Mbabane. We sat at his classic wooden bar and listened to the nighttime rain battering the roof. An imposing man with a Santa Claus look and deep Afrikaner accent, he had become well known in Swaziland because of David's case. He'd never once handed out the death penalty, not in Swaziland and not when he worked in South Africa many years earlier. He told me he had once convicted someone to not-quite life for killing a man over half a cigarette. He'd always found a way around the death penalty, some sliver of a reason to not kill, and he wasn't sure now that he could rely on reasoning alone to avoid it.

"I wish I could send a fax upstairs and have the answer come to me," Annandale said. "I'm between two fires here." As we spoke, the rain got heavier, and the thunder and lightning began. The lightning storms in Swaziland have no equal, coming often and with a godlike roar, painting the sky with zig-zags and striking dead more people per capita than in any other country on earth.

As we drank our whiskey, the power went out. We sat by candlelight in an otherwise dark room. The case had worn Annandale down. He had started smoking again after a feeble attempt at quitting. A forty-year-

year habit is difficult to break while making a decision that could end a person's life. The judge, whose family is devoutly Christian, told me that the Bible is big on executions.

Though reporters are not allowed in the prison to interview him, five minutes before the sentencing began, I was given time to speak to David. We were surrounded by cops. David told me, in decent English, that he was happy the trial was coming to an end, but that he was not worried about the outcome. "Any sentence he is going to give me, I am okay for that," he said. "Whether it's a death sentence or life sentence, I am not worried because I believe in God."

After turning to their shared god, unable to find any "extenuating circumstances," as Swazi law requires to evade the death sentence in a murder conviction, Judge Annandale gave David the death penalty, shocking most Swazis. Annandale had looked up and found his answer.

But the sentence did not necessarily mean that David would be executed, even though an appeal was denied at the end of 2012. The last official executions in Swaziland took place in 1983, when the country was in between kings, and the current ruler, King Mswati III, has not allowed a hanging since his coronation in 1986. All prisoners condemned to death row either sit there still or have had their sentences commuted. Swazi law says, "No sentence of death shall be carried into effect except upon the special warrant of His Majesty." David's life would be in the hands of the King, where it remains to this day.

TOWARD THE END OF MARCH 2011, just a few days after David's guilty verdict took over the Swazi newspapers, I got hold of two keys to the David Simelane case that the public knew nothing about.

The first was the set of videos that showed his interrogation and the identification parade. In those videos I would get to see 2001 with my own eyes, as well as a killer in a room with his victims' loved ones.

The second key was Detective Sergeant Vusi Dlamini (again, no relation to previously named Dlaminis), a young Swazi policeman. I had been trying to find him for weeks, but had been given the runaround by other officers who were ordered not to speak about the case while the trial was on. When I finally got in touch with him, Vusi was willing to talk because he had not been on the investigative team in 2001, when the bodies were found, and therefore not subject to the same restraints as his colleagues. He was only a constable back then, and he was trying to solve a mystery of his own. In February of that year, his wife had vanished.

It was 1995 when Vusi found love. Her name was Sindi Ntiwane, and she was from a distinguished Swazi family, the daughter of a former government minister who had studied at Columbia University in the U.S. Sindi had a brother who was a lawyer and another who was a doctor. The Ntiwanes were a respected, intellectual family.

Sindi and Vusi knew each other when they were younger, but they did not start dating until they were both in their twenties, after Vusi, an engineer, finished college and enrolled in the police force. Vusi, who was five years older than Sindi, was patrolling the streets of Manzini as a trainee when their relationship was rekindled. He spotted Sindi at the clothing shop owned by her parents, where she was working in the afternoons designing and manufacturing school uniforms. "I saw her there," he said, "and everything clicked."

Sindi had found her prince—not an actual prince but the son of one: Vusi's father was royalty.

Swazi kings have many wives, some as many as seventy, and many children, some as many as 200. For this reason, to be a prince or princess is perhaps not as prestigious in Swaziland as it is elsewhere. Still, Vusi's father, Prince Jahamnyama, was a prominent traditionalist magistrate and an advisor to King Mswati III. As a member of the royal family, Jahamnyama was related to many of the most important people in Swaziland, and he used his institutional memory and influence over the king to try to make sure Swazi traditions did not disappear with modern times.

Vusi and Sindi were soon married in the traditional Swazi way—though they had not yet reached the stage of *lobola*, where the man purchases cattle or hands over some other form of payment to the woman's family in exchange for her hand in marriage—and were living in the police barracks in nearby Mbabane. By 1999, Sindi and Vusi had a plan: He would work his way up the force, and she would continue managing her parents' shop while working on opening one of her own. Money was tight, as he was earning only a small salary. "But since we were crazy in love, we just did it together, with few resources," Vusi told me.

At the turn of the millennium, Vusi and Sindi were well into starting a life together.

SINDI CAME FROM A WELL-OFF FAMILY, but like many of the missing women, she was in need of money. She was looking for an investor to help open a clothing shop, like the one her parents owned. Her shop would make uniforms and badges that schools in Swaziland required. But to open the shop, she would need a lump sum of cash. "She had some money," Vusi said, "but it wasn't enough, you understand. It wasn't enough."

The night before she disappeared, Vusi had a scare. Sindi hadn't come home from work at the usual time and Vusi could sense something was off. "It was unusual for her to not call, but I did not own a car then," he told me. "It was difficult to go anywhere, not knowing where to start."

Finally she called, at around half past 10, late for a country where nighttime is truly dark. When she got home, Vusi was initially angry, but soon saw that she was in good spirits. He couldn't remember many details—such as names, or how they met—but Sindi said she had found potential partners to help her kick off the business. In the end, Vusi told me, "I was just happy she was okay."

The next day, he was assigned to guard the deputy prime minister's residence. He left Sindi at home that morning around six, after eating the breakfast she'd prepared. Sindi told him that she was going straight to meet the possible partners for the store, and that they would be traveling about an hour's drive from the police barracks to look at a commercial space. She didn't want to compete with the family shop in Manzini, so she was exploring other towns. "She was looking forward to the day," Vusi said.

Sindi had a cell phone, uncommon in Swaziland back then, as the service was in its infancy, and she would call Vusi two or three times each day to let him know where she was. At around 8 a.m., she called and told him she was heading to an area called Bhunya. Only after hanging up did Vusi ask himself why she was heading to a mill town. There were few schools in Bhunya, and it didn't seem an appropriate place for a shop that sold student uniforms. But cell phone calls were expensive, and he didn't call her back right away. "We were trying to be economical," Vusi remembered. "The conversation was short. She said, 'I'll see you in the evening, baby.' That's the last time I heard from her."

Sindi didn't come home that day or the next, and his calls went unanswered. But Vusi delayed telling her family or his own for almost two days. He didn't want to give the wrong impression about his marriage. "Those issues are quite sensitive in Swazi culture," Vusi told me. "A woman cannot just disappear...I didn't want rumors to spread that I'm starting to have problems with my wife."

He also delayed telling his fellow officers, hoping Sindi would suddenly show up with a great story to tell. But when he did finally tell them, he was advised to open a missing person inquiry. Vusi provided photos and all the information he had. While his colleagues searched, he took a leave of absence and began scouring the country. "There's nowhere in Swaziland I never went," he said. "Traditional healers, prophets, whoever I thought could help.

"How could I rest? No, I couldn't," he said. But then he reconsidered. "You know when I rested? I rested when I heard about the women that were found, the corpses that were found in Malkerns."

Sindi was well known at the police station. She would come around often, prepare food for the officers. She was an open person and a "very beautiful lady," Vusi said. Photographs of Sindi only confirm that judgment. In the photo the police used when searching for the missing women, she is wearing a light blue collared jacket with a white pattern. Her generous lips, thick eyebrows, and light brown skin stand out. She has tightly woven braids running behind her head. In the Swazi way, she does not smile for the photo. She looks off to her left, as if somewhere else entirely.

The assistant commander, one of many people at the station who knew and loved Sindi, called Vusi into his office early one morning in April. He wanted to talk before Vusi saw the newspapers. "I thought I was in

trouble or something,” Vusi said. “He told me they’d found these bodies. A lot of bodies,” just a few miles from where Sindi’s family lived. “I prayed it mustn’t be.”

IN DAVID’S WRITTEN CONFESSION, he admitted to killing Sindi Ntiwane. “I strangled her to death with my hands,” it stated. A skeleton and clothes that belonged to Sindi were found at Nkonyeni Farm in the area of Sidvokodvo. It was one of the final bodies that David pointed out to the police.

As her husband and the last person who was known to have seen her alive, Vusi was brought in to identify her belongings, including a quartz watch that Sindi loved and had been wearing when she disappeared. He remembered a day when she came home crying because the watch had gotten a small crack. That same small crack helped prove that Sindi was in fact one of the deceased. The police found the watch at David’s flat.

The 2001 video from the police station shows Vusi Dlamini, only twenty-seven years old at the time, sitting no more than a few feet from David, identifying Sindi’s dress and T-shirt. Vusi is stiff in the video, his lips tight. The man who murdered his wife is within arm’s reach. “They made sure that I was not armed,” he told me. Vusi was introduced as a civilian, not as Constable Dlamini, and none of the officers nearby were carrying weapons, in case Vusi tried to steal one and attack David. Vusi told me that back then he might have taken the opportunity. “I would have killed him,” he told me. “And I didn’t mind if I got killed.” But his colleagues made sure that the chance never came, and Vusi would go on to play a key role in making their case against David Simelane.

II. The Other Killer

WHEN THE BODIES WERE FOUND in Malkerns, the media frenzy and the nationwide reaction must have felt familiar. It was not the first time that the entire kingdom of Swaziland had been thrown into a whirl about an unknown and quiet killer.

Fifteen years earlier, another one was discovered in the Kingdom, grabbing triple-sized headlines, brewing rumors about its modus operandi from officials and the press alike, and necessitating the import of experts from South Africa to investigate. Like David, the other killer also struck from within Swazi society, and among the primary targets were the young women you see in Swaziland's bus stops. But this killer was not human.

The human immunodeficiency virus was identified in the early 1980s, when it mercilessly attacked the gay community in the United States, putting a definitive end to a "free love" era. But HIV originated across the Atlantic, in Africa. The first humans were likely infected well before Solinye's killers were hanged back in the 1950s, and possibly as early as the turn of the twentieth century. HIV is thought to be a mutated version of a simian virus that found its way into a human through open wounds on the skin of hunters in Cameroon. After the transfer to humans, the virus found its way from Cameroon to the Democratic Republic of Congo (Belgian Congo), Rwanda, and Burundi; to neighboring Tanzania and Uganda in the east; and Congo-Brazzaville in the west. Later, it may have come to the U.S. in Haitian men who had participated in a UNESCO educational program in the Congo in the '60s.

A retroactive testing of blood samples—from a study of hemorrhagic fever in Burundi in 1980 and 1981—found that 4.9 percent of the healthy adult people involved in the study were HIV positive. By the

time HIV and AIDS became a somewhat known, if not understood, cause of death in the 1980s, another epidemic was moving through Africa. By the beginning of the next century, more than two million people were dying each year due to the virus, most of them in sub-Saharan Africa.

But one country soon raced past all others, reaching the highest prevalence of the virus worldwide, and ever recorded: Swaziland.

The first publicly documented case of HIV in Swaziland was announced in the fall of 1986. On November 1, the front page of *The Swazi News* sported a headline twice the size of its nameplate: "AIDS CASE HERE." Two days later, a headline in the country's most-read newspaper, *The Times of Swaziland*, paraphrasing the director of medical services, read, "It's not so serious."

So little was known about HIV back then in the kingdom that the newspaper reported that the "disease is transmitted through sex, kissing, saliva, and possibly sharing cigarettes and drinking from the same beer bottle"—all false but for the first.

An anonymous editorial ran on the cover of *The Times of Swaziland* that same week, with the title "AIDS man must get out." It included the following:

Without being alarmist, since AIDS cannot be cured, the source of it must be removed. It is very wrong for the director of medical services to say it can be prevented, by condoms and such silly things...It is a fact that we Swazis have very healthy appetites. It would take just one person to introduce it to one of the high sex-disease blackspots; and the country will be on fire.

The metaphorical “AIDS man” was in fact HIV positive, but did not yet have AIDS. It ordinarily takes years for a person who has contracted HIV to see symptoms from the opportunistic infections associated with AIDS. After the first case was discovered, the virus spread and attacked quietly, like the famed black mambas that slither through Swaziland’s grass. In 1992, surveying began with women at prenatal clinics. That year, the HIV rate was 3.9 percent in new mothers.

Two years later, it was 16.1 percent. And by the time that the murders started in 1999, a third of all new mothers in Swaziland were HIV positive. It was that year that King Mswati III finally declared AIDS a “national disaster,” but by then the country had already been brought to its knees.

Five years earlier, in 1994, an economist named Alan Whiteside and a clinical psychologist named Greg Wood wrote a report predicting what the AIDS epidemic would do to Swaziland over the following ten-plus years. It was one of the first reports to study the non-health-related effects of HIV on an entire country in Africa. They predicted that the population in 2006 would be at least 15 percent lower than it would have been had HIV not arrived. They said that life expectancy would drop from the low sixties to the high forties, and long before that, half the hospital beds in the country would be occupied by AIDS cases. They also predicted that the death sentence that an HIV-positive test was back then would bring enormous psychological harm to the population, destroying interpersonal relationships and disrupting the family unit in Swaziland.

They said that the HIV-positive percentage of the population would grow to 27.5 percent, *overall*, by 2006, and that AIDS-related deaths would reach 18,000 per year. The economy would be rocked by the virus, which would first damage the health sector by overwhelming the hos-

pitals. And then—when thousands of young and strong adults had died, the teachers and nurses and government leaders—it would hit all sectors. And of course thousands of children would lose their role models, their caretakers, and their means of survival. An army of orphans would swarm over Swaziland, and they would have no income, fewer teachers, no parents, and nowhere to go.

Most of the authors' predictions came true, though in some cases the real numbers were even worse than the estimates.

By 1999—the year that David started killing people, and the year the King called the nation together to fight HIV—Swaziland was in a deep hole. By one account, nearly 50,000 people had died of AIDS at that point, nearly one out of every twenty Swazis, most of them in the prime of their lives. Whiteside told me that there was a cemetery at the bottom of the hill by his school, and it served as an indicator of the epidemic for him. “Every time I went past,” he said, “it just grew, the red mounds of earth scarring the veld.”

In February 1999, Derek von Wissell, who would become the head of Swaziland's HIV response council, wrote a column in the local paper titled “The AIDS war is now upon us!” In it, he compared the virus to an enemy attack. “What would happen if we in Swaziland became aware of the fact that a huge army was on our borders and about to invade?” he asked. Von Wissell wrote that more than 290,000 out of a population of one million were living with HIV. And there was no cure, no medicine in the country, and no hope for them. “AIDS is killing our people in a massive way and although at this point it is too late to save 30% of our population all stops should now be pulled out to save the next generation.”

THE HIV EPIDEMIC IN SWAZILAND IS DRIVEN by many factors, not least of which are the practice of polygamy (which increases the size of sexual networks), a patriarchal society that pushes women into marriage at an early age, and a culture driven by tradition and high child mortality rates to promote procreation at all costs.

Because of their relative powerlessness when negotiating sexual relationships, women in Swaziland are particularly vulnerable to getting HIV. Today, more than half of all women between the ages of 30 and 34 are HIV positive. *Half*. Fifty-four percent. These are not drug abusers or prostitutes or outliers. If you were a Swazi woman in your twenties in 1997, there is a 30 percent chance that you didn't make it to 2007. HIV, very much like David Simelane, has been an unprecedented killer of young women.

Despite the country's nominal dual monarchy, in which the queen mother rules alongside the king, women do not share equal rights with men. Women generally cannot own or inherit land, hold few political positions, and are burdened by traditions that accord them lesser status. A 2013 Chatham House report on Swaziland said that "girls below marriageable age still continue to be forcibly married under customary law, which recognizes no consent on the part of the woman in marital issues." Swazi women are smart and strong—see what they carry on their heads and backs as you drive by them on the highways, see the children they take in when their sisters and brothers die—but they do not live in an environment that can be described as safe. A 2007 survey in Swaziland found that "Approximately one in three females experienced some form of sexual violence as a child."

Cebile Manzini-Henwood, the former head of Swaziland Action Group Against Abuse, an organization that is fighting for equal rights for women, told me that the reputation that Swaziland has built as a peace-

ful country is superficial at best. “I don’t think Swaziland is peaceful,” she said. “If we are saying that peace is about the riots and the protests then you could say, ‘Okay, sure, we’re relatively peaceful.’ But if you define ‘peaceful’ as you should, looking at peace in the homesteads, looking at peace in the workplace, looking at peace in the schools, in the churches, where people are, where people congregate, where people associate and relate to each other on a daily basis, then you’ll find there’s no peace here.”

In December 2012, the *Times of Swaziland* published a particularly loathsome column by a writer named Qalakaliboli Dlamini, who wrote that the root cause of most spousal abuse was women themselves. “In fact, when a woman is battered,” he wrote, “she may have caused more internal damage to the male who will have caused her external harm. Let us be honest with each other, women are the biggest abusers in the world.” Towards the end of his column, he even defended David Simelane: Since he had attributed his killing spree to revenge for a false rape charge, the author said, David too was a victim of women and justified in his actions.

A society where people read the words of a hatemonger like Qalakaliboli Dlamini and nod their heads may be one in which dozens of women can be killed before anyone catches on, where a killer like David can go undetected for two years. “Is this who we want to claim we are as a people? As a Swazi people?” said Manzini-Henwood. “On one hand we are prioritizing HIV/AIDS as a national disaster, and yet we are not looking at the main driver or catalyst of HIV/AIDS in Swaziland....It all stems from a systemic form of violence in the country.”

The sexual violence that has fueled HIV in Swaziland has affected every person in the country. The families of David’s victims have been hit immeasurably harder by HIV than by the murders that targeted their sisters, and mothers, and children. Throughout my interviews, family

members told me that their homesteads had shrunk in recent years due to illness. Children and grandchildren had died. Thembi Kunene was twenty-eight when David killed her. She had thirteen siblings, but there are only four now, her sister told me; the others “fell sick.” Even the aunt who helped raise David had had four adult children die from AIDS-related illnesses. “They had the same sickness,” she said.

BY THE TIME THE JUDGMENT on David Simelane came down, five of the eleven original police investigators were dead, including both lead detectives. When I spoke to the mother of one of the policemen who had died, she told me that two of his five kids, teenagers, had passed away before him, along with three more of her grandchildren. “People told me that I would follow the other officers who passed away,” said the policeman who took the place of his boss as a witness in court. He told me that everyone believed the officers died because of muti—because an enemy was trying to harm them from afar. “But I don’t believe in muti,” he said.

Two of David’s young girlfriends died before they could act as witnesses. The magistrate who took David’s second confession passed away in 2007 at age forty. His wife died three months later. Reporters, relatives, and, most importantly, witnesses—dozens of them died during the trial, leaving people to wonder if it wasn’t just coincidence. So many of the people involved with the case died between the time he was arrested and the end of his trial that it seemed David had a hit squad taking out witnesses, cops and court officials, and victims’ family members. And that is precisely what the nation believed.

What originally fascinated me about this case was that Swazis were in a way correct. Another killer was indeed out there, continuing the job even as David languished in his cell. While Swazis following the case saw people dying and cried conspiracy, what they were really seeing, based on all the available evidence, was the work of AIDS.

The HIV rates today are even worse than when David began killing, but that is because people are living longer. The expansion of HIV prevention, care, and treatment programs in Swaziland, including the availability of free antiretroviral drugs, have made an enormous impact. Testing positive is no longer a death sentence, and adult prevalence has plateaued since 2006. Even if many still ignore the threat, everyone in Swaziland is aware of HIV. Of course, just because a woman knows that condoms will prevent HIV doesn't mean she can convince her husband to wear them or get tested, or even to allow her to leave the homestead to get tested herself. Still, the virus has forced Swazis to rethink a culture in which procreation is king and polygamy is common practice.

RUDOLPH MAZIYA HAS BEEN INVOLVED in the fight against HIV since the mid-'90s, when he worked for the Swaziland National AIDS/STI Programme. I spoke with him at his office in Manzini in 2013, and he told me that there was another major reason that HIV was able to take such a hold of Swaziland. At the very basic level, he said, Swazis see disease in a different way.

“The idea of germs, the idea of microorganisms, is not part of our belief system. Our sociology has more of the abstract, spiritual kind of explanation for diseases,” he told me. “So when we came in and started talking to people about something that was being passed on from one person to another, it seemed unbelievable.”

Swazis did not see HIV as the real killer. Rather than germs, they saw revenge. Rather than a virus, they saw muti. “When people were starting to get sick, some people would think that they’ve been bewitched, and not that there’s a virus destroying their immune system,” Maziya said. So in the many deaths that followed David’s arrest, they perceived that David had the advantage of witchcraft, and possibly influential people paying for that witchcraft. Otherwise, what was killing all these people involved with the trial?

Even today people are scared to talk about the case, not wanting to be the next victim. A relative of a prominent member of the court who died during the investigation told me, “I’m scared of talking about this. All the people that were in touch with this matter are dead.” A man who lived in the Malkerns area, where I was looking for potential witnesses to interview, told me, “The people here, they may know something, but they won’t say anything. They don’t want to get involved. Even if they saw something, they won’t tell you.”

It didn’t help that toward the end of the trial, the chief prosecutor publicly announced that 50 percent of the witnesses in the case had died. While that number was likely an exaggeration, the many people who have died have contributed to the belief that David is favored by a higher power. One woman I spoke with before the trial ended told me, “When he gets out he’s gonna kill everybody....This is Swaziland; he’s gonna come back.”

But when I look again at what’s occurred in the fourteen years since David was arrested, sixteen since he began killing, these views seem less primitive naivete and more the beliefs of a slightly paranoid and sick population, closely watching a trial that paralleled the timeline of HIV.

What people thought was conspiracy, and muti, was really just the combination of HIV and time. When life expectancy is half as long, time moves twice as fast, and people die.

“**THE NATION CANNOT STAND BY** and watch as the virus kills our country,” King Mswati III declared in his memorable speech of 1999. But by then, HIV had spread so deeply into Swazi society that its effects had hit everyone in the country. And since the king is the lifeblood of the nation, it is appropriate that his reign began in 1986, the same year HIV arrived. He was only eighteen years old at the time, and he had a lot to live up to.

Mswati III's father, King Sobhuza II, had been the longest reigning world leader at the time of his death in 1982. He had ruled Swaziland for more than sixty years, taking it from an unstable group of clans getting tossed around by colonial powers to a modern, independent nation in 1968. He was generally a man of his people. He was also an educated man. One elderly Swazi I spoke with told me that Swaziland is what it is because of Sobhuza. “He shaped Swaziland. He said you shouldn't give up Swazi traditions, but also should not shy away from the Western. And Swazis have done that.”

Indeed by most accounts, Sobhuza II was a strong and clever king. Historian Alan R. Booth wrote that “in an age when kings everywhere came toppling down, Sobhuza not only endured but reigned supreme—not so much by the force of arms or money as by the genuine love of his people. His skills as a politician, a diplomat, an entrepreneur, and a humanitarian are already legendary.” At the same time, Sobhuza II made sure that the royal family maintained and grew its power during his reign, keeping the money flowing to his relatives and the absolute monarchy in place—until it was the last one left in Africa.

Mswati III had to live up to his father's memory, which was difficult. What's more, his right to the throne was questioned from the start, according to Booth, because his mother, now the queen mother, had been rumored to have got her start as a housemaid. He was constantly in fear of assassination.

Part of the invaluable trove released in 2010 by WikiLeaks included cables from the U.S. Ambassador to Swaziland. The cables summarized private conversations with a former king's advisor, who indicated that Mswati III is "essentially a bastard outsider to the royal family." The informant said Mswati III "is not a reader, and will not review documents left for him." He called the king "not intellectually well-developed," in contrast to his father.

Now forty-six, Mswati III has grown into a controversial monarch. He has had fifteen wives, although three have left him, another was accused of poisoning him, and a fifth was caught having an affair with the justice minister. None of these embarrassments were reported in Swazi newspapers. He does nothing to discourage polygamy, which has come to endanger his people.

Royal family trips to Vegas, exorbitant shopping sprees for his wives and more than twenty children, the purchase of a \$500,000 Maybach luxury car, and a recent "gift" of a private jet have brought the leader of this country, where running water is a luxury for most citizens, much mockery in the foreign press. A report by Freedom House declared that Swazis' "desperate circumstances" and horrid rankings on health, economy, and life indicators were underlined by "the king's overwhelming and unchecked corruption of government power."

The king has crushed pro-democracy movements. He encourages monopolies, stifles communication and commerce, and takes a cut of foreign investment and business—money that is supposedly in trust for

the nation. Even with a high GDP per capita by sub-Saharan standards, the majority of the country lives in abject poverty. In other words, most Swazis do not benefit from the hundreds of millions, if not billions, of emalangenzi that are funneled through their king.

But he was the king the country had in 1999, and Swazis generally respect, or at least fear, their monarch despite his flaws. “The king embodies the vitality of the nation,” wrote Booth. “His medicines and powers protect his people from danger and provide for their well-being. His rainmaking powers bring them prosperity. The strength and virility of the king therefore command the constant attention of the nation.”

If the king’s vitality reflects that of the nation, then what happens when the king falls ill, and what does it say about his health when the entire country is affected by HIV? At the peak of AIDS, and the peak of David’s murders, in April 2001, King Mswati III got sick with an “undisclosed illness.” His birthday, a national holiday, was approaching, but it was announced in the newspaper that for “the first time in the history of such celebrations...they have been postponed.” A month earlier, one of his wives, known as Inkhosikati LaMagwaza, had spent five days in the Mbabane Clinic with the same “undisclosed illness,” one of the many euphemisms for AIDS used in Swaziland. The same queen later ran away from Swaziland after being sick for two years. After weeks of speculation, it was announced in the papers that the king’s mystery illness was only gastritis.

In a society with a high HIV prevalence, it can be deadly to change sexual partners within a short period of time, to have what is called “multiple concurrent partners.” During the first month after contracting HIV, you are highly infectious, and yet often unaware of the virus’s presence. If you have sex with more than one person in the span of days or weeks, common in Swaziland among polygamists and others, then you

are not only doubly or triply exposed yourself, but are also exposing all the people in your “sexual network” to the possibility of HIV infection. All the people you are having sex with, plus all the people *they* are having sex with, are at risk.

As for the king, who had first been married as a teenager, before HIV was even a known entity in Swaziland, by 2001 he had eight wives, a large sexual network by almost any standards. In a society where HIV meant death, as it did when the king got sick, polygamy was a tradition worth celebrating only as a historical artifact. If Mswati III is HIV positive, and it is of course only speculation, he has not told his people. Meanwhile, leadership by example in the kingdom has been sorely lacking.

In early 2001, Swaziland was suffering from the worst HIV crisis ever seen in any country, the “vitality of the nation” was deeply reduced, a murderer was stealing women from their families, and a once-promising nation was seeing all its economic progress reversing.

The mother of one of David’s victims put Swaziland’s hard times in perspective: “I don’t know what’s really gone wrong,” she said. “Maybe it’s the end of the world.”

III. David’s Partners

WHEN SINDI WENT MISSING, it seemed to then-constable Vusi Dlamini that indeed it was the end of the world. “I was depressed. I did not have a life,” Vusi told me. When weeks went by with no word of her whereabouts, he tried but failed to prepare himself for life without her. Thinking she had left him, he put away her photos and clothes, but he could not bring himself to throw them away. He contemplated suicide. “Whenever I was working, I was using a firearm,” he said. “Many

times—more than ten times—I thought ‘in three seconds this misery can just...’” At this point in my conversation with Vusi, I saw, for the first and last time, a Swazi man crying.

As the search for Sindi proved futile, and Vusi became increasingly desperate, his father suggested he consult a sangoma, one of the traditional prophets of the kind that Lydia Makhubu had studied. Vusi was skeptical, but agreed. “For we Swazis, sometimes it works, sometimes it doesn’t,” he said. “But you do these things, anything which could bring her back, lead me to her.” It was convincing, he told me, when the prophet said, “You are looking for your wife, who got lost.” Still, Vusi knew that, as the son of a famous prince, his identity and his motive for being there would be easy for the sangoma to guess.

After giving Vusi a potion to drink, the sangoma took him to a small room with a white curtain hanging from the wall. “Then he said, ‘Just look at that curtain and don’t blink. Don’t look anywhere else,’” Vusi told me. “‘Look at the curtain. Look at the curtain.’ I started doubting. He said ‘No, don’t doubt. Look at the curtain. Look at the curtain.’” Vusi looked at the curtain for twenty to thirty minutes, until something changed. Sindi appeared.

“I could see my wife there. A picture, like a real picture, like a film, like a TV, like a video but not quite as good, but I could see that it was her.” She was in a bedroom that he didn’t recognize. She looked comfortable, like she was living there. Clothes were scattered on the bed, and she was folding them. She had wrapped a large towel across her breasts. Sindi was there with him. “I can tell you that I don’t believe in that,” Vusi said with misty eyes, as if he was again seeing his wife. While his father was the great traditionalist, his mother was a staunch Christian. “I never believed in that. I’d rather believe in God,” he said. “But that day I believed.”

The sangoma interpreted Vusi's vision as a sign that Sindi was alive, living with another man. He said she was near a sugar-producing town in the north. Hard as the thought was, the vision gave Vusi a very temporary reprieve from the pain of not knowing. "Just for a moment, to not have that stress and depression," he told me. "To somehow know she was staying with someone. Why was I killing myself? It meant it's over."

Vusi didn't tell his family or Sindi's about the vision on the white curtain. Not even his father. He didn't want to depress them further. And he was glad he didn't, because it soon came out that the sangoma was gravely mistaken. "It was false. Everything was false," Vusi said. "Nothing like that happened.

"My wife died," he said, "the very same day she left the house."

AFTER HIS 1994 REPORT predicting the harsh consequences of HIV was ignored by Swazi leaders, the economist Alan Whiteside was not surprised, but neither did he think it a thoughtless blunder. "I don't blame people for tossing it aside," he told me. "I wish they hadn't, but there was no way to get one's head around something that wasn't visible."

In fact, the way that Swazis dealt with the invisible at the turn of the millennium was to see traditional healers, as Vusi did. When times got especially difficult, they would turn to them with greater frequency. And some would go to more extreme measures to try to fix their problems.

Belief in healers, and in muti and traditional medicine, is widespread in the kingdom and is not relegated to the rural poor and uneducated. The former advisor to the king was quoted in WikiLeaks as saying that Mswati III believes in traditional healing and "attempts to use muti to attack the king are taken seriously." So when HIV, the invisible virus, began to strike so many Swazis, the need for healers rose.

“It is hard to imagine a disease, or complex of symptoms, better suited to interpretation within the witchcraft paradigm than HIV/AIDS,” wrote Adam Ashforth, the Australian social scientist. “One might almost say that if AIDS didn’t exist, the witches would have to invent it. Thus, as the number of cases increases, so must the number and power of the witches. And as the number and power of the witches increases, so grows the need for protection and the desire for justice.”

Most westerners who hear that people *still* believe in witchcraft or in some form of traditional medicine find it to be a remnant of a society that is shirking modern practices. But Ashforth has posited that beliefs in witchcraft (a term he uses in a non-condescending manner) are simply a different type of thought, an alternate path for modernity. For those Africans who struggle because they believe in the supernatural, says Ashforth, “denying the possibility of witchcraft is akin to denying the existence of God. It is easier to do when life is good.”

Confusion itself has been a major source of the problem: The AIDS epidemic in sub-Saharan Africa has created a massive “spiritual insecurity,” with conflicting ideas on how to deal with the disease coming from Christian and Islamic leaders, medical authorities, and traditional healers. The epidemic brought mixed messages of abstinence and condoms; medical science and health policy imported from faraway lands; and, eventually, news of antiretroviral drugs that could heal symptoms but not stop the virus from spreading.

The number of young people dying in Swaziland reached epic proportions in the 2000s, transforming—per what Ashforth has called “the witchcraft hypothesis”—“a sense of injustice into a certitude of malice.” The suffering produced by HIV was perceived by many Swazis as being caused by people, witches, with agendas against them.

By the time David Simelane struck Swaziland, HIV had become not a disease of random bad luck or poor choices, but a weapon to be guarded against and an enemy stockpiling evil spirits in order to kill you. An arms race of muti began, and those who had the means would seek out the most potent protection they could find.

AS SOON AS THE INVESTIGATORS ARRESTED DAVID, or perhaps even before they had their man, they suspected he was killing for body parts to be sold and used for muti.

Several of the skeletons were missing bones when they were found. But more prominent in the detectives' minds than physical evidence was motive: Why would David have gone to such lengths to kill if not to be paid, and where did he get the money to lure his victims in the first place?

The bodies were found in four distinct areas: Mankayane, Malkerns, Macetjeni, and Sidvokodvo. These areas are as little as fifteen miles apart and as much as fifty. David had led the cops to the top of a remote mountain to retrieve some of the final bodies. The cops walked through thick, pathless bush and climbed intimidating boulders to get there. There was no way David was bringing women there simply on foot. So he must have had income.

And yet it seems he did not have a job. In Swaziland, even the fare for a *kombi* (collective taxi, the main form of public transport) is a serious matter for those in the subsistence class. If you earn less than a dollar a day, or don't participate in the formal economy at all, it is a very big deal to buy groceries or to pay for kombi rides for yourself, much less others.

That is why the senior investigators, Jomo Mavuso and Khethokwakhe Ndlangamandla, appear certain, in a video taken on June 6, 2001—nearly a month after David had given his written confessions—that he was

doing this with money and *for* money. At the time, the police clearly did not believe in the “revenge” motive David was claiming. Below is a sample of what they said to him, in very calm siSwati:

You want all these people, including police officers, to believe that you would give someone bus fare knowing that you would kill them? First and foremost, you are not employed. You struggle to get the money to give people for bus fares. Then they board the buses only for you to kill them and you get nothing in return?

You struggled through thorns, over trees, climbing rocks and valleys when killing these people, and you say you got nothing? You will never be trusted, there is something you gained by killing these people...

You were working; you knew that when you spent money on bus fare for a person, your refund was coming somehow. You knew very well that even if you went through thorns, even if you fell from the rocks, that you would get paid tomorrow.

You were used. You were getting paid by killing these people. There is someone or someones who were using you, paying you. Simelane, do not let anyone disturb your going to heaven.

There was a witch doctor behind this. There was a witch doctor who made promises to them if they got the body parts.

When we face the facts, Simelane, these people were killed by your hands, but realistically your hands would not have killed them if it were not for the people that were using you.

They should also be arrested like you have also been arrested. So many people should not die because of them.

David says very little as the police pour on the questions and accusations about his secret partners. In one of the few answers he gives during that day's interrogation, David agrees with the incredulous officer who asks how he expects them to buy his story: "If I hadn't done it," he says, "I wouldn't believe it."

IN THE 1970S, RITUAL MURDERS IN SWAZILAND "reached epidemic proportions," according to Booth. "To many, they were indicative of a widespread sense of desperation among those who saw archaic institutions as no defense against the new and bewildering forces confronting them." When the former prime minister, Prince Makhosini Dlamini, died in 1978, human parts were found in his refrigerator. The last executions in Swaziland, in 1983, were for ritual murder. And these crimes continue to occur today.

But no known killer in Swazi history has ever been more prolific than David. If he was acting on behalf of a body parts syndicate, murdering for others who desired greater power, then what prompted a need for such an unprecedented number of victims?

Traditional treatment for everyday ills may include eating mixtures of natural powders or even certain parts of an animal. But according to the social anthropologist Harriet Ngubane, ritual murder of a human would be prescribed in extreme cases. "To put it more bluntly," Ngubane wrote, "the popularity among the ambitious of ritual homicide is due primarily neither to the wickedness of *inyangas* nor to the overweening greed of those who employ such means to attain their goals, but rather to the sickness of the society which induces them to believe that there is no effective alternative." The South African criminologist Gérard Labuschagne also noted that "times of political unrest, periods of competition for resources, and conditions of a power vacuum have all been associated with increased incidence of muti murder."

And there were few times more debilitating, confusing, and deleterious to Swazi society than when the 20th and 21st centuries collided. Swaziland was sick and its people, rich and poor, were dying. Doctors told Swazis there was no cure for HIV, and Christian leaders told them that they shouldn't procreate. Healers told them they could fix the problem with herbs, but Swazis still died in numbers never before seen. Old ways and new ways alike were failing them. Many believed that God was punishing Africa.

If ever there was a time and place for extreme measures, this was it.

SIX DAYS AFTER THE POLICE DEMANDED that David tell them whom he was working for, they turned on the camera again. Rumors of what he said that day have persisted ever since. Who did he name? Are the police covering up a conspiracy, are powerful people protecting David, or is David protecting them?

Labuschagne said that muti murder is a very sensitive topic among law enforcement officers in South Africa because traditional practices are a large part of some officers' lives. As a result, they may be "unwilling to define a murder as being a muti murder for fear of retribution from the traditional healer involved. Also, since it is a rumor that certain high-ranking politicians, business people, and other civil servants have participated in such dealings, some police officers may be cautious about their involvement in such cases." Perhaps the police in Swaziland were believers themselves, or didn't want to get on the bad side of someone with access to strong muti.

Everyone I spoke to had a theory. But they all agreed on two things: David couldn't have done this on his own, and someone was getting away with murder. The family of victim Samantha Kgasi-Ngobese was among the most doubtful. "There are not enough questions asked,"

Samantha's sister, Charmaine Kgasi-Munro, told me. "The people he killed didn't have much money. These were people looking for jobs. We never heard of him housebreaking. So where was he getting his money from? Where was he getting his transport from? Who knew him? Who were his friends?"

"He brought them to some syndicate," said Samantha's mother, Mable. "To some people to do the job. He was bringing them, getting paid, and throwing them away."

ACCORDING TO JUDGE ANNANDALE, Vusi Dlamini was the best witness in the trial of David Simelane. "Civil, reliable, credible, and persuasive are all suitable adjectives which adequately qualify him as a single witness in this count who carries the day," wrote the judge. Yet when I spoke to Vusi, his recollection of his last phone call with Sindi still confused him.

The conversation had happened more than ten years earlier, but Vusi remembered thinking Sindi was traveling with more than one person. He also thought that they were going by car, two factors that could re-shape the story of the David Simelane murders.

"She did not say, '*I am taking a coach or I am taking a bus to Bhunya.*' If she said that, it would have been clear," Vusi told me. "The way I interpreted it, I thought they were driving a car... She came from a well-off family. I don't think she would fall for a business partner who did not have resources like a car."

In the written confession, David said that he promised to lend Sindi money. Then he said he strangled her to death. He misremembered the location, saying he took Sindi to Malkerns, when in fact her clothes were found in Sidvokodvo. There were so many victims, he must have mixed her up with another.

More generally, Vusi wondered how his wife could ever have been led to her death by somebody like David. Sindi's father had lived all around the world and written, with Sindi's help, textbooks for the Swazi curriculum. Her brother had a medical practice in town. She was intelligent and driven. It seemed impossible that she could fall for the lies of a simple man from the rural areas living in a shack the size of a closet. "Sindi wouldn't be convinced by that man," Vusi said. "He is way low of her class. Somebody who could convince Sindi that he could be her partner would be in designer suits maybe, driving a nice car, looking decent and literate. When you look at that man [David], maybe you can say he is literate, but you can see that he cannot be a good businessman. I don't think she would fall for that trick."

One theory Vusi came up with, that he kept returning to, was that David was just a middleman. "If you want to open a business, and then I claim I can connect you with people who are good in this particular field, you will be looking beyond me as a poor man in jeans and tackies. You will be anxious to meet the real business partner, not me. I'm just here to show you the next person."

Vusi was quick to qualify his statements: "I trust the work done by the officers, by my colleagues. After everything had been revealed, nothing concrete could be proven that he was working with other people." Throughout our talks, Vusi always showed nothing but the utmost respect for the officers who worked the case.

ON JUNE 12, 2001, seven weeks after his arrest and a month after the confession in which he listed his victims, David gave three additional names. All three were famous men in Swaziland: Peace Mfana "Boy" Motsa, a wealthy businessman who died in May 2014; Majahebutimba Dlamini, a member of Parliament who died in 2003; and a third man, still alive, a former member of Parliament.

These were the people, David said on camera, who hired him to kill.

In 2001, all three had been influential people in Swaziland, often in the newspaper headlines for their business dealings and work in government. Each of them has since been involved in multimillion-dollar personal or government investments. To say the least, they were part of the Swazi economic elite, wealthy by world standards. As Ngubane says, it is believed by Swazis that those who turn to ritual murder are primarily “well-placed people seeking promotion, power, etc., who engage in these acts—not ‘ordinary, poor people.’” These were well-placed people.

David rocked back and forth in his chair and stared at the ceiling as he told the cops his story. This is what he said happened:

Toward the end of the Swazi winter of 1999, he ran into Boy Motsa, who was already an acquaintance. Motsa told David that he had a job for him. David asked what the job was. Motsa then lowered his voice, and told David that he was looking for someone to kill people and take their body parts.

“He begged me to say yes,” David said, “because this was their way of making money. I then accepted the job offer so that I could also have money.” That evening, he met two of Motsa’s partners, both of whom worked in Parliament. They agreed that David would get E3,000 (about \$370 US) a month, less than the salaries he’d promised to some of his victims. He would also get two kombis (communal taxis) and a Sprinter MiniBus worth a total of E300,000 (\$37,000 US), an enormous amount of money in Swaziland. Motsa and his partners, David said, “are the ones who got me into this line of work.”

They set the routes he would take to find victims, chose a meeting place in Mahlanya—the area that Majahebutimba Dlamini represented in Parliament—and appointed Motsa as point man in case something

went wrong. “Once we have reached a fifty target figure, none of us will be lacking money,” David said he was told. He was given E1,500 (about \$200 US) from the start, and this man, whose rent in 2001 was the equivalent of seven dollars a month, took a taxi home.

In order to ensure that nobody betrayed the syndicate, “it was agreed that should anyone get arrested, that person should never expose the others,” he said. Those who had not been caught would then finance the arrested’s legal defense. Parts of the victims would be sold, including cuts from thighs, the liver, and the heart; brain tissue from children; and the unborn babies of pregnant women. David would get paid regardless of the body count.

The killing began in September 1999, and David claims he was not always alone on the job. He said his employers had personally participated in seven murders and that they used a Nissan one-ton pickup belonging to one of the partners to transport the victims to secluded places.

In Annandale’s judgment, based on witness testimony, he described the disappearance of Rose Nunn and her child Nothando as follows:

Rose Nunn and her thirteen-month-old baby Nothando Khumalo left home for the Social Welfare offices on the 20th February 2001. Later that day, her live-in lover, Mbongeni Mlotsa...again saw them, this time not at home but at the welfare offices...Little did he know when [sic] that when they again parted company, that it would be the last time he was ever to see them alive.

They did not come home as expected that afternoon. He reported their disappearance at her parental homestead, which was next to their home in Manzini, but nothing happened for a month. He was then contacted by the police at Matsa-

pha police station, his worst suspicions were aroused when he heard the reaction to a photo which he had of Rose Nunn, the deceased person referred to in Count 11.

The judge further pointed out that in David's confession, he said that, "When we got to the forest, I strangled her to death, with her child, with my own hands." What was not in the judgment, nor ever presented in court, were the additional details that David gave in the video from June 12, 2001.

When he first met Nunn in February 2001, David said to his police interrogators, he asked her to meet him several days later at the park in Manzini. At 4:30 p.m. on a Saturday, they took a kombi together to Mahlanya, where the partners showed up to offer them both a friendly lift. They drove to the woods at the Usutu forest in Malkerns. They held Nunn down while David pierced her in the neck with an undisclosed weapon. The child was also killed, and they took his brain tissue. From Nunn, the liver, heart, and cuts from the thighs were taken. They rolled the parts up in a plastic bag and got rid of the clothes so it would be more difficult to identify the victims.

"Are you telling the truth, David, when you say you were killing these people and taking parts from them?" asked Senior Superintendent Ndlangamandla.

"Yes, sir," said David.

All three men David named in the video had been prominently featured in the newspapers that same month, so it is possible that he simply picked them because they were fresh in his mind. Boy Motsa had publicly offered to pay for the coffins of David's victims. This gesture of apparent goodwill somehow prompted rumors that he was involved with the killings, and could have given David the idea of naming him as an accomplice.

And the police claim to have thoroughly investigated these men and found their connection to be a figment of David's imagination. "If there was anything linking them with the offense, we would have charged them," one of the few remaining officers involved told me. "But at the end of the day, there was nothing concrete that we got from the suspect." The police concluded that he was working alone, with a motive of revenge for a rape conviction. In response to my detailed questions on the David Simelane investigation, a letter sent to me in June 2014 by a representative of the National Commissioner of Police stated: "We can with absolute certainty say that the accused acted alone, and this version remains uncontroverted."

I spoke with Boy Motsa over the phone a few months before he died. It wasn't the clearest conversation due to language difficulties on my part, but when I asked if the police had ever spoken with him about the David Simelane murders, he laughed and said that his only connection was the rumors brought on by his generous offer to purchase coffins. I've also spoken to, and emailed with, the only remaining man named by David that is still alive, the former member of Parliament: When I first asked him over email if he'd ever been questioned about the murders, his response came in thirteen minutes and consisted of an expression of complete surprise. If David was working with these powerful people, he never once mentioned them in court, and nor did the police.

In the end, David pleaded innocent and claimed the confessions had been forced through torture. If he is innocent, though, then that means he somehow acted out the video confessions as well as the footage in which he leads the investigators to several bodies.

But if he is a fall guy for a body-parts syndicate, as many still believe, then why did he not mention the syndicate member names in court, instead putting the blame on a conjured-up "Sipho Dlamini" at the elev-

enth hour? As in the case of Solinye, where a murder probably took place but not the murder as detailed, this one might be another example of a trial that circumscribed the facts while still bringing partial justice.

In his judgment, Annandale wrote that the police found “that nobody had any association with the accused in any of the crimes he came to be prosecuted for. The police thus concluded that there was no accomplice, and that it was merely a ruse that the accused employed to detract the attention away from himself.” Still, based on the little information the police have provided, it remains a mystery as to how the now-dead officers came to this conclusion.

WHEN VUSI HAD TO STEP OUT OF HIS CAR to cry during our conversation, it wasn't only from the pain of remembering Sindi. His father, the great traditionalist prince, had died just two weeks earlier, and his second wife a few weeks before that. He had fallen in love again and remarried in 2006. She had a problem with her lungs, Vusi told me, and he had sold two taxis he owned in order to help pay for the medical care. But she died anyway. Now his father and second wife were dead, and here I was asking about his first dead wife, his great love.

“I always had a thing for being a detective,” he told me. When he was a kid, there was a lot of criminal spillage into Swaziland from South Africa and Mozambique. He idolized the Swazi crimebusters who he saw on television news, arresting thieves and murderers. They were tough, no-nonsense police officers. So when he grew up, Vusi decided to join them. By 2009, he had become a detective sergeant in the Criminal Investigation Department of the Royal Swaziland Police Service, and a protégé of the country's top investigators, including the people who had arrested his wife's killer.

But back in 2001, Vusi was just a constable with potential. He didn't have the skills of detection that would later have him going undercover to take down criminal gangs in South Africa, or to take a ricocheted shot to the leg in the line of duty while bringing down murderers himself in Swaziland. Thinking about the case back then, "I needed to know the truth," he told me. "But at the same time I couldn't involve myself in the investigation. I'd spoil it." He respected Mavuso and Ndlangamandla, the top cops, the men he wanted to become. So he had to wait and let them do their job and discover what had happened to Sindi. "After the arrest," he said, "I waited and waited."

Still, he has troubling memories. "She said, '*They* are proceeding to Bhunya,'" he told me, remembering that last phone call with his wife. "It meant there were more than one."

Vusi racked his brain to remember the exact words, and if he had really heard "they," and what it meant if he had. He told me maybe she had said, "I have met the people and now we are proceeding to Bhunya." He explained to me that in siSwati, "they" and "we" had several meanings. As in English, "they" could have meant two people or more than two. "I don't remember how I got the impression that she was proceeding to Bhunya with more than one person," Vusi said. "In my mind maybe I thought to myself 'She can't go to that place with just one person.'"

"I had the feeling it was more than two," the best witness in the David Simelane trial told me. "In siSwati *we* are two," he said, motioning to us as a pair. In siSwati, *Siyahamba* means "we are going."

"*We* are going to Bhunya," he said. "And *we* will come back."

It would be difficult for Vusi to mention his confusion over the phone call to his colleagues. After all, David was convicted as a lone serial killer. At the time we first spoke in 2011, Vusi was sharing an office with a member of the original investigative team, Solomon "Solo" Mavuso, who

spent more than a month on the stand testifying against David, and eventually sealed the guilty verdict. A younger version of Solo, then the least senior officer on the team, is handcuffed to David in the 2001 video, when they search the forest for bodies. Solo is Vusi's friend and mentor, and now one of the top cops in the country. "Solo is a nice guy," Vusi told me. "He understands that he needs not to talk about certain things that will bring bad memories for me. He always avoids talking about it unless I ask him. But you will see he is not comfortable talking about it."

In the special commission's 1960 report on Solinye, the boy who didn't die, they wrote that as a rule, muti murder "is committed at the instigation of or on behalf of some person in authority...It is somewhat naturally most unusual for the principal benefactor from, or instigator of, the murder to come forward and state that he is ready to give evidence. It is usually one of the lesser fry who gives way and talks to save himself." In David's case, regardless of whether he is protecting others, it is hardly clear that he has even saved himself. Theoretically he will be in prison for life or, if the great King Mswati III demands it, David will hang.

I visited the village of KaMkhweli in 2013, trying to find Solinye and hear the story of his mystical return from his own lips. But he had died a few years earlier. His elderly sister couldn't confirm the exact year, but Solinye had lived to be around seventy.

He had seen independence, outlived his king, and died in a very different world than the one in which he had "died" as a boy. He was a good man, his sister said. His brother, the chief who needed strengthening, however, was not well respected in life and died a drinker. KaMkhweli had become notorious in Swaziland for a chieftancy dispute that led to evictions, legal battles, and the burning down of several homes.

ABOUT FORTY-FIVE BODIES WERE FOUND IN ALL; thirty-four were charged to David and twenty-eight were used to convict him. But to this day, only three have been positively identified. Two of them were found by the farm worker at Eagle's Nest, and were successfully identified as Fikile and Lindokuhle Motsa. Simon Motsa died in 2010 in his early fifties, and his brother Eric told me the wife and child had had a traditional funeral. "Every ritual was performed," he said.

Until a few years ago, the rest of the bodies sat in a Swaziland police station awaiting identification. Since the DNA evidence never panned out, the police could not be certain which set of bones belonged to which victim. Samantha Kgasi-Ngobese's bones were returned to her family in late 2011, and a funeral was held, more than a decade after she was killed. "I'm still not happy about the identification because it was just marked 'Malkerns,' and I know she was found in Sidvokodvo," her sister Charmaine told me. "But I have decided to try my utmost best to ignore all that."

Ten years of delay sowed a distrust in the victims' families of the Swazi justice system and those who were meant to uphold it. Without real proof that the bodies found are their loved ones, and without solid evidence that the police have told all they know about the killings, it's difficult to close the book. For the families, there might always be the nagging thought that their daughters and wives and mothers are like Solinye, living respectable lives just a few miles down the road, waiting until they feel like coming home again.

"The case will be over, but it will never be *over over*," said Charmaine. "Because we know there's more to it, and there's nothing we can do."

SINDI NTIWANE, OR A SET OF BONES THAT WAS LABELED Sindi Ntiwane, was also buried in 2011 in the mountains of Mdumezulu. In the winter, mountains in Swaziland are the victims of deliberate, if not necessarily controlled, burns by Swazis, who attempt to reset the land for agriculture each year. While the burning season can be dangerous—each year homes are destroyed when fires run out of control—nights in the mountains are filled with mesmerizing orange snakes of flame that slowly rise to the mountain peaks. By the end of winter, much of the country has been scorched, and the green grass pushes up once again from the charred earth. I wondered if the remains of Sindi Ntiwane would rise by smoke or by blade.

Speaking to me in his car, her husband also considered Sindi's afterlife. "If she is the right person, there will be no problem at all. The people she will find there, the long-dead family members, will accept her," Vusi told me a few months before her funeral. "But if not, I will not have rest. We have that belief, you know."

Vusi attributed his string of bad luck—his dead father and second wife—partially to the fact that Sindi had not yet been properly buried. "I heard that if a person gets killed by a whale and the body is not recovered, they will pretend like the body is there, and bury the clothes," he said. "That means the spirit gets to rest, because you've done your best. But if you haven't done anything, like now, it is affecting me because I've got lots of misfortunes. I don't know where they emanate from."

When David confessed and Vusi saw with his own eyes the man who had killed Sindi, he felt some sense of relief at finally knowing for certain what had happened to her. But he was anxious for word from Sindi herself. "After discovering that she was killed, I was always wondering why she didn't give me a sign that she was dead," he told me. "Because I do

believe that her spirit should have spoken to me as somebody who was close to her.” Then one day he had a dream. “I say a dream, but I literally woke up from the bed trying to touch her.”

“I’m literate, I’m educated, I’m an engineer,” Vusi reminded me. “Scientists will say I was psychologically anticipating meeting her. But I did meet her.

“I stood up. I moved around the room trying to touch her,” he said. “I tried to catch her but I couldn’t. She couldn’t talk to me. She was looking at me sadly. This is my belief. It is not motivated by any sangoma. It is *my* belief.”

A Stranger Knocks

*On an ordinary Sunday afternoon, a brush with a troubled stranger
and its aftermath*

—Jonathan Fink

1. Ronald Dwayne Perryman

On a Sunday afternoon in July of 2012, approximately one month after our wedding, my wife and I are reading in the living room of our home when I hear a light knock on the door. When I open it, an African-American man who looks to be about forty years old asks if we need any help with our yard. He wears a tank top and shorts, and he doesn't have a business card or any lawn equipment that I can see. I laugh because my wife and I have very little "yard" that could potentially receive "help." The sod I put down two years earlier fried off before the completion of one Florida summer. After that, I surrendered to the land, planted trees for shade, and resigned myself to mowing the remaining weeds when needed. To me, his question reinforces the image of the sorry state of my yard. "No, no, we're fine," I say and wish him luck. Without protest, he nods thanks and descends the front porch. When I close the door, my wife looks up from her book and asks who was at the door. "Someone looking for work," I say. "He asked if we needed help with our yard." "Oh," my wife says, and goes back to her reading.

The county in which we live is one of the poorest in Florida. Still, infrequent, door-to-door solicitors on our neighborhood of Pensacola are not unprecedented. When working on my long-suffering lawn, I have twice had individuals attempt to sell me cuts of meat kept in coolers in the beds of pickups. Reps from home security companies are known to stop at the nicer homes in town and try to push their products through scare tactics. The reps seem to be exclusively white, college-age men, and when they see that I am white and living in a predominantly African-American neighborhood, they have tried, with racist insinuations and overtones, to persuade me to purchase a security system. When I told my wife that the man who asked if we needed help with our lawn “seemed nice,” I meant it. He was neither pushy, nor dogmatic. He seemed genuinely interested in finding work.

The next evening, as my wife reads the local news on the computer, she asks me what the man who had knocked on our door looked like. “Why?” I ask. She says that the police have just arrested someone who, after asking a woman if she needed help with her yard, pushed his way into her house and sexually assaulted her. He then forced her to drive to a bank to remove cash from an ATM, at which point she was able to escape. He also allegedly assaulted two other women in other sections of town earlier in the week. My wife turns her laptop toward me. The image on the screen is a mug shot of the same person who knocked on our door the day before. Underneath the picture, the man’s name is listed as Ronald Dwayne Perryman. I look up at my wife and then back at the screen. In the picture, he looks menacing. Everything about his visage seems to pull downward. His eyelids fall halfway over his eyes, his pupils half exposed. His mouth slacks, and his head tilts forward toward the camera. Many psychologists have documented the flaws inherent in criminal lineup identifications and proven that witnesses are frequently inaccurate. Simply put, memory is pliable. What unsettles me in the moment

of seeing Perryman's image, though, feels like something of the opposite. While I recognize him immediately, I am struck by how *different* he looks. My assessment of him on my porch—how I saw him as someone sincerely looking for work—was pure invention, projection.

Neither my wife nor I know exactly how we are supposed to respond after seeing the photograph. “What if I had been here alone? It was a Sunday afternoon, two o'clock. Why wouldn't I have opened the door?” my wife says. The third assault took place on Sunday evening. He had left our porch and conceivably gone house-by-house, neighborhood-by-neighborhood until he found a woman home alone. And while I can articulate the range of emotions I feel—relief, fear, anger, vulnerability, sadness for the victims—my visceral response feels more immediate, more complicated, beyond categorization. When I see Perryman's picture I feel like someone has attached jumper cables to the top and bottom of my spine and then cranked the engine of a car. The jolt is immediate, but the energy doesn't fully subside. It circles in me, revving and diminishing inconsistently like someone pushing and releasing the accelerator of the idling car.

When my wife and I go to bed, we lie there together in silence, as if in tacit agreement that neither of us will be able to sleep, but we will at least go through the motions. A rectangle of light from the streetlamp projects through a small window to the top of the wall behind our bed, and over the course of the night, as I watch the rectangle crawl down the wall, my wife's breathing slows beside me. The muscles in her back and shoulders relax, and she sinks deeper into the mattress. At some point, my breathing slows as well, and though I'm not able to fall asleep, the jumper cables on my spine unclamp. Lying there, in between sleep and wakefulness, the sound that keeps returning to me is how lightly, how tentatively, Perryman had knocked on our door and how polite he had been in leaving.

2. Courtroom 401, M.C. Blanchard Judicial Building, Escambia County Courthouse, Pensacola, Florida

The interior of the courtroom is designed as a sequence of desks, tables and audience seating extending in semicircles from the judge's bench. The rows ripple out from the judge as if the courtroom were one quarter of a circular lake where someone dropped a pebble into the water at the judge's feet. A podium with a microphone faces the judge. The audience members sit on the right side of the room and the nonviolent defendants sit on the left side. A small railing separates the audience and nonviolent defendants from the inmates, clerks and lawyers. Six inmates in green jumpsuits sit on the other side of the railing. The bailiff has spaced the inmates with an empty chair between every other person. In a drill-sergeant tone, the bailiff says there will be no talking between the inmates and audience. One of the inmates scratches his nose by lifting his hands in unison, and I see the glint of handcuffs before he lowers his hands to his lap. I don't see Perryman among the inmates. The bailiff calls the room to order, and we stand for the judge.

The judge and lawyers in the courtroom move comfortably and precisely through familiar routines. (Unfortunately, the routines seem familiar to many of the defendants as well.) The judge explains to everyone that the purpose of felony arraignment is for an accused person to enter a plea of "guilty," "not guilty," or "no contest" (*nolo contendere*). "Please remember that everything you say today is being recorded," the judge says. "Whatever you say today can be used in court. Our purpose today is not to get into the details of your case. You'll have plenty of time to do that in the future." As the judge speaks, one of the inmates rocks back and forth, his head bobbing nervously. Another inmate, peeking over the back of

his chair, makes eye contact with a woman sitting two rows in front of me. The inmate mouths something to the woman and raises four fingers toward her as a message she alone might understand.

“No sir!” the bailiff calls out and walks quickly across the courtroom. In one motion, the bailiff grasps the man’s handcuffs and draws him to his feet. “Come with me,” she says. The young man, looking over his shoulder, shuffles his feet quickly as the chains that bind his ankles clink and jangle. (Throughout the morning, the clinking sound of chains forms a persistent ambient noise like the tinkling of wind chimes.) The audience watches as the bailiff, with a flourish, extends a key from a cord on her belt and locks the inmate in a room adjacent to the courtroom. Finished, she steps back through the door and says, “Sorry for the interruption, Your Honor,” while looking directly at the remaining inmates.

To process 102 arraignments as succinctly as possible, the court addresses some defendants collectively before moving to individual cases. The judge reads off a list of several defendants’ names and says that the charges for these cases have been dropped. He then reads another list and says that the charges for these cases have been changed from felonies to misdemeanors. When one of those names is called, a large woman next to me exclaims, “Hallelujah,” stands, and stumbles over people as she exits the row. Other members of the audience also leave the courtroom immediately when the person to whom they are connected completes his or her arraignment.

Like all of the other audience members, I too am connected in some way to one of the defendants. When the clerk pulls Perryman’s file, I straighten in my seat. The clerk says that Mr. Perryman is in custody and that he actually has three cases against him, not one. One of the lawyers, while leaning against a Rubbermaid cart filled with legal files, says that the case “will be a doozy” and sets the dates for the docket and the trial.

3. Continuance Number One

Because I was unable to attend the November Fourteenth docket day, I call the Clerk of the Circuit Court's office one week before the trial date of November 26. I inquire about the outcome of Perryman's docket day and the status of the trial. The office administrator explains to me that his docket day is now scheduled for January 9, 2013. Though there are several cases against him, there are currently no trial dates. When I ask her what happened to November 26, she says she doesn't know, but there are no trial dates in the system for him now. "You should call back a few days after the January 9 docket day to see when or if this specific case against Mr. Perryman is going to trial," she says.

4. Continuance Number Two

On January 9, 2013 I arrive at the M.C. Blanchard Judicial Building forty-five minutes before the felony dockets are scheduled to begin. Like many of the employees and defendants, I now move purposefully through the building. After checking the courtroom assignments posted on the wall just beyond the metal detectors, I take the stairs two at a time to the second floor, stop for a cup of coffee in the building's austere café, and then proceed to the courtrooms on the third floor. When the bailiff grants permission, I enter the courtroom with the other audience members and take a seat on a padded bench at the back of the room.

The judge, Gary Bergosh, is bald and leans forward attentively in his robes. He simultaneously has a military and casual bearing, and I half expect him to be wearing jeans under his judicial robes. The lawyers are already moving through cases, and several inmates—hands and feet shackled, all wearing green prison jumpsuits—are already seated. The

judge calls the inmates one-by-one and, accompanied by a lawyer, each either accepts a plea deal or a trial date is set. I don't recognize Perryman among the prisoners. As Judge Bergosh progresses down the docket list, one court security officer dispatches inmates from the room while a second court security officer leads new inmates into the courtroom from a side door.

At about the fifty-minute mark, the second bailiff leads Perryman into the courtroom. At least I think the inmate is Perryman. My initial impulse is to call out, "That's him!" I recognize his face and the way he doesn't seem to make eye contact with the lawyers or the judge. He also seems taller and heavier than I remember, at least from where I sit at the back of the room. The longer I stare at him, though, the less certain I become. Was he always this heavy, or has he grown heavier from prison food? Perhaps I am recognizing the image from the arrest photo in the paper and conflating that image with the image in my memory?

When the judge calls out Perryman's name, the man whom I have been watching nods his head, stands up, and takes his place next to a lawyer at the podium. Perryman does not speak, answer or pose questions. Instead, the lawyer asks the judge for a continuance until March 6. "Continuance granted," the judge says. "Docket day: March 6. Trial date: March 18." After the judge raps his gavel, Perryman nods slightly before being escorted from the room by a bailiff.

I leave the courtroom and don't know how to feel. The jumper-cable shock I felt that first night has not returned. Instead, I just feel slightly unmoored, off-kilter. I already know that my wife will ask me if I saw the man who had knocked on our door, and I know my answer: "Yes," and then, "I think," then, "maybe," then, "definitely." Perhaps I can explain the feeling a different way. "You know how when you repeat a word over

and over so much that it loses its meaning, and then you stop saying the word, and the meaning comes back?” I will ask her. “That’s how it felt seeing him. It was like that.”

5. A Whole Different Page

The March 6 docket is scheduled to begin at eight o’clock, and, again, I arrive thirty minutes early. Waiting to enter the courtroom, I hear the same lawyers give the same responses to the same objections by the same defendants. (Even if the defendants are not literally the same individuals, the tenor of their frustration—the combination of wounded self-righteousness and muted aggression—seems ubiquitous and unrelenting.) I imagine each public defender isolated in a small boat adrift on a swelling ocean, but instead of water, the waves are comprised of the defendants’ bodies, each mouth gasping for air or calling out, each arm reaching for the railing of the boat, before dipping below the undulating surface. I enter the courtroom, and the judge begins the same introduction he gave before. The ocean churns, and the process unfolds predictably until Perryman is escorted into the courtroom.

Perryman carries a purple file folder. He holds it with both hands, chest high, as if it were a steering wheel. My initial guess is that he has decided to represent himself, but when the judge calls Perryman’s name, Perryman takes his place beside his defense attorney. This time, the defense attorney does not ask for a continuance. He informs the judge that the defense is ready for trial on March 18, and when the judge asks the prosecutor if the state is ready, the prosecutor says yes. The judge says, “This is just one of the three cases against Mr. Perryman, right? This is the

case for burglary, battery, and kidnapping?” “Correct, Your Honor,” the defense attorney says, and the judge asks, “Mr. Perryman, do you have anything you would like to say?”

The last time I heard Perryman speak was on my front porch. When he speaks in the courtroom, his voice is high-pitched, loud, staccato, and fast. “Me and him, we are on a whole different page,” Perryman says and points to his lawyer. Still clutching the purple folder, Perryman continues: “I asked him to file a motion of discovery, but he wouldn’t do it. I want a different lawyer.”

“Mr. Perryman, when you accept a public defender, it’s like going to an emergency room. You don’t get to pick your doctor. I’ve also heard your position on this already, and decided this already,” Judge Bergosh says. Interrupting the judge, Perryman says, “Whenever I talk to him, he is on a whole other world.” The judge allows Perryman to finish speaking, and then turns to the prosecutor and confirms that the state is not offering a plea deal. “If there is nothing new, we are going to trial,” the judge says. “I’m going to see you on March 18,” he says to Perryman. The judge then looks at both attorneys and says, “Make sure you’re ready.”

When the judge calls the next case, Perryman, instead of joining the court security officers, walks back toward the jury box and the other inmates. The judge pointedly calls out, “Mr. Perryman, you need to exit this courtroom.” Still clutching the folder, Perryman stops and looks out at the audience. His gaze is inscrutable, emotionless. When one of the large officers firmly grasps Perryman’s arm, Perryman lowers his gaze, dissolves back into silence, and, arm-in-arm with the officer like a reluctant bride, shuffles from the room.

6. Innocent, Guilty, or Need More Information

During the jury selection on March 18, Perryman wears a striped dress shirt, a red tie, khaki pants, a braided belt, and loafers. Today is the first day in court when I have seen him wear something besides handcuffs and a prison jumpsuit. The courtroom is crowded, and the judge has moved from the bench to a podium to address the sixty potential jurors:

“My name is Gary Bergosh, and I am a circuit judge here in Escambia County, and I want to thank you all for your potential service as jurors. There are only two times when your country asks for your service, and those times are military service and jury service. It doesn’t matter if you are Bill Gates, the President of the United States, or an average citizen, the one commodity we all have in common is our time, and I want to thank you all for taking the time to come in today. Before I became a judge, I was a Marine stationed in Iraq in 2003. There were people there who spoke five different languages. I’m sure you all have spoken on the phone with people in call centers all over the world. We could probably fill a 747 with potential jurors and fly them here, but if we start outsourcing our juries, we will lose our way of life. So again, I thank you.

He asks, “How many of you are familiar with the phrase, ‘presumption of innocence’? This means someone is innocent until proven guilty. There is a test we sometimes give on this, but I am going to go ahead and tell you the answer up front because this is so important. Mr. Perryman is sitting right here. If you were asked to vote right now on his guilt or innocence, how would you vote? Would you say that he is innocent, guilty, or that you need more information? Sometimes people will say that they need more information before they can decide, but this is wrong. If you didn’t know anything else about the case, you would have to say that he is

innocent. This is what we mean by ‘presumption of innocence.’ Don’t worry. You’ll get to hear all of the information in the case. This is a very serious case against Mr. Perryman, but right now, without knowing any additional information, you would have to say that he is innocent.

“It’s also important for you all and for Mr. Perryman to know the extent of the charges that are being brought against him. There are six charges: burglary of a dwelling with sexual assault, two counts of sexual battery, kidnapping, grand theft auto, and robbery without a weapon. Are any of you familiar with this case? I’m going to ask the State Attorney to read the names of the potential witnesses. Are any of you familiar with any of the potential witnesses? Do any of you know the victim in this case? Virtually all of you have seen a law show on television. Will you follow my instructions as judge and not say, ‘Yeah, but this is not how they did it on television?’ Television is not real, of course. Everything is wrapped up in thirty minutes. I would also ask that you don’t go do any investigation on your own: no Google, no news about the case, no Facebook or water-cooler conversations. Again, our goal is to have a fair and impartial trial. There is no room for feelings of sympathy or anger. You have to base everything on facts and evidence.

“Now I’m going to turn the podium over to the attorneys so they can ask you all some questions. The purpose of these questions is not to pry into your personal lives, but to get a sense of who you are and what you believe. If they ask a question that you would rather not answer in front of a room full of people, that’s perfectly fine. We can ask you to come up to the bench and speak to us privately. Mr. Gordon, I’m going to turn the podium over to you now.”

The State Attorney, who wears a tie and dark blue suit, appears to be in his early thirties. Soft-spoken and calm, he speaks clearly to the potential jurors:

“My name is Matt Gordon, and I am the State Attorney representing the State of Florida in this case. As Judge Bergosh said, I’m going to ask you some questions to get a better sense of your experiences, thoughts and beliefs. I’m asking for you to be open and honest. Be forthcoming. There are no right or wrong answers.

“Do any of you here today know me? Does anyone know Tom Staples, the attorney for Mr. Perryman? Does anyone know Mr. Perryman? How about each other? Do any of you know each other? Okay, there are quite a few hands. What we’re really asking is if, when you are in the deliberation room, will that other person have influence over you in some way? Okay, no hands.

“Have any of you served on a jury in the past or testified as a witness in a criminal case? Has anyone been the victim of a physical crime or known someone who has been the victim of a physical crime? Do you feel that you could be fair?

“Do any of you have negative feelings towards law enforcement? Has anyone worked in the legal field or as a minister or counselor to those who have been convicted of crimes?

“Is everyone familiar with DNA, how our cells are made up of DNA?

“There are two things that we must decide in trial. The first is whether or not a crime has occurred. The second is whether or not Mr. Perryman is guilty of that crime. The standard that we have to meet is beyond a ‘reasonable doubt.’ Reasonable doubt does not mean total certainty. It means that there should be no reasonable doubt in the mind of a reasonable person. We’re asking you to use your common sense. In this courtroom, there is no room for sympathy, compassion, or emotion. You are sitting in judge of the evidence, not the person.”

Gordon takes his seat. Tom Staples, Perryman's defense attorney, rises and approaches the podium. In contrast to Matt Gordon's navy suit, Staples wears a seersucker suit and a bowtie. Staples also appears to be in his early thirties. His boyishness, which initially is belied by his full beard, rises to the surface when he speaks:

"There are a lot of concerns for me about this case—a whole lot. This will potentially be a very emotional case. There might be some disturbing photographs introduced, and I don't want you to decide this case emotionally and think that someone must pay. I'm going to ask each of you to promise that you won't rule on emotion.

"A criminal case like this has the highest burden of proof. As Mr. Gordon said, the state has to prove this case beyond a reasonable doubt. That's a higher burden of proof than in a civil case where you are trying to separate someone from his money, or a custody case where you are trying to separate someone from his child. In this case, you are deciding whether or not to separate Mr. Perryman from his liberty. Do you know why the burden of proof is higher in a criminal case? I'll tell you: Money is replaceable, while liberty is not. Once you take someone's liberty away, you can never give it back. I want you to remember that.

"When I ask you these questions, I want you to think about the times you have been on an airplane. The pilot doesn't come on and say, 'I think we'll get the landing gear down.' He makes definite choices. I need for you all to say 'yes' or 'no' instead of 'maybe' or 'I think.'

"In this case, you are all the pilots, and Mr. Perryman here is the passenger. When I ask you these questions, I'm going to need definite answers. Both Mr. Gordon and Judge Bergosh discussed the concept of 'presumed innocence.' This is harder to do than you might think. I bet when you are

driving on the highway, and you see a police officer has pulled someone over, the first question that pops into your mind is not, 'I wonder what that guy is innocent of?'

"Another right, the right to remain silent, also seems unnatural to us. The natural response is to want to hear both sides of a story. Would any of you feel like you would need to hear Mr. Perryman speak? Would any of you feel like you would need to hear him tell his side of the story to find him innocent? I'm going to go down the rows and ask each and every one of you that question. Can anyone think of a reason why an innocent person might not testify? What if he is afraid of lawyers or is easily intimidated? What if he doesn't speak well? Can you see how, even if someone is innocent, he might choose not to testify?"

"I'd also ask for you to think of DNA evidence in the same way. You may or may not see DNA evidence in this case. How many of you think you can convict someone with DNA evidence alone? What if twins have the same DNA? Can you imagine a situation where DNA evidence might be present and the person is innocent? Remember, you're a pilot here, and we need definite answers.

"Earlier, I mentioned that there might be some upsetting photographs introduced. I don't want you to make a decision based on emotion alone. If you see a photograph of someone who is injured, can you be fair and impartial? Lastly, I'd like to conclude with one more line of questioning.

"I know it's been a long day for everyone, and you all are looking forward to going home, but I'd like to finish up with this: As lawyers, one of the places that we never see is the deliberation room. That's where you all will weigh the evidence that has been presented in the case. I find that, in life, some people are really good at convincing other people to go along with their points of view, and some tend to be easily persuaded. Some people are more convincing than others, while some give in quickly. We

want to make sure that everybody has the chance to talk back there. Are you going to be the kind of person who allows everyone to speak? If someone disagrees with you, can you stick to your guns?”

The lawyers, bailiffs, and Perryman join the judge at the bench when Staples finishes questioning the potential jurors. I have become so accustomed to seeing Perryman in handcuffs and the prison jumpsuit that my stomach tightens as, unencumbered, he leans in close to his lawyers and points at names of potential jurors on the seating chart. After ten minutes of deliberation, the judge asks for everyone to be seated and calls out the names of seven people. As each person's name is called, he or she stands. There are six women and one man. All appear to be over forty: one African-American; one Asian; five Caucasian. When the judge announces them as the selected jury for Perryman, the seven individuals are escorted past Perryman and into a side chamber.

The trial will begin at exactly 8:30 a.m. in two days. Outside of the courtroom, floor to ceiling windows span one side of the hallway. A haze has settled over the bay with the afternoon humidity. Walking briskly toward the cafeteria, one woman, without breaking stride, turns to another and says, “It looks a little gloomy out there, don't it?”

7. The Trial Begins

The trial courtroom resembles the familiar rectangular courtroom frequently featured in television and movies: a central, elevated judge's bench flanked by a witness stand and a court reporter box; a jury box on the side of the courtroom runs perpendicular to the judge's bench; tables for the defense and prosecution are separated by a center aisle; and the benches for the audience members—who are separated from the trial area by a small railing—extend behind each of the lawyers' tables. Gor-

don and Staples are both arranging their materials at their respective desks when I arrive, and the only other initial audience member is a young man who eagerly tells me that he is visiting a trial today as part of a class assignment.

A court security officer leads a handcuffed Perryman to a chair beside Staples. Two additional security officers sit by the entrance to the courtroom, and a bailiff stands by the entrance to the jury room. Perryman wears the same clothes that he wore to jury selection. His too-short tie, which resembles a napkin tucked into his shirt collar, extends only to the top of his stomach. When Perryman takes his seat, the security officer removes the handcuffs, and Perryman sits down, then awkwardly starts to stand again as Judge Bergosh enters at the front of the courtroom.

“Please remain seated,” the judge says as he turns his attention to the lawyers and asks them if the victim has arrived, and if the jury is ready to proceed.

“The victim has arrived, and she’s ready to testify, Your Honor,” Gordon says. “One of the jurors is sick, though. She is the alternate, and all of the other jurors are here, so I would recommend that we proceed.” Judge Bergosh agrees and then turns his attention to Staples and says, “Mr. Staples, you’re not chewing gum, are you?”

“No, sir,” Staples answers, “I had coffee this morning, and this is a mint.”

“You know that some judges will go crazy on things like that?” the judge asks.

Laughing, Staples says, “Don’t worry. It will be gone in a minute.”

As the judge and both lawyers prepare to bring in the jury, a few more audience members enter the courtroom. A heavyset woman who wears no makeup and whose blond hair is pulled back into a fierce ponytail slides into the back row on the other side of the courtroom. Another

woman, who appears to be in her early fifties, takes a seat a few feet away from me. She looks from Perryman to the judge and then stares straight ahead, her hands in her lap. The jury has been seated. Judge Bergosh instructs Gordon to begin his opening statement, and Gordon positions the podium in front of the jury so that he can speak to them directly:

“Ladies and gentlemen of the jury, I’d like to begin this morning by telling you about Morgan, the victim in this case. Morgan is a twenty-six-year-old woman who grew up in Montana and moved to Pensacola to work for AmeriCorps and then the Salvation Army after she graduated from college. On the night of July 10, 2012, she was home alone when Ronald Dwayne Perryman knocked on her door. Morgan looked through the blinds and saw Mr. Perryman on her front porch. Normally, Morgan wouldn’t open the door at that time of night, but she recognized Mr. Perryman from when he had previously knocked on her door and asked her roommate if they needed any help with their lawn. On July 10, Morgan opened the door, and when Mr. Perryman asked again if they needed help with their lawn, Morgan told him that her roommate wasn’t home and that her roommate was the person who usually took care of the lawn, but she would be happy to take Mr. Perryman’s phone number and give it to her roommate when he came home.

“At this point, Morgan retrieved a pen and a piece of paper and handed it to Mr. Perryman. He wrote down his phone number and handed the pen and paper back to Morgan, but when Morgan tried to close the door, he would not let her shut the door. Instead, Mr. Perryman grabbed her by the throat, forced his way into the house, and began beating her. Mr. Perryman, as you all can see, is a very large man. Morgan is 5’1, and she weighs 120 pounds. She tried to fight him off as best she could. In her left hand, she still held the pen, and she tried to strike at him with it, but she could not stop him. Mr. Perryman continued to beat Morgan until she couldn’t fight back. He then removed her clothes and raped

her on the couch in the living room. Mr. Perryman's intentions weren't just to rape her, though. He then dragged her around the house as he looked for money.

"And even after all of this, Morgan's nightmare wasn't over. Mr. Perryman threw Morgan a shirt to put on, and made her get in her own car. Mr. Perryman tilted the passenger seat back so that no one would see her, and he drove her to a Wells Fargo bank to make her remove money from the ATM machine. As they drove, Mr. Perryman continued to rape Morgan with his fingers. When they reached the bank, Mr. Perryman drove through the ATM lane. Mr. Perryman had beaten Morgan so badly that she could not see. When he took her ATM card, she couldn't tell if the card was from her home bank in Montana or from her bank in Pensacola. She accidentally told Mr. Perryman the incorrect ATM code, and he became irate when the card didn't work. She then told him the correct ATM code and, as Mr. Perryman removed \$300 from Morgan's account, Morgan attempted to escape the car.

"When Mr. Perryman saw that Morgan was trying to escape, he reached across and grabbed the passenger door. He grabbed at her shirt, but he had his seatbelt on and that restrained him some. Morgan struggled as hard as she could, and the shirt tore free, and she escaped. At this point, two women in an SUV who had pulled into the bank parking lot heard Morgan screaming for help and saw her struggling, naked, across the parking lot as Mr. Perryman fled the scene in Morgan's car. The two women ran to Morgan and gave her clothes to put on and called the police and stayed with her the entire time.

"Now it is important for all of you to remember that when all of these things happened, Mr. Perryman left evidence of his actions. Your job as a jury is to evaluate that evidence. First, Mr. Perryman gave Morgan his cell phone number, and the police used that number to ping him

and find his location. We have the evidence of the surveillance videos from the ATM machine and the bank, and we have the bank receipts that show the \$300 withdrawal from Morgan's account. We have DNA evidence in this case.

"When the investigator first made contact with Mr. Perryman, she noticed that he had a bloody knuckle on one of his hands and that he was very dirty and looked like he hadn't bathed. With Mr. Perryman's consent, she collected his fingernail clippings and a DNA sample with a swab inside his cheek. Florida law enforcement was able to match the DNA found under Mr. Perryman's fingernails to Morgan. They also matched Mr. Perryman's DNA to the DNA found on the pen Morgan used when attempting to defend herself.

"Mr. Perryman has been charged with crimes appropriate for his actions. He has been charged with burglary for forcing his way into Morgan's home to steal from Morgan, sexual battery for raping her in her home, grand theft auto for stealing her car, kidnapping for taking her by force from her home, a second count of sexual battery for his actions in the car, and theft for stealing her \$300 from the ATM machine." After detailing the process by which he will call witnesses to the stand, Gordon concludes his opening statement by saying, "I am confident that the overwhelming evidence in this case will prove Mr. Perryman's guilt on all charges."

Staples rises and approaches the jury: "Ladies and gentlemen of the jury, I represent Mr. Perryman in this case. As I said to you all during jury selection, this is a very difficult case, a very emotional case. There is no question of whether or not crimes have been committed. This is a terrible experience the victim has gone through, and there is no question about whether or not she is a victim. The question to be answered today is whether or not Mr. Perryman is guilty of these crimes. The defense believes that there is not enough evidence to convict Mr. Perryman of

these crimes, and I would ask you to evaluate this evidence fairly. Specifically, I would ask for you to pay careful attention to any DNA evidence that is introduced. I believe that, once all of the evidence has been seen, Mr. Perryman will be found innocent of these crimes. Thank you.”

Gordon calls his first witness, Christine Escher. Escher fidgets slightly in her chair, places her hands in her lap, and leans forward to speak into the microphone placed on the ledge of the witness stand.

“I was on my way to Walmart with my best friend, and we stopped at the bank to get money. We always like to go to Walmart in the evening, and we like to have cash in hand as we’re shopping.”

“Can you tell us where the bank was located?” Gordon asks.

“Yes, it is on Fairfield.”

“And what did you see there?”

“Another car.”

“And did something unusual happen?”

“We saw this other car, and I heard what I thought was a scream. My girlfriend and I looked at each other and then we saw this young lady fall out of the car to her hands and knees. She couldn’t see, and she had her hands out in front of her like she was feeling her way. She was naked.

“I yelled out, ‘Do you need help?’ and she screamed, ‘Help me! Help me!’ She had her hands out in front of her. She was screaming, and she tried to get in my car. She grabbed hold of me, and we went down to the ground together. I sat there and held her, and she held on to me for dear life. My girlfriend gave her a shirt to put on. We had been at the beach, and my girlfriend still had her swimsuit on, so my girlfriend just removed her shirt and helped the young woman put it on.”

“Did you notice anything unusual about the young woman?”

“Yes, her eyes looked like they were swollen shut, and her hair was matted from blood. You couldn’t tell where her injuries were because she was covered with blood.”

“Did you stay with her at the scene?”

“I was one of the last people to leave. I stayed there the whole time.”

“Did you see the car leave?”

“In my peripheral vision I noticed that the car took off, but I wasn’t focused on the car. I was focused on her.”

When Gordon finishes, Staples rises to cross-examine.

“Ms. Escher, did you include the part about falling on the ground in your sworn statement?”

“No, not to my knowledge.”

“Did the officer rush you in your statement?”

Escher says that the officer did not rush her in her statement. Staples hands her a copy of her statement, and Escher reviews it.

“Everything in my statement is true. I just didn’t include all of the details at the time.”

“Did you get a good look at the person who was driving the car from which the young woman emerged?”

“No, I was focused on her, not the car.”

“No further questions, Your Honor.”

Gordon moves quickly to the podium and asks Escher, “Is everything true to your knowledge in your statement? You just didn’t include all of the details, correct?”

“Yes, everything is true in my statement.”

“No further questions, Your Honor.”

Gordon calls his next witness, Deputy Nicole Haubrich. He asks her if she responded to a 911 call on the evening of July 10, 2012.

“Yes,” Haubrich says.

“And what did you see when you arrived?”

“I noticed an SUV and two women helping a young woman who looked like she had been badly beaten. Her eyes were swollen shut.”

“And what did you do when you saw this?”

“We took statements from everyone, and we secured the scene.”

“What do you mean by, ‘secured the scene?’”

“We put crime tape around the scene. No one enters or leaves until we collect all of the evidence from a scene.”

“And what happened after you secured the scene?”

“I rode with her to the hospital.”

“Can you describe her state?”

“She was extremely upset. Her eyes were swollen, she was shaken, but she was very courageous. She was trying to give us as much information as possible. She was very brave.”

Staples declines to cross examination the witness. Gordon requests that the courtroom be cleared for the victim’s testimony. “Under Florida law, the victim has a right to privacy,” Gordon explains. The judge agrees, and the five or six members of the audience (myself included) are escorted from the courtroom.

8. Outside the Courtroom

A security officer locks the door. I take a seat in one of the chairs as the woman who was sitting next to me in the courtroom approaches Haubrich and the other police officers waiting outside.

She pauses before speaking, and the tenseness she seems to be holding in melts away as her voice cracks, and she says, “I just wanted to tell you all thank you for your help. I’m Ann. I’m Morgan’s mom.” Haubrich stands up and hugs Ann as Ann continues: “We live in Montana, and we’ve just felt so distant from everything being up there, but it is lovely to finally be here and to have the trial.”

“She is one of the best people we have ever worked with. She is truly courageous,” Haubrich says.

“Thank you for being with Morgan,” Ann says. “She is one of the strongest people I know. She is an amazing person, always has been.”

As Ann and Haubrich continue to talk, one of the officers, noticing my notepad, asks me if I am a student, and, as I start to speak, Ann and Haubrich turn their attention to me.

“Well, no, I’m actually a professor at the university,” I say. “I’ve been following this case closely and writing about it. Mr. Perryman actually came to our house on that same Sunday and also asked my wife and me if we needed help with our lawn. I told him we didn’t, and he left, and the next night my wife and I saw the news article online about what had happened. I’ve been writing about the case since then, and I’ve attended all of the court proceedings.” Ann is listening intently. When I finish, she says, “I’d really like to talk to you later if I can. We’ve felt out of the loop a bit being so far away.”

“Of course,” I say, “I’d be glad to. Your daughter is a very courageous young woman.” As I say this, I feel an unexpected welling up inside, and I hear my own voice catch and waver. I’ve been so focused on Perryman that I only now imagine all that Morgan and her family and friends must have been going through over the previous nine months.

“Thank you,” Ann says, touching my arm, as the sound of a lock turns on the other side of the doors, and a young woman whom I assume is Morgan exits the courtroom. Smiling, she sits down next to Ann and takes hold of both of Ann’s hands.

“How did everything go?” Ann asks, and the young woman nods without going into detail. “Did you get to talk to the woman who drove the SUV?” Ann asks. “She seems like she is a great person, Morgan, someone you should have over for dinner sometime.”

“Yes,” Morgan says, “she was very nice. We were able to speak this morning.” Morgan brushes a strand of her mother’s hair behind her mother’s ear, kisses her mother on the forehead, and then stands up to go find a restroom.

“I’m just so glad this is finally going to trial,” Ann says to the officers and me. “It’s been postponed so many times.” As she says this, one of the courtroom security officers steps through the doors and says, “Okay, we’re open for the public, but just so you know, we may have to shut the courtroom down again if necessary.”

9. Two More Witnesses, then Lunch

I take the same seat as before, and when Ann (without Morgan) enters the courtroom a few minutes after I do, she also takes her same place on our shared row. Gordon calls to the stand one of the other police officers from outside the courtroom, Charles Decker.

He asks Decker, "Did you respond to this case on July 10, 2012?"

"Yes, four other officers and I approached the house on July 10 to clear the scene."

"And what did you see when you arrived?"

"The first thing I saw was blood on the door, a smear of blood. It was a white door and the smear was very visible. When we went inside, we found blood on the couch. There were also drops of blood on the floor that went into the back area of the house."

"Did you find anything that stood out to you at the house?"

"Yes, we found a piece of paper with a phone number on it beneath one of the couch cushions. The piece of paper also had blood on it. We also found a pen on the couch as well."

"How long did you remain at the scene?"

"I stayed there until the crime scene officer arrived, and then I went and met with the victim at the hospital in the emergency room, where I took her statement and then forwarded the materials to the detective assigned to the case."

Once again, Tom Staples declines to cross examination the witness. Gordon calls Jennifer Ross to the stand. Ross tells the court that she is a financial manager at Well Fargo bank and as custodian of the bank's records, including footage from its video cameras.

"Is there a max on the amount you can withdraw from the ATM machine at one time?" he asks.

"Yes, that cap is \$300."

"Is there a video camera attached to this ATM machine?"

"Yes."

“And is the video from the evening of July 10, 2012 available?”

“Yes.”

Gordon says that he would like to submit the video from the ATM machine into evidence and play it for the jury, to which Staples says, “No objections, Your Honor.” As Gordon sets up a projection screen attached to his laptop, I look at Ann. Ann’s formality has returned, and she stares directly at the screen. Gordon plays the video from the ATM machine, which projects onto the screen near the jury box.

The video is in black and white and has a slight fisheye effect from the curvature of the camera lens. There is no sound on the video, and when a car pulls into the ATM lane, Gordon asks Ross if she can read the date and time stamp on the video.

“The date says July 10, 2012 and the time stamp reads 9:48.30,” Ross says.

“Where is the camera angle coming from?”

“It’s from the ATM machine.”

“And can you describe what you see?”

“This is from the ATM machine at the Wells Fargo where I work. I see a black male in the driver’s seat of the car and there appears to be someone in the passenger seat. The passenger seat has been tilted back. He has a hat on, and he seems to be trying to enter the ATM code on the machine. Now he’s opening the car door slightly and trying to get closer to the ATM machine.”

The man in the video resembles Perryman as he appeared on my front porch. He is thinner in the video than he is now in the courtroom, and I recognize his tank top. When he leans in close to the ATM machine, his face is framed clearly in the video. He then reaches to enter the security code, and his hand fills the screen. For a moment, only his moving

hand is seen: the lines of his palm, the untrimmed fingernails, and what appears to be a split knuckle. Gordon pauses the tape, approaches the screen, and points to Perryman's right shoulder in the video.

"And what does this look like here?" he asks Ross.

"A seatbelt," she says, "it looks like he is wearing a seatbelt."

As Perryman focuses on the ATM machine in the video, Morgan attempts to escape the car. Perryman tries frantically to restrain Morgan. Because of the camera angle, only Perryman's back can be seen, and his arm appears to be either grabbing at the interior of the passenger door or striking Morgan. Morgan places one foot outside of the car as Perryman grabs her shirt. The entire frame of the video appears to shake as Morgan struggles to free herself from the shirt, and when she breaks free, Morgan's back and shoulders disappear into the white space outside the car. Alone in the car, Perryman turns back to the ATM, removes the \$300, and then drives away from the machine, at which point Gordon pauses the video.

"Can you read the time stamp on this frame?" Gordon asks Ross.

"9:52.35."

With Ross still on the stand, Gordon introduces a second video into evidence. This video, in color, shows the car from a frontward angle through the windshield. When Perryman attempts to put the first debit card in the ATM machine, Gordon asks Ross if she can identify the color of the card. "The card looks blue," she says. When Morgan begins to struggle to free herself from the car, Perryman's actions are clearer. He reaches across Morgan and grabs the door handle and attempts to close the car door against her. Restrained by the seatbelt, he seems unable to use his full strength, and Morgan again breaks free from the car. "And what time does the time stamp say on this video?" Gordon asks Ross.

“9:52.35,” Ross says.

“One last question. If a withdrawal is made late in the evening, is it possible for the transaction not to post until the next day?”

“Yes.”

Gordon then introduces still frame photographs from the videos into evidence (to which Staples does not object) and distributes them to the jury. As the jury passes the six photos back and forth, Gordon says, “No further questions, Your Honor,” and Staples rises for cross-examination.

“Mrs. Ross, when the victim escaped the car, did she appear to be wearing a bra?” Tom Staples asks.

“Yes, she appeared to be,” Ross says.

“No further questions, Your Honor.”

After Ross is excused, Judge Bergosh, after reminding the jury that they are not to talk about the case in any way, excuses them for lunch. When the jury is gone, one of the court security officers handcuffs Perryman and escorts him from the courtroom. With the courtroom relatively empty, the judge, Staples, and Gordon discuss the jury instructions that the judge will read to the jury when the time comes for the jury to deliberate. The judge asks Gordon if Perryman has any prior convictions, and Gordon says that Perryman has four previous felony convictions. Gordon then says that Florida law dictates that the maximum sentence must be applied to a repeat felony offender if an additional felony is committed within three years of release.

Gordon also says that he would prefer to go immediately into sentencing, should Perryman be found guilty, and that all of the necessary individuals such as the fingerprint expert will be attending the sentencing and will be available to testify.

The judge then asks Staples if Perryman will be taking the stand in his own defense. “I’m not sure, Your Honor,” Staples says. “We’re going to talk about that at lunch.”

“Okay, let me know as soon as you can,” Judge Bergosh says. “What time is it now? Let’s go ahead and break for lunch, and we’ll plan on starting up again at 1:00.”

“All rise,” the bailiff says. The judge, the lawyers, and then the audience members all exit the courtroom. Outside again in the hallway, a court security officer locks the courtroom doors and gives them a shake to be certain they won’t open. Morgan sits in the same chair as before, and she smiles brightly at her mom sits down beside her. Two of Morgan’s friends have joined her outside the courtroom. As I start to leave, Ann waves to me and asks if I will be returning after lunch. When I tell her I will, she says, “Good,” and then turns back to speaking with Morgan.

10. The Remaining Witnesses and Closing Arguments

When I return from lunch, the court security officers have unlocked the doors to the courtroom, and I take my place in the same seat. Ann enters a few minutes after I do, and she says, “We have to get right back in our same seats,” and smiles. During lunch, I wrote down all of my contact information on a piece of paper, and I hand it to her and tell her that I would be happy to send her any of the material that I have written about the case that predates the trial if that might be helpful in some way. “That would be wonderful,” she says, and writes her contact information down in my notebook. The jury and Perryman are led back into the courtroom, and Ann and I both turn our attention to the trial.

Judge Bergosh asks Gordon to call his next witness, and Gordon calls Officer Shannan Fortenberry, a sex crimes investigator for the Pensacola Police Department.

“And how long have you been in this role?” he asks.

“I’ve been an investigator for twelve years.”

“And what actions did you take when you were presented with the case against Mr. Perryman?”

“My first investigative action was to use the cell phone number that was found at the scene. We pinged the number, and we located the cell phone at 57th Avenue. Another officer and I drove to the area, and we found the victim’s car not far from the location we had identified.”

“And what did you do then?”

“We had the images from the ATM machine, and we drove around the area to see if we saw anyone who matched the images and the description the victim had given us.”

“And did you see anyone who matched those images?”

“We observed a black male walking down the road, and we approached him and asked him to identify himself. The first thing he did was put his hands palms down on the hood of the police vehicle. He said his name was Ron, and he showed us his identification. When I asked him to tell us his cell phone number, he gave us a number that matched the one found on the piece of paper.”

“Did you notice anything strange about him?”

“Yes, when his hands were on the hood of the police car, I noticed a wound on his hand, a split knuckle that looked fresh. He was very unkempt, and his fingernails were dirty. His clothes were dirty, and it looked like he hadn’t showered in a while.”

“And what did you do then?”

“I asked Mr. Perryman if he would allow us to get a DNA sample from him, and he consented. We swabbed the inside of his cheek, and, with his permission, we clipped his fingernails and collected and bagged the trimmings.”

During cross-examination, Staples asks Fortenberry, “When you saw Mr. Perryman, this was the day after the crimes took place, right?”

“Yes, that is correct.”

“And he consented to being searched, having his fingernails clipped, and to the cheek swab?”

“Yes, that is correct.”

“No further questions, Your Honor.”

During redirect, Gordon asks Fortenberry, “Is the person you met on the street present here in the courtroom today?”

“Yes, he is sitting next to the public defender.”

“No further questions, Your Honor.”

Gordon calls his next witness, Investigator Melissa Harris. He introduces several photographs into evidence and asks Harris if she recognizes the documents.

“Yes,” Harris says, “this is the array of photographs I showed the victim.”

“And what instructions did you give her?”

“I explained to her that there are six pictures on this piece of paper, and when I showed it to her, I asked her to identify one of the pictures if the photograph was of the person who committed the crimes against her. I

asked her to circle the photograph and sign it. She was also asked to write the person's actions on the photograph. When I handed her the paper, she immediately went to image three and circled it."

Gordon introduces copies of the images into evidence, and then distributes the images to the jury. He asks Harris the name of the person in the third image.

"Ronald Dwayne Perryman," she says.

Once again, Staples declines to cross-examine Harris. Gordon calls to the stand a crime scene investigator, Justin Cooper. He also introduces into evidence photographs Cooper took of Morgan's house—the front door, the living room, the couch, the piece of paper with Perryman's phone number, the pen, and Perryman's cell phone. Each photograph is simultaneously projected onto the screen and distributed in hardcopy to the jury. Gordon then introduces the photographs Justin Cooper took from the scene at Wells Fargo bank and from Escher's SUV. When Gordon introduces the photographs Cooper took of Morgan's injuries, Ann removes a tissue from her purse and dabs the tissue for a moment at the corners of her eyes, but she doesn't look away from the screen.

The final photographs that Gordon introduces are of Morgan's recovered car. One of the images of the items recovered from the car is of a blue bank card. Gordon asks Cooper to read aloud the name of the bank on the card, and Cooper identifies the card as a credit union in Montana.

Staples declines to cross-examine Cooper, and Gordon calls his final witness: laboratory analyst Leanne Hodge, who explains DNA to the jury, how it represents a "genetic blueprint passed from mother to child." Each person's DNA is unique unless he or she has an identical twin.

“And what sort of DNA testing did you perform for this case?” Gordon asks. Hodge explains the tests performed on Perryman and Morgan. “The first piece of evidence I tested was the pen, which showed a mixture of two profiles from the blood,” she tells the jury. The major portion matched Morgan and the minor portion matched Mr. Perryman. The probability of the match to Mr. Perryman occurring randomly is one in thirty quadrillion—a very strong match.” She then described testing Perryman’s fingernail clippings and swabbing both of his hands. “There was blood present on both hands,” she says. “Then I swabbed all of them together. There was a DNA profile foreign to Mr. Perryman on his fingernails. Morgan’s DNA profile was on his fingernails. There was a complete profile of both Mr. Perryman and Morgan on both the pen and the fingernails. The probability of their two complete profiles occurring randomly on both the pen and the fingernails is one in 600 quintillion.”

“How many zeroes is that?”

“Eighteen zeroes.”

Staples elects to cross examine. He asks Hodge to describe how DNA transfers.

“It can transfer by touch through skin cells, or there can be a secondary transfer by two people touching the same object—a doorknob for example. A secondary transfer of DNA is usually much weaker than a primary transfer of DNA through direct contact of two individuals.”

“No further questions, Your Honor.”

Gordon asks Hodge to describe the likelihood of secondary transfer.

“It’s usually low level,” she says. “Sometimes it is impossible to detect a secondary DNA transfer.”

“In your opinion, is a secondary DNA transfer very likely in this case?”

“In this case, all of the DNA profiles were complete samples. Complete samples can only be obtained by primary transfer.”

The prosecution rests.

The judge then turns to Staples and asks him to call his first witness.

“The defense rests,” Staples says. “To be frank, Your Honor, I cannot produce any additional information that the state has not covered.”

Judge Bergosh says that he appreciates Staples’s candor, and he asks both of the lawyers if they are prepared to move forward with their closing arguments.

Just as he did during his opening statement, Gordon moves the podium so it faces the jury box. He begins his final argument by summarizing the details of the case and the charges against Perryman. For each of the counts, he details the requirements for conviction and itemizes the evidence that has been introduced to support each charge. During the testimony phase of the trial, I was slightly puzzled by the emphasis placed on whether or not Perryman was wearing a seatbelt in Morgan’s car. But now Gordon recounts part of Morgan’s testimony in which she said she had asked Perryman to put on his seatbelt when the seatbelt alert would not stop beeping—a small detail that later aided her escape.

The “defendant’s presumption of innocence has been stripped away by the evidence in this case,” he concludes, “and I ask you to convict him on all counts.”

Staples rises approaches the jury box. “Presumption of innocence is like a suit of armor,” he begins. “For the state to get a guilty verdict, they must peel the armor away piece by piece with the evidence in the case. I ask you today, has the state done this? During jury selection, we talked about how cases to take away someone’s liberty have the highest burden of proof that must be met in order to deliver a guilty verdict—beyond the

exclusion of all reasonable doubt. There are three ways to find reasonable doubt: the first way is through a lack of evidence, the second way is through conflicting evidence, and the third way is through problems in the evidence itself. I am arguing today that there is insufficient evidence to convict Mr. Perryman.

“There has been a lot of discussion about the pen used when (Morgan) attempted to defend herself. Now if the pen had been clicked, shouldn’t there have been some kind of mark on Mr. Perryman? Does that make sense? Make no mistake, I think she is a true victim, but what does the DNA show? There was no DNA evidence on Morgan’s person from Mr. Perryman. That’s reasonable doubt.

“There were lots of photos introduced in the trial, and we talked during jury selection about how disturbing images were going to be introduced at trial. But I ask you again, please do not rule on emotion alone. Where is the DNA evidence in the car? There is none there. Where is the fingerprint evidence from inside the car, the ATM machine?”

Morgan, he continues, “was simply shown the ATM photo and asked if Mr. Perryman was the person who assaulted her. This is a very traumatic case. Remember, she had been beaten so severely that she could barely see. During the trial, you might have been asking yourself why I asked if Morgan was wearing a bra or not when she escaped the car. The fact that she was wearing a bra does not match with the victim’s or the witness’s testimony. It’s not a question of whether or not this happened, but I ask this question to illustrate a point that certainty does not equal accuracy.

“When Mr. Perryman was asked to give a DNA sample, he consented to the police. Why did he do this? Does this sound like something a guilty man would do? Alphabet City, where the car was found, has lots of people coming and going at all times of the day and night. Who gave

the phone number to her? Also, there was no blood evidence inside the car and no blood evidence from him inside the house. It's a question of did he do this?"

Gordon rises at this point and says, "Objection, Your Honor. Those are not facts in evidence." Judge Bergosh nods, and I cannot tell if he is sustaining or overruling the objection as Staples continues: "During jury selection, we discussed how there might be reasons why an innocent person might not testify in his or her own defense. We said that this case will focus on DNA, and all of you said that just because DNA evidence is present, that evidence isn't necessarily definitive. You all said that you would consider what the evidence says in addition to DNA evidence, and the evidence shows in this case that Mr. Perryman did not do this."

Staples finishes speaking and Gordon rises. "The burden of proof in this case is reasonable doubt," he says. "Remember, Morgan is 5'1 and Mr. Perryman is a very large man. His attack was an unexpected attack. The pen was in her left hand, her non-dominant hand. Is it reasonable that she puncture his skin when she is trying to defend herself? The defense also argues that, because there was no DNA evidence from Mr. Perryman found on Morgan's person, Mr. Perryman could not have assaulted her. Remember, during Morgan's testimony, she detailed everything that happened during the assault. The defense also claims that there was no DNA from Mr. Perryman in the drops of blood in Morgan's house. Is it reasonable to test every drop of blood on the floor? There is no conflict of evidence. All of the evidence adds up.

"The defense also admits that a crime has occurred. Remember, what lawyers say is not evidence. Only the evidence is the evidence. The defense argues that all of the evidence is a sequence of coincidences. I submit to you again that Mr. Perryman provided the exact phone number on the piece of paper to the police when asked."

Gordon then itemizes the evidence in the case again for the jury, and how that evidence relates to the charges against Perryman. When he reaches the end of his rebuttal, he says, “I ask that you find the defendant guilty.”

Judge Bergosh reads the instructions for deliberation to the jury. Ann leans towards me. “It is time for this to be over,” she whispers as the Judge tells the jury that, during deliberation, they need to follow the law as set out in the instructions and decide the case only on the evidence, not on emotion.

He reads the six counts for which they must provide a guilty or not guilty verdict. On the first count of sexual battery, there is the option of choosing two lesser offences. On all of the other counts, there is only the choice of guilty or not guilty. He also tells the jury that they must choose a foreman, and that the verdict must be in writing. When his instructions are complete, he dismisses the jury.

11. The Long Wait

Outside the courtroom, the court security officers lock the doors, and the long wait begins. Two more of Morgan’s friends have arrived, and Ann joins them as they talk with Morgan. I head to the water fountain, and when I return, Morgan rises from her chair. She extends her hand, introduces herself, and says, “My mom told me that you’ve been following the case. Thank you for your help.”

I tell Morgan that I’d be happy to share with her any of my writing about the pre-trial events, and Morgan tells me she would like that. Her demeanor reminds me of many of the college students whom I teach. Ebullient and pleasant, she exudes hopefulness, even in the context of the trial.

“I’m really glad I was able to meet you,” I say. “I’ve been really inspired by your courage.”

Morgan nods, says, “Thank you,” and then heads back to her friends.

Through the glass windows of the hallway, I see that the sun is starting to set over the bay. I’ve now been at the courthouse today for approximately nine hours, and I walk around the corner of the hall to call my wife. After updating her on the trial, I encourage her to start dinner without me because I have no idea how long the jury will deliberate. “Stay as long as you need to,” she says. “I’ll have a plate for you when you get home.” Gordon is also on his cell phone near me, and when he too hangs up, I introduce myself and tell him I appreciated his thoroughness in the trial.

“Hey, thanks,” he says. “I’m always interested to hear what people in the audience think about a trial. It’s nice to hear how the trial comes off to other people.”

“How long do you think the jury will deliberate?” I ask.

“You never can tell. It’s just a waiting game now. If the deliberation goes longer than an hour, I start to get nervous, but you never know what the jurors are talking about, or how they will read the evidence. They also don’t necessarily know the sentencing implications for some of the charges. For example, if they only convict Mr. Perryman of the lesser battery charge, he walks out of here a free man today because the lesser battery charge is just a misdemeanor with a maximum sentence of one year in jail, so Mr. Perryman would just get timed served. As a prosecutor, I wish that there was an opportunity to explain some of these things to a jury.”

“I was surprised that the defense attempted to argue insufficient evidence,” I say. “I attended the docket days for this case, and it seemed to me that Mr. Perryman was becoming more and more combative with his lawyer as the case continued. I assumed that Mr. Perryman would either eventually try to represent himself or at least insist on testifying.”

“I was surprised that he didn’t testify,” Gordon says. “I thought he probably needed to testify, but as I said, you never know how the jury will respond. I called my boss and told him how everything went, and he sounded pleased. Now we just have to wait—the hardest part.”

“I was surprised to see how infrequently Staples objected during the trial,” I say. “Everything for him seemed to come down to his closing argument.”

“Well, that was his strategy. The burden of proof is very high in these felony cases, and sometimes the defense attorneys will attempt to introduce just enough doubt so that the jury will feel like they cannot reach a conviction.”

His cell phone vibrates, and he takes the call. “Okay,” he says into the phone and then hangs ups. “Looks like we have a verdict.”

12. The Verdict

Ann and I take our same seats, and Morgan sits beside her mother. I count eight security officers in the courtroom, and when a handcuffed Perryman is led back in, several of the security officers position themselves near his chair. The heavyset woman I noticed at the beginning of the trial has returned and she sits on the back row. Perryman looks back at her, and then, unfazed, turns to face the judge as the jury enters the courtroom.

The judge asks the jury if they have reached a verdict, they say they have. They pass him the verdict.

“Now, I don’t want any jumping around after this verdict is read,” he says. “ Mr. Perryman, do you hear me? Do all of you in the audience hear me? This is not Iraq. We’re going to be dignified in this courtroom.”

The clerk then reads the verdict aloud: Perryman has been found guilty on all six counts. On the first sexual battery charge, the jury has selected one of the lesser charge options, yet the possibility Gordon described of Perryman evading incarceration is impossible because of his convictions on the other counts.

The heavyset woman in the back row has her arms crossed, and she is tearing up. As She leaves the courtroom as the judge polls the jurors. Ann dabs at her eyes with a tissue as Morgan holds her hand and says, “It’s okay, Mom. Don’t cry.”

The jury is excused. Gordon rises and makes a motion to move directly to sentencing. Staples does not object, and Gordon calls a fingerprint expert to the stand, and, led by his questioning, the expert clarifies his credentials and then matches Perryman’s fingerprints to the fingerprints on file for his four previous convictions.

“In the case of Mr. Perryman,” says Gordon, “Florida law dictates that he receive life sentences for his actions.”

“Is there anything else?” Judge Bergosh asks.

“Yes,” Gordon says, “the victim would like to make a statement.”

He asks Morgan if she has any recommendations for Perryman’s sentencing, She turns slightly in her chair so that she can speak directly to the judge.

“Your Honor, I just wanted to say that this hasn’t just been a crime against me,” she says. “It’s been a crime against my family and my friends as well. They have all been so helpful to me. They’ve had to drop their work to help me, and they’ve taken time from other things to come here and support me. This whole experience has been so hard on my family.

“One of the hardest things I have had to do was explain everything to my little sister and tell her that everything will be okay. I hate being a burden to all of them. They’ve been there for me the whole time, even when I didn’t feel like talking to everyone. This has also been a crime against the community, and it will continue to happen. He will continue to target mothers, daughters—all for a measly \$300. This is why I am asking you to give him the maximum sentence.”

Gordon asks if she has had any residual health problems or medical expenses.

“I’m not a wealthy person, Your Honor,” she says. “I have to pay out of pocket for my medications and my co-pays. I have to see an ophthalmologist and a retina specialist for eye damage. My nose was broken and had to be set. I also see a therapist once a week as well. I received my Victim’s Compensation Fund letter recently, but these funds won’t cover all of my out-of-pocket expenses.”

Gordon reminds the judge that Perryman is charged with two other assaults the same week he attacked Morgan.

“Mr. Perryman, please stand,” says Judge Bergosh. “On count one, burglary, I sentence you to life. On count two, sexual battery, I sentence you to time served. On count three, kidnapping, I sentence you to life. On count four, grand theft auto, I sentence you to five years in state prison. On count five, sexual battery, I sentence you to life. On count six, robbery, I sentence you to life. The four life sentences will be served consecutively. Court is adjourned.”

13. A New Start

Four weeks after the trial, spring is in full bloom. Yellow pollen dusts virtually every car in the faculty parking lot of the university where I teach. Spanish moss, thick as knitted scarves, hangs from the southern live oaks as I walk across campus to meet Morgan at the coffee shop in the university library.

She is interested in several of the graduate programs at the university, and I've arranged to show her around campus. Over the last month, I have corresponded with Ann and Morgan through email, sending them my writing and notes about everything that preceded the trial.

In Ann's messages, I hear the combination of exhaustion, relief, and her sense of future possibility. On the day after the trial, she wrote, "It is a new day for us and, after both of us falling exhausted into our hotel bed by 9:30 p.m., this morning really has felt like a new start!"

After returning to Montana, she wrote, "Morgan and I basically slept for three days after the trial. I think we really needed that." Later, after processing much of the trial, Ann concluded a message by writing, "I think God puts people in the right places at the right times sometimes, and I know that there were many miracles that saved Morgan that night."

On campus, students hustle between classes. A skateboarder weaves in and out of the small groups on a sidewalk before popping his skateboard under his arm and entering one of the academic buildings. Through the windows of the coffee shop, I spot Morgan at a table. Reading a paperback and cooling her tea, she is indistinguishable from the students around her. I wave to her as I pass through the doors, and when she sees me she smiles, dog-ears the page, and closes her book.

14. Coda: The Following Year

In July of 2013, four months after Perryman's trial and sentencing for his attack on Morgan, Ann continues to keep me informed about Morgan's continued recovery and other Perryman cases as well. She writes that, just as jury selection was finishing for his next trial, Perryman decided to accept a plea bargain. The judge gave him twenty additional years.

"Four life sentences plus twenty additional years ought to do it," Ann writes, noting the irony that the judge's sentence came down exactly one year to the day after Perryman's attack on Morgan. In addition, she says the prosecutor's office asked Morgan to address a sexual assault response team of law enforcement personnel, victim advocates, nurses, and therapists who assist victims of assault: "She had to think about it for a night, but decided to do it. I couldn't be more proud of her!"

Just before Thanksgiving, Ann writes again, saying that her town recently participated in a "Walk a Mile in Her Shoes" event to raise funds for the city's domestic abuse and rape crisis shelter: "Over 300 men wore bright red high heels and walked down our main street and raised over \$15,000 for our shelter! My church was the registration sight. They asked me to speak and tell Morgan's story, which I was able to do, with Morgan's permission, of course."

After the trial, my wife and I grew restless in the neighborhood. One night, not long after Perryman's conviction, I was awakened by the sound of fire engines in the street. Looking through the blinds, I saw smoke—grey against the blue of the night sky—rising from a neighbor's ramshackle house as fire fighters placed blankets over the shoulders of several middle-school-age children who lived in the home with their mother and peripatetic, rumored-to-be-drug-dealing father. Abandoned and un-boarded, the exposed house festered for weeks until the father

materialized from out of town, covered the open windows with plywood, and then disappeared again. Around this time, shots were reported at two residences a few blocks from our home. When the police arrived, no witness would talk. That night, as my pregnant wife rubbed her growing belly like a crystal ball, we agreed: Enough was enough, and within a month we had moved into a two-bedroom cottage in a safer neighborhood and put my house on the market.

On the one-year anniversary of the completion of the trial, I write Ann to inquire how the rest of their year has transpired. After taking some time to consider the question, she responds:

Dear Jonathan,

A year has passed since the verdict and the sentencing. I am truly grateful that the investigation and prosecution of this case were done so efficiently and that the jury did its job. For twenty years I have worked in our church—a place where the Sunday-morning sermon is frequently on forgiveness—and I will admit that I do not feel ready to forgive yet. I can't imagine the thousands of women who have gone through a situation like Morgan's and have not been able to achieve justice. Both Morgan and I have spoken to groups about this experience, and the events have raised my praise of our local women's abuse shelter. I know that so many women need a place to turn to for protection. God bless the workers in those places. They are heroes in every sense of the word.

Morgan has started a new life with a new passion for school and a new career path. I admire her so much and am thankful that her new surroundings have given her some control over her story, which gives her power back over her own life—something, that has been important for her. Her safety is always on my mind and just when we think she has a good handle on everything, something out of the blue will happen that will shake us to the core. On New Year's Eve, there was a break-in not

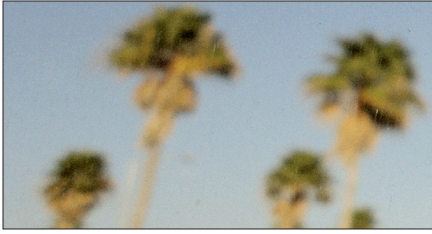
far from her new home, and one of the officers who was going house-by-house to alert the neighborhood turned out to be one of the female officers who had taken care of Morgan on the night of her assault. They shared a conversation and a hug, and when Morgan called us later that night, she was still shaken but somehow comforted by the fact that these same officers handled this too and captured the person.

Then, about a month ago, as she was walking from her car to her house a homeless man who resembled her attacker approached her. She panicked and ran to a local bar. She later said that she was embarrassed by her reaction, but her gut instinct told her to run. In typical Morgan fashion, she made new friends that night in the bar and feels like it is a safe place if needed again. Morgan's nightmares have faded, but I wonder if there will ever really be a feeling of safety again. She is still seeing her therapist on a limited basis and finds that to be such a positive influence.

The other component of the assault that I had never considered is the financial part. Morgan had just over \$30,000 worth of medical bills between the emergency room, the treatment that night, and all of the follow-ups with physicians and specialists. She also had surgery a few months afterwards to correct her broken nose. Thank goodness she was insured at the time and that the Florida victim's compensation package also helped pay for her bills. For months she had to struggle to keep track of bills and make copies for both places to make sure payments were processed. Her father and I paid for twelve trips back and forth to Florida during the year because of the attack, and that's not counting the visits just to see Morgan. Throw in motels, rental cars, food, and gas, and the expenses add up. We are fortunate that we were able to handle this, but what a nightmare for a family that couldn't afford these expenses.

Finally, I have only one more thought. Through the prosecutor's office, we are given the right to know at all times where her attacker is and his status. Morgan does not want the updates, but her dad and I do. (I think she's glad that WE are getting them.) While I very much appreciate the opportunity, the updates are frequent reminders of what has transpired. Who would have thought that I would ever have an interest in the Florida inmate program? But I do.

I also have thought about Perryman and his family. There is a sense of sadness knowing his life is essentially over. What makes a person react so violently? Did he have that plan when he knocked on Morgan's door or did something just snap? Is his family in contact with him now? Does he have any remorse? What went wrong in his life? Where did it go so wrong? Those are questions that will always be in my heart and for which I will never have answers.



A Cold Case in Florida

Debra Star Rizzo, 15, was murdered way back in 1978.

A retired detective still cares

—Jeff Patterson

I.

Debra Star Rizzo, age fifteen, disappeared shortly after 4 p.m. on Monday, July 24, 1978. Her badly decomposed remains were discovered nine days later. That's a long time ago, but I have not forgotten.

On that long-ago afternoon, Debbie had just left her daily one-hour counseling session at Comprehensive Mental Health Services of Pinellas, Inc., on South Belcher Road in Clearwater, Florida. It has since been rebranded as Directions for Living (“Life Gets Better Here”), but the center is still there. Landscaped oaks and palms shelter it from the sweltering sun and surrounding sprawl. A green awning wraps around the gray building like a sun visor.

Clearwater is part of the Tampa Bay region along Florida's Gulf Coast, and back in 1978 was a city of about 85,000 residents known for its white sandy beaches. The population has since grown to 119,000. For many, young and middle-aged alike, it has been a place to start over after a marriage, divorce, or job loss.

The temperature at St. Petersburg–Clearwater airport at 4 p.m. on that day in 1978 was 92 degrees. So when Debbie pushed open the front door and stepped outside from the air-conditioned lobby, a wall of hot, humid air likely took her breath away. This was her first summer in Florida, and she would not yet have acclimated. She was more accustomed to the frigid winter winds off the Long Island Sound back home in Milford, Connecticut.

She looked like a typical teenager in the summertime in the 1970s. She stood five-feet-two-inches and weighed 125 pounds, with brown eyes, shoulder-length brown hair, and a “peaches and cream” complexion. She had on a yellow T-shirt with the silk-screened logo of the rock band Santana, blue denim cutoffs, and brown leather sandals. Debbie probably paused to light a Marlboro. At fifteen she was already a chain smoker. Except for that subtle sign of distress, and her location at a mental health counseling center, nothing about her would have hinted at trouble.

Many old detectives have at least one unsolved case they cannot let go, a real-life mystery that haunts them into their own graves. This one is mine.



The mystery intrigues me, of course. But I think it is the tragedy of her life, as much as the crime of her murder, that bothers me. Debbie’s official police record began on October 3, 1976. She had just turned fourteen and was starting her freshman year at Jonathan Law High School in Milford. At about 4:30 on an autumn Sunday afternoon, police were called to investigate a fight between Debbie and a sophomore girl who was a year older. Apparently, their conflict had started at school the preceding Friday and spilled over into the weekend, though the police report does not explain what the dispute was about.

Debbie walked to the other girl's house. Each accused the other of starting it, but in any event a fight erupted, with the two of them rolling around on the ground in the front yard, kicking and punching and scratching like cowboys in an old TV western. The other girl's sister came out of the house and joined in, but just as the two of them appeared to be getting the better of the fight, some of Debbie's friends happened by and ran to her aid. The other girl and her sister retreated inside their house.

Still enraged, Debbie kicked in the aluminum storm door on the side of the house. Then she went around to the front and kicked the storm door there. Finally, she found a baseball bat and smashed two front windows before walking away.

In the end, police charged Debbie and the two sisters with breach of the peace. They also charged Debbie with criminal mischief for damaging the house. Detective Howard Taylor counseled Debbie that using a baseball bat to break windows could not be considered "normal" behavior for anyone, let alone a fourteen-year-old girl.

After that, Debbie was in and out of several psychiatric hospitals and outpatient programs, both in Connecticut and later in Florida. Her first admission took place January 24, 1977, exactly eighteen months before her disappearance. It was court-ordered after she was involved in another fight and then made disturbing statements to her juvenile probation officer about hearing voices. She was evaluated at the adolescent crisis unit of St. Raphael's Hospital in New Haven and then underwent further assessment by the court's appointed psychiatrist. Clinical notes from those sessions remarked on Debbie's parents' lack of cooperation with her treatment.

Following her involvement in a yet another neighborhood brawl, the court ordered another thirty-day evaluation at Connecticut Valley Hospital in Middletown (formerly Connecticut General Hospital for the

Insane). Upon release, she was referred to outpatient counseling, but her parents did not keep her appointments. So, in January 1978, after acting out in court, she was readmitted to Connecticut Valley on a fifteen-day commitment. When it expired, she remained on a voluntary basis for a while, but her parents eventually signed her out, against medical advice.

Two weeks later, the family moved to Florida. And before long, Debbie was admitted again, this time at Pinellas Horizon Hospital, a Clearwater psychiatric facility. Her parents told staff she had become “unmanageable.” But once more, they signed her out against medical advice. After that, Debbie was in daily outpatient therapy at Comprehensive Mental Health.

The reaction of Debbie’s parents to her condition is the proverbial riddle wrapped in an enigma. After her first trouble with the police, a social worker wrote in a memo to the case file that Leonard and Anne Rizzo’s parenting skills were “basically inept.” Another social worker later appraised them in a clinical family history as “rather limited people.” In medical files, other mental health professionals along the way used more generous jargon, saying that the pair were “lacking insight.”

Debbie was schizophrenic. Dr. Tom Burns, an Oxford emeritus professor of psychiatry, calls schizophrenia “the iconic mental illness” in his book, *Our Necessary Shadow: The Nature and Meaning of Psychiatry*. He writes: “Over a century after its first description it remains the most disabling and, in many ways, controversial and complex of all the mental illnesses. It does not mean split mind or split personality, it is not Doctor Jekyll and Mr. Hyde. Schizophrenia takes several forms and can display just about any symptoms but most often patients hear voices, have strange and frightening ideas, and have difficulties in thinking clearly.”

Clinical records show that Debbie heard voices in her pillow, saw ghostly lights in her bedroom, thought everyone hated her, and feared someone mysterious was out to get her. “She was not always in touch with reality,” her mother, Anne Rizzo, told the *St. Petersburg Times* (now the *Tampa Bay Times*). In addition to intensive counseling, Debbie had been prescribed Mellaril, an anti-psychotic medication, the family told the *Clearwater Sun*.

The day before she disappeared, she had a premonition of her own death, her parents told the *Sun*. On Sunday, July 23, the family had gone to Walt Disney World in Orlando. While there, Debbie was briefly lost. When they found her, she asked, apparently apropos of nothing, if she was going to live. Family members assured her she would live a long time, just like her ninety-seven-year-old grandmother.

Meanwhile, in the course of her therapy at Comprehensive Mental Health Services, her counselors had grown more concerned about Debbie’s state of mind. They had increased her medication and tried without success to convince her parents to hospitalize her for more intensive treatment. In what turned out to be her last session, one of her counselors noted that Debbie “seemed to have a very hard time concentrating on anything we talked about.” The note continued, “Near the end of the session, she talked some more of still needing to do something, but she needed to have more courage, and when she had it, she would do it.” But Debbie would not elaborate on her intentions.



Outside Comprehensive Mental Health Services, Debbie likely scanned the parking lot for her father's green Dodge station wagon. He was supposed to pick her up after her appointment. After dropping Debbie off at 3 o'clock, Leonard Rizzo had taken her seventeen-year-old sister, Sheila, and one of Sheila's friends, a girl named Teresa, out to Clearwater Beach. Clearwater Beach was less than seven miles away, ordinarily a fifteen-minute drive. Yet, in repeated interviews with detectives and reporters, as well as remarks to family members, Leonard Rizzo gave conflicting explanations for why he was twenty or thirty minutes late to get Debbie: He had lost track of time. The Memorial Causeway drawbridge had been up. He had stopped for a sandwich. When they were questioned by police, both Leonard's first wife and his daughter Sheila said it was more likely he had stopped somewhere for a drink. Leonard had struggled with alcoholism for many years.

This was well before the age of mobile phones, and Debbie didn't go back into the building to use a phone. Instead, after a few minutes, she started walking. Her house was roughly a half-mile away, straight up Belcher Road and then left onto her street, Bell-Cheer Drive. It was less than a fifteen-minute walk.

At about 4:05 p.m., a secretary from Comprehensive Mental Health Services was leaving work a little early. She knew Debbie by sight and by name because of her daily appointments, and she noticed her walking across the parking lot toward busy Belcher Road. Debbie was alone and the secretary didn't see anyone else in the area. As she unlocked her own car door, she lost sight of Debbie. And with that, the secretary became the last known person to have seen young Debbie Rizzo alive.

By the time Leonard Rizzo showed up at the counseling center, sometime between 4:20 and 4:30, Debbie was gone. After checking at the reception desk and insisting on a search of the premises, he drove home. It was only six blocks. He watched along the way but saw no sign of her.

When he arrived at the house, most of the rest of the family was there: Leonard's second wife, Anne, 50; their eldest daughter, Jody, 19; Jody's husband, Chuck Finateri, 21; and Jody and Chuck's infant daughter, Jessica. (Sheila was still at the beach with her friend Teresa.) But not Debbie. And none of them had seen or heard from her.

Leonard and Chuck drove around for more than an hour, searching. They cruised main roads, side streets, and parking lots. They went back to the counseling center twice more. The last time was after hours, and they got a janitor to let them in to recheck the premises. They even looked in trash dumpsters behind stores. Leonard was already "thinking the worst," Chuck later told police.

When her father didn't show up for her, Debbie's sister, Sheila, got a ride home from the beach with Teresa's parents. She joined the search on her bicycle, looking for Debbie in the neighborhood. Now sixty, Sheila Heidelbaugh still remembers going to the dead-end of Bell-Cheer Drive, where a dirt road leads into the woods, and calling her sister's name. By then it was twilight, and she said she was getting an "eerie feeling." She turned around and pedaled home.

Shortly before 7 o'clock, Leonard called the Pinellas County Sheriff's Office to report Debbie missing. Despite her father's concerns about foul play and Debbie's mental-health issues, the deputy treated the matter as a routine runaway. He obtained her physical description, wrote a brief missing-person report, and made a cursory check of the area. That took him less than forty-five minutes. He didn't call for assistance to search the neighborhood or conduct any further investigation.

When Debbie didn't show up by morning, Leonard called again. And when she still hadn't turned up after a few days, sheriff's detectives arranged to publicize her disappearance. This was long before Amber alerts and social media, and law enforcement depended heavily on local newspapers and television to get the word out. Leonard and Anne Rizzo's plea for help in finding their missing daughter appeared in the August 3 edition of the *Times*, on page 3 of the local section. But it was too late. The front page of the same day's rival *Sun* reported, "Body Found in Woods; Police Suspect Murder."

II.

At about 5:15 p.m. on Wednesday, August 2, 1978, a neighborhood resident named John Blechschmidt and his twelve-year-old son were walking in the wooded field behind their home when they found Debbie's remains. It was nine days, almost to the hour, since she'd last been seen alive. The body was just off the dirt road leading into the woods from the dead-end of Bell-Cheer Drive, where Sheila had experienced her "eerie feeling" the evening of Debbie's disappearance. "Weeds covered the view from the road, but within a few feet it was visible," Blechschmidt told the *Sun*.

The scene was only three-quarters of a mile from Comprehensive Mental Health Services and a quarter-mile from the Rizzo home, between those two locations. Today the area is well maintained and the main entrance on South Hercules Avenue has a playground and picnic pavilion. But in 1978, the *Times* described the property as "overgrown with weeds and blackberry bushes," filled with trash, and troubled by "fires, teenagers gathering there and motorcycle noise."

The *Sun* reported that local citizens had petitioned the city to clean up its nuisance land just three weeks earlier. In fact, the letter had been drafted by John Blechschmidt's twelve-year-old son and another boy, as part of Boy Scouts civic project. The city had not yet responded to the letter at the time of Debbie's death.

The rough conditions hampered the crime scene investigation. A detective's report noted that the area was "so densely overgrown we could not completely search without the weeds and briar bushes, etc., being cut away." In the end, they found a pair of brown leather sandals, a Marlboro cigarette pack, and an abandoned Winn-Dixie shopping cart. They lifted a few fingerprints from the cart. Otherwise, the *Sun* reported, "After sifting through dirt in hopes of finding either a murder weapon or some clue as to the time and cause of death, police came away empty-handed." Police told the *Times* the clothing and some other items were sent to the FBI Laboratory in to be examined for trace evidence—hairs, fibers, etc. But the lab results were negative, and the fingerprints were never matched to anyone.

Meanwhile the autopsy also yielded little. By the time it was found, Debbie's body had been exposed to summer heat and humidity for more than a week. Daily high temperatures had averaged ninety degrees, with high humidity and drenching afternoon thunderstorms. Dead bodies just don't last long when exposed to such conditions. *Times* stories took to calling the body "skeletal remains." "The medical examiner couldn't help us very much," Captain Al Vellucci, the detective in charge of the investigation, told the newspaper.

Both the *Times* and *Sun* reported the medical examiner's early difficulties. According to the *Times*, the M.E. initially thought the remains were those of a slightly built female in her teens or early twenties who had been dead for about six weeks. But after the autopsy, he revised that esti-

mate to “closer to three weeks.” Once positive identification was made, it turned out to be just nine days. A radiologist eventually confirmed that it was Debbie by comparing the remains with her X-rays on file.

Still, there was enough evidence for the M.E. to rule her cause of death as “homicidal violence, probably strangulation.” Clearwater police have never released the exact mechanism of Debbie’s death, and their Unsolved Homicides web page contains only a vague reference to “blunt force trauma” and the possibility of sexual assault. Beyond that, information is being withheld to avoid disclosing details of the crime that only the perpetrator would know.

Detectives Richard D. (“Mac”) McManus and Charles W. (“Bo”) Butler led the investigation into Debbie’s murder. They had worked together often. Less than two years earlier, they and another detective had solved a series of rapes at local laundromats.

McManus had been on the job for ten years. As a rookie, he had been named officer of the year for his underwater rescue of an older woman whose car was submerged after going off the road. Butler had joined the force the year after McManus. He had earned officer-of-the-year honors for solving a bank robbery.

They began with some basic assumptions about the case. The close proximity of three key locations—the counseling center where Debbie had last been seen alive, the vacant land where her remains were found, and her home—made it likely that whatever had happened to her had happened within that vicinity. Because the clothing on her body was the same as when she had last been seen alive, and because such advanced decomposition of her body would have taken considerable time, it seemed likely she had been killed the afternoon she disappeared.

So, McManus and Butler focused on that area and that time. They started at the beginning, contacting the staff and clients of Comprehensive Mental Health Services. But nothing indicated anyone's criminal involvement in what had happened to Debbie. They were all in their four o'clock appointments or otherwise accounted for during the time in question.

The next step was to find out if anyone in the surrounding area had seen or heard something relevant that day. McManus and Butler were assisted by a half-dozen more detectives conducting a door-to-door canvass in the sweltering heat. Whenever they made contact—which was rarely, as so many people were not at home—they asked the same questions: *Did you notice anything unusual on Monday, July 24? At any other time in the past ten days or so? Have you ever seen the girl in this photograph?* And so on. Police also appealed to the public for assistance through the news media, asking anyone who had been in the area that afternoon to call the detective bureau.

All they got for their efforts were vague recollections of suspicious persons or cars seen sometime that summer, mistaken sightings of Debbie here and there, and crackpot tips. Nothing panned out.



Statistics consistently show that nearly 80 percent of homicide victims are killed by family members, friends, or acquaintances. And in this case, Debbie seemed to have had no friends in the area. Because of her illness, she had not attended school since the family's move to Florida at the end of March. By all accounts, she was never even allowed to leave the

house in Clearwater unless accompanied by a family member, due to her condition. Her sister Sheila recently confirmed that to me. She said Debbie never went anywhere except with her parents.

So, McManus and Butler turned their attention to Debbie's household. There were indications that harsh Connecticut winters and dreams of golden years in the Florida sunshine—the factors the Rizzo's gave to detectives for their move south—were not the only reasons the family had left Milford. "It was getting rough in Milford," Anne Rizzo told the *Times*.

One of the things that had gotten rough was Leonard Rizzo's drinking. Milford police had arrested him nearly a dozen times for public intoxication, drunk-and-disorderly, or drunk driving. By 1977, the year before their move, things got really bad.

Responding to an ongoing domestic dispute at the Rizzo residence on the morning of February 20 of that year, officers found Leonard intoxicated, loudly cursing and arguing with his wife. When he refused to desist, they arrested him, "at which time he began to rattle" with the officers, according to the police report.

Three days later, Leonard drunkenly dialed the Veterans Administration, Bridgeport police, and Milford police. He rambled about mistreatment by Milford officers and threatened to bomb police headquarters. He also said he was going to shoot some teenagers he suspected of giving his younger daughter drugs, apparently referring to Debbie.

The V.A. nurse who took his call considered him "homicidal," according to the police report. But the Milford officer who spoke to Leonard dismissed the threats. He noted in his report that he "has known Mr. Rizzo for many years and knows of his chronic alcoholic condition and the fact that he has made many crank calls to this Department in the past."

Later that year, on September 18, 1977, officers fished Leonard out of Long Island Sound. It appeared he'd fallen off the seawall at the end of his own street, Laurel Avenue. He was nearly dead drunk, unable to stand or sit without assistance, and was having trouble breathing. They sent him to Milford Hospital for detoxification. The year ended with police finding him again passed out, this time on New Year's Eve and right in front of police headquarters on West River Street.

Both daughters talked to me about their father's drinking. He liked port wine, Sheila remembered. And apparently, Leonard Rizzo was quite a character around town. He would get drunk and wander around the neighborhood sporting a white skipper's cap and calling himself "Captain Krueger," Sheila said. Other times he'd claim he was a secret agent, according to a retired Milford police sergeant, Thornton "Sky" Meyer.

Sheila said she was embarrassed by his behavior. "Other kids thought he was cool, but I told them, 'You only think he's cool because he's *my* dad. You wouldn't think he was cool if he was *your* dad.'"

Jody also recalled her father's "Captain Krueger" persona. "He had all kinds of different personalities when he was drinking," she told me. She attributed his alcoholism to trauma from his infantry service during World War II. She also said had been receiving a military disability pension for lung damage.

Leonard was sporting his white "Captain Krueger" skipper's cap the day Debbie disappeared. During the canvass, McManus and Butler spoke to the janitor who had unlocked the door for Leonard and Chuck on their final check of Comprehensive Mental Health Services the day Debbie disappeared. The janitor didn't know their names but remembered "an elderly man wearing a white sea captain's cap."

Still, despite his alcoholism and eccentricity, McManus and Butler never considered Leonard a suspect in Debbie's death. At most, only thirty minutes of his time that day was unaccounted for. With his age and physical disability, it seemed impossible for him to have killed her after 4:05, when she was last seen alive, then deposited her body in the woods, and still made it back to the clinic by 4:30 or 4:35, when the staff recalled him coming into the office to look for Debbie.

Debbie's mother was a character in her own right (In fact, Jody and Sheila both told me their mother had met their father while taking drama classes in New York). Anne Rizzo, née Malek, was Leonard's second wife and twelve years his junior. She had come to America as a child with her Czechoslovakian Jewish parents during World War II, fleeing the Nazis. Debbie's middle name, Star, was after the Star of David, Sheila told me.

Leonard had left his first wife and their daughter in New York to run off with Anne. In 1957, after he secured an out-of-state divorce, they married and settled in Connecticut, first in Bridgeport and then in Milford. Leonard went to work as a chef at United Aircraft and then Milford Academy. Anne took a job at the Remington Shaver factory. They had three children in short order: Jody in 1959, Sheila in 1960, and Debbie in 1962.

Both Jody and Sheila remembered their mother as a hard worker, coming home after the overnight shift to make breakfast and get the children off to school before getting to sleep. (Leonard worked during the day.) Anne also sold Avon products for extra money.

Sheila also recalls her mother yelling a lot at her father, especially when he was drinking. Jody remarked to me that, as kids, they couldn't decide "whether Mom bitched because Dad drank, or Dad drank because Mom

bitched.” It was so bad at one point that Sheila asked her mother why they didn’t just get a divorce. “Because we love each other,” her mother replied. “We just fight.”

Meanwhile, Anne had her own encounters with the law. In 1973 she was arrested for shoplifting a bottle of Sominex sleeping tablets and a tin of Sucrets throat lozenges from a Milford store. The police report describes her mental state as “hysterical.” It took two officers and the store’s security agent to transport her to headquarters. The charges were later dropped.

In another police incident three years later involving a dispute with a neighbor, the investigating officer described Anne as “incoherent” and “a mental case.” Records reflect that she, too, underwent psychiatric treatment at Connecticut Valley Hospital at some point.

As with Leonard, however, McManus and Butler never thought of Anne as a suspect. For one thing, she also had serious physical health issues and seemed to lack the strength for violence. In addition, the other family members vouched that she was at home, resting on the couch and watching TV, when Debbie disappeared.

Police records from Milford show that Leonard and Anne’s three children also had contributed their fair share to the family turmoil. Jody, Sheila, and Debbie fought with their parents, fought with one another, fought with schoolmates, damaged neighbors’ property, ran away, drank, smoked pot, and generally hung out with a bad crowd.

The girls’ troubles began in Connecticut around the time the Finateri family moved next door to them on Laurel Avenue in Milford. Soon, the three Rizzo girls began hanging out with the three Finateri boys, Chuck, Richard, and Angelo. They started calling themselves “The Brady Bunch”

after the popular 1970s TV show about a blended family, but their lives were nothing like that sitcom. For one thing, there was a lot of drug use. And then Chuck got Jody pregnant.

About a year before the family moved to Florida, and while Jody's pregnancy was still a secret, both households were involved in a big neighborhood melee. According to police records, it started at 6:32 p.m. on May 20, 1977. Milford police Officer Doug Phillips was dispatched to a reported fight at the Finateri house.

Patricia Finateri, the unmarried eldest sister, had been the guardian of her siblings since the death of their parents. That afternoon she tried to throw Chuck out—for not working, not going to school, not paying rent, and not contributing anything to the household. But he refused to leave. She told Officer Phillips that Chuck had shoved her and twisted her arm in the ensuing confrontation. The youngest brother, Angelo, then intervened on his sister's behalf. When the two brothers' brawl migrated outside, Patricia called the police.

When Phillips tried to arrest Chuck, he yanked free and bolted. Phillips ran after him and tackled him in the backyard. Soon, additional officers arrived to assist. As they walked their handcuffed prisoner up the driveway between the two houses, Jody, who was in a car out front, began yelling "Pigs!" and extending the middle fingers of both hands at the cops, according to Phillips' report. After securing Chuck in one of the patrol cars, Phillips and the other officers turned their attention to the still-screaming Jody. They dragged her out of the car and told her she was under arrest for disorderly conduct. She tried to pull away.

Seeing the struggle, Sheila and Debbie leaped off their front porch and ran to Jody's aid. Sheila jumped on Phillips's back. He grabbed her and told her she, too, was under arrest. Debbie then kicked Phillips in the leg. He turned to protect himself, and Sheila pulled free. Both girls fled. When

Phillips once more turned his attention to arresting Jody, Sheila charged him again. He doused her with his tear gas spray. She fell to her knees, crying, coughing, and swearing until another officer handcuffed her.

All the while, Anne Rizzo stood on the front porch screaming insults and obscenities, calling the cops “Nazis,” Phillips wrote. They arrested her next.

Meanwhile, a neighbor informed the officers she had spotted Debbie walking on the next block. They responded and apprehended her without any further resistance.

When I interviewed the long-retired Officer Phillips forty years later, he still remembered the two-family free-for-all. It was “almost comical,” he told me. And recently, Jody recalled the final scene in the drama, which took place at Milford police headquarters. Her father arrived by taxi to bail out the rest of the household. But he was drunk and forgot to pay the cab fare, so the taxi driver chased him into the lobby.

A history of questionable behavior notwithstanding, both girls had alibis for the time of Debbie’s disappearance. Jody was at home, attending to her infant daughter, as attested by the rest of the family. Sheila was miles away on Clearwater Beach, in the company of her friend Teresa, and without transportation.

But the neighborhood canvass had piqued McManus’s suspicions about Jody’s husband, Chuck. One neighbor remembered Chuck sunning himself in the driveway and whistling at one of the girls like he was calling a dog, commanding her to fetch him a beer. Another neighbor recalled seeing three young girls and a young man walking past her house a couple of weeks earlier. She didn’t know their names, but the descriptions fit Chuck, Jody, Sheila, and Debbie. They had been arguing. The young man said, “Go back, Debbie! Go back!” One of the young girls (presumably Debbie) kept asking, “Why? Why?” The young man replied, “Because we

hate you!” Debbie then turned around and walked back up the street. The others continued toward the dead-end leading into the woods—where Debbie’s body would eventually be found.

Plus, Chuck not only had a police record in Milford, for assault, but he also had been arrested since moving to Florida with Jody and her family. That one was for possession of a felony amount of marijuana on Clearwater Beach.

So, McManus pressed Chuck *hard* about Debbie’s murder. Chuck adamantly denied it. An old cassette tape of the interrogation contains his tearful protests. *I didn’t do it! That’s the honest to God’s truth! From my own heart, I didn’t do it! I didn’t! I swear to God!*

Jody recently described her late ex-husband to me as “a piece of work.” She said he was very controlling, had a bad temper, and had committed domestic violence against her more than once. She was afraid of him, she said, and tried to avoid conflict. Back then, Leonard and Anne considered him “a bum” who wasn’t good to Jody and didn’t contribute anything to household expenses or upkeep. He just ate their food and drank their beer.

But still, they provided him with an alibi.

He was home the entire time of the afternoon Debbie is believed to have been killed, having slept late after working all night. He was still there when Leonard came home looking for Debbie less than an hour after her disappearance. In another taped interview, Leonard insisted Chuck was in the clear. He told Vellucci and McManus: *May God be my witness, I swear to my mother, I swear on the Bible, I would tell you. Not only would I tell you, I would break his head before you got there. Because if I thought for a minute he did it, you wouldn’t even have to arrest him. You’d have to pick*

him up in pieces! That's the way I feel because I loved my little girl. Chuck has been dead for a decade now, and both Jody and Sheila still maintain his innocence.

The family's alibis forced Detectives McManus and Butler to look elsewhere for potential suspects. They began chasing down other leads, to widen the net.



Debbie's contacts with the outside world had been limited. However, it turned out some of Chuck's and Sheila's friends from work had visited the Rizzo house on occasion. A few of them had met Debbie there. One or two had even expressed interest in dating Debbie. Chuck and Sheila had discouraged them because of Debbie's mental condition. For one thing, Debbie wasn't allowed out of the house. For another, Sheila was embarrassed by Debbie's bizarre behavior.

The detectives checked the friends out, dragging a few of them in for interrogation. They all appeared to be relatively harmless young pot-heads and small-time dealers. Their stories were sketchy on details of their whereabouts, activities, and associates, as might be expected, given their lifestyles. But in the end, police could not connect any of them with Debbie's death.

So, in search of more leads, detectives reviewed all police reports regarding assaults, sex offenses, prowlers, burglaries, drug abuse, and suspicious activity of any kind in the general area where Debbie's remains had been found. They looked back six months but found nothing hinting at ties to her case.

Then, on August 21, nearly a month after Debbie's disappearance, a woman reported she had been walking her dog one evening near where Debbie's remains had been found. She walked there almost every night and never had any trouble, but on this occasion, a short, slender, sandy-haired adolescent boy on a gold bicycle rode past her a couple of times before approaching her on foot. The boy grabbed her by both arms and said, "Gee, I think you're cute!" The woman made a fist at him and warned, "You better get out of here!" The boy ran back to his bike, she said, and pedaled away.

Her description was good enough to produce a composite sketch of the suspect. McManus canvassed the neighborhood with it, to no avail. Then, a week later, he and another detective staked out the area. Sure enough, they soon spotted a boy riding a gold ten-speed bicycle. When confronted, the fourteen-year-old tearfully acknowledged the incident with the woman. But he insisted he only grabbed her arm to keep from falling when he accidentally tripped. He said he really meant to say her *dog* was cute.

McManus wasn't buying that. He took the boy home to his parents and interviewed him further. After arresting him for assaulting the woman, McManus questioned him about Debbie's case. The boy denied any knowledge of the incident or the Rizzo family. He said he had a summer job mowing lawns until 3 p.m. and that he was present for dinner with his family at 5 o'clock. The rest of his evening was accounted for, as he went to a local skateboard park with a friend, who corroborated his story. That left a two-hour gap in his alibi. McManus asked if he would take a polygraph, and his parents would not allow it.

But McManus could find nothing to connect the boy with the Rizzo family. Although he could not be definitively cleared as a suspect, the boy's slight build and ready flight at the least sign of resistance from the

woman he'd accosted, made him seem an unlikely killer. McManus did charge him with the assault on the woman, but with no evidence of any connections to Debbie's disappearance and death, and no polygraph, he had nothing to pursue.

That same week, McManus heard about a young man who worked nights as a janitor at Plumb Elementary School, also near where Debbie's remains had been found. According to police in the adjoining city of Largo, the young man had obtained the home phone numbers of female students, teachers, and staff from the office directory and made obscene phone calls to them. Largo's investigation was ongoing. At first, McManus thought the lead looked promising. Like Debbie, the young man had been a patient at Comprehensive Mental Health Services. But it turned out his first session had been after Debbie's disappearance. And McManus could find nothing else to indicate a connection.

Then, on August 30, another promising lead developed. A woman was jogging near the drawbridge on Memorial Causeway between downtown and Clearwater Beach, about five miles from where Debbie's body had been found, when a young man jumped out from behind a palm tree. He grabbed her from behind and held a knife to her throat. She screamed and struggled and was cut on the neck before the man finally fled.

Based on her description, McManus and Butler recognized the suspect from a prior case and the woman promptly picked his mugshot from a photo array. When they tracked him down, the young man was mowing lawns in a subdivision not far from where Debbie's body had been found. So, after getting his confession to the knife attack, they questioned him about Debbie's murder. He denied any involvement and insisted he had been working several miles away that day.

His employer corroborated his alibi. The young man also agreed to a polygraph test. The results showed no deception.

So, a month into the investigation, in a status update for the file, McManus reported “no substantial good information concerning any suspects in the Rizzo homicide.”

And although he continued to work several angles, no such information was ever forthcoming.

Around a year after Debbie’s death, the investigation was reclassified as “inactive,” meaning there were no leads left to pursue. Since there is no statute of limitations on murder in Florida, such cases technically cannot be closed because prosecution is always legally possible. However, Butler and other detectives had long since been reassigned, and now McManus also set the matter aside. It became a “shelf case,” one that literally sits on a file-room shelf, untouched, unless new information comes in.

A couple of quite minor updates did come in over the next twenty years. One was a follow-up interview with Jody in 1985. She had left Chuck by then, but she still vouched for him. The other was an oddball tip on Halloween 1994 from a member of a Tampa witches coven, who had been just six years old at the time of Debbie’s death. He said the coven had cast a magic circle in the vacant field near where Debbie’s remains had been discovered. They had made contact with Debbie’s spirit, the tipster said, and learned that Debbie’s uncle had killed her. There was no uncle in Florida at the time of the murder.

III.

When Debbie Rizzo was killed, I was a nineteen-year-old college freshman living a thousand miles away. I joined the Clearwater Police Department in 1983, five years after Debbie’s murder. By 1996 I was a detective sergeant, supervising investigations of child abuse and sex crimes.

That was before sex offenders were required to register. So, from time to time, I would review old murder files involving sexual assaults on minors. Such intensive investigations often identified sexual predators along the way and sometimes turn up potential suspects or information that might inform future investigations.

One summer day in 1996, Maggie Jewett, a veteran detective on my squad, set the Rizzo file on my desk, as part of that case-review process. Toward the end of the day, I found a moment to open the big three-ring binder. I was hooked the moment I started reading it.

It's hard to say why, exactly. At first it was the professional obligation to finish important work, the opportunity to learn from a case study in homicide investigation, and the challenge of solving a murder long after others had given up. But over time it became more personal than that. I came to know both the family—their names, birthdays, and personalities—and the cops—their names, ranks, and attitudes (you might be surprised how much they reveal of themselves in the tone of their investigative reports). They all became the cast of a long-running drama series that in my mind crossed the family from *Shameless* with the detectives of *Law & Order*.

So, I kept the file at hand throughout that assignment and all my subsequent ones until the day in December 2000 that I retired as the captain in command of the detective division.

During those years, I re-interviewed Jody, Chuck, Sheila, and the Blechschmidt family. I contacted Leonard's first wife and his daughter from that marriage. I researched the subsequent police records of nearly everyone mentioned in the case. I re-submitted the evidence to the state crime lab in the hope that modern forensic science would find something the FBI had missed back in 1978. I had the fingerprint cards scanned into the Automated Fingerprint Identification System database.

I sent a summary of the case to VICAP, the FBI's Violent Criminal Apprehension Program, which gathers information about possible serial killers and rapists across the country. I kept an eye on the news for any cases involving similar circumstances.

But in the end, I was no more successful than McManus had been.



Several years ago, I visited the cemetery where Debbie Rizzo lies buried. It is almost due south of her old house, shady, clean, and peaceful, tucked away from Pinellas County's urban sprawl.

The day was bright and warm. It was just after noon on Memorial Day. The graves of all the veterans had sprouted tiny American flags.

Debbie's marker is a simple bronze plaque on a marble base, flush to the ground. The inscription is also simple, just her full name and her dates, September 22, 1962–August 2, 1978. She would have turned sixteen if she'd lived about two more months. The Star of David is in each upper corner.

Her mother's grave is to the left, also bearing the Star of David in the corners. Anne Rizzo died of cancer in 1982, just four years after Debbie, at the age of fifty-five. Leonard Rizzo's grave is to the right. It doesn't have the Star of David but bears the additional inscription, "U.S. Army/World War II." Someone had planted one of the little American flags next to it. Leonard died at sixty-nine in 1986.

As I stood there, Roethke's "Elegy for Jane" came to mind:

I with no rights in this matter

Neither father nor lover.

It was, after all, her family who felt the trauma of Debbie's loss.

I remember first interviewing Jody back in 1997. She had a sixteen by twenty-inch color portrait of Debbie prominently displayed in her living room, and she quickly pointed out her own resemblance to the girl in the picture. She is now in her early sixties, and says she hopes the case can be solved while she is still alive.

Sheila is equally possessive of Debbie's memory. She recently told me by phone that when they were children, people often mistook her and Debbie for twins. She also recalled being very afraid after Debbie's murder, too afraid even to date anyone for years.

Debbie's mother, meanwhile, never forgave herself for her part in the family's decision to move to Florida. In August 1978, Anne Rizzo told the *Times*, "Imagine, to come here for happiness, and to have this happen." As far as Sheila is concerned, Debbie's death pretty much killed her mother, too.

Back in May 1979, the *Times* also reported on her father's sense of guilt for not being on time to pick Debbie up that day. The reporter put it this way in the story:

"Leonard Rizzo makes all the motions like the rest of us. He eats, sleeps and drinks at all the right times. But while most of us live life day by day and look to the future, Rizzo stands rooted to the past and the terrible tragedy of last July 24.

"The worry had caused him a literal heart attack, he said.

"I must know who killed my little girl,' Leonard declared, offering a \$1,000 reward for information. 'And that person must be punished.'"

But he never would know. He died on July 24, 1986, the eighth anniversary of his daughter's disappearance.

Sheila said she prays every night that Debbie will come to her somehow and tell her what happened. Maybe if the case were solved, she thinks, her mother and father would rest in peace.

Still, with every passing year, such an outcome becomes increasingly unlikely. The years have brought with them the passing of many people who were involved in the investigation, including the cops. Captain Velucci and Detectives McManus and Butler are gone. Butler was the last of them, and he died in January 2021.

Still, solving the murder is not impossible. Perhaps Debbie's killer is in prison somewhere, locked up for decades for some other vicious crime, even sitting on death row, with no reason not to confess. It's also possible her killer is still at large, but perhaps facing natural mortality and motivated to talk by a desire to die with a clear conscience. That doesn't happen often, but it does happen. Or her killer may have already said something relevant at some point—to a family member or friend who might belatedly decide to come forward.

Many a cold case has been solved over the years under one of those scenarios, several of them right in Pinellas County. For example, In August 1971, the body of fourteen-year-old Gina Justi was found in an orange grove north of Clearwater. She had disappeared on her way to a friend's house. Like Debbie, she was dark-haired and wearing a T-shirt, denim shorts, and sandals. Like Debbie, she was strangled. But because her remains were more intact, investigators could tell more about her manner of death.

Pinellas County sheriff's detectives considered several persons of interest at the time. They even made an arrest, but the charges were dropped for lack of evidence. The case went cold for four decades.

But in 2011, advances in forensic DNA technology identified Gina's killer as Jerry Fletcher, a former Florida resident previously unknown to Pinellas County investigators. By then, he was serving multiple life sentences in Illinois for a remarkably similar kidnapping and homicide of a thirteen-year-old girl near Peoria.

Fletcher subsequently pleaded guilty to Gina's murder, too, in exchange for another life sentence. Then he reneged on his plea agreement to talk about his other victims.

He couldn't have helped in Debbie Rizzo's case, as he was in prison at the time of her death. Still, Debbie's murder has some of the hallmarks of a serial killer. It just has never been linked to a series. If Clearwater police could make such a connection at some point, they might still learn the answer.



Many old cops have at least one unsolved case they can't let go of. They suffer nagging doubts that something has been overlooked. That some key question has not been asked or, if asked, not adequately answered. That some crucial piece of physical evidence has been missed, or some definitive forensic test has not yet been run (or even invented, as with the improvements in forensic DNA technology). Any one of those things might bring justice to the victim and closure to the family, not to mention a balm for injured professional pride of a detective. So, they worry about it, dream about it. Sometimes they even annoy their successors about it.

I knew a retired St. Petersburg detective sergeant named Bill Carlisle. Well into his eighties, he was still obsessed with an unsolved murder a decade older than Debbie's: On Halloween 1969, a young woman's

body had been found in a steamer trunk in the woods behind a popular seafood restaurant. Police were never able to identify her, let alone find her killer. Calvin Trillin wrote about it in the April 15, 1972, issue of *The New Yorker*, in a story headlined “Unmissed Person.”

Carlisle later taught at the police academy I attended in 1983. He talked so much about the “girl in the trunk” that my class presented him with a plaque engraved with an image of a trunk, the date of the crime, and the department’s file number. When St. Petersburg’s cold-case detectives dug up the woman’s body in 2010 for modern forensic testing, Carlisle was there at the cemetery.

He died a few months later. Bill Carlisle had been a devoted family man and a deacon in his church. He’d coached Little League baseball and officiated high school football and basketball. He’d been an avid golfer. For his good citizenship over the years, he’d been presented with the ceremonial key to the city. And yet, the *Times* headline over his obituary was, “Retired St. Petersburg Homicide Detective Never Let Go of 40-Year-Old Murder Mystery.”

I understand how he felt. Since I retired, I have spent many an evening with a glass of bourbon and my notes while my wife watches TV or chats with her Facebook friends. While walking the dogs I try to imagine various hypothetical scenarios. While running errands in the car I construct and deconstruct theories of the case, trying out motive and opportunity on the different players.

In spare moments I search Google, Facebook, Ancestry.com, and online newspaper databases for anyone I can think of who might be relevant to the investigation. I have even done a few more interviews by telephone and email. They’ve been fascinating, but inconclusive. So much time has passed.

When I do find something of interest, I pass it along to my old department’s Criminal Investigations Division. They thank me politely.

Hattie Brazier Stands Up

*A tale of race, law enforcement, and murder in 1957 America,
not so long ago*

—Mary Kelly

James and Hattie Bell Brazier had a reputation for a higher standard of living than most blacks and even some whites in the small Georgia town of Dawson. They were African-Americans who owned their home. Between them they worked five jobs. In 1956, they purchased a brand new car. It would cost them dearly.

James Brazier was a thirty year-old World War II veteran with a day job at the local Chevrolet dealership gas station and a night job at the Dawson Cotton Oil company. While the median annual income for nonwhite families in late 1950s Terrell County was \$1,300, James earned nearly three times that much—not even including his wife’s income from her multiple cleaning jobs. Sometimes the Braziers even picked cotton to add even more to their relatively substantial income. Only 12 percent of the nonwhite families in Terrell County made more than \$3,000 a year. The median income for whites in the county at that time, meanwhile, was \$4,300.

By November 1957, meanwhile, Hattie was all too familiar with the dusty roads leading from her home to the Terrell County jail. James had been in trouble with local law enforcement before. Police officers usually just charged him with disorderly conduct and let him go, the fine less than \$25. This time, though, in early November, would be different.

On November 2, Hattie had taken their four children to a fair in nearby Albany. James was supposed to pick his family up from the outing but he never showed up. When she finally got back to Dawson that Saturday night, Hattie learned that her husband had again been arrested. When she arrived at the jail, Officer Weyman Burchle Cherry told her that her husband had been drunk and tearing down the road at 75 miles per hour. Cherry told her to come back the next morning. She did, and waited while her husband paid a \$150 bond. But as soon as he climbed into their Chevrolet, the couple sped straight to the hospital.

From his night in jail, James Brazier sported a large swollen red bump in between his eyes and blood in his ears. He vomited blood, too, and when he lifted his shirt, Hattie could see the mark of a footprint on his lower back. According to her sworn affidavit for a U.S. Commission on Civil Rights investigation, James told Hattie that as soon as they entered the jail, Cherry had smacked him on the back of the head and knocked him to the floor. The officer snarled down at him, James told her, and said, "You smart son-of-a-bitch, I been wanting to get my hands on you for a long time."

James wanted to know why, and Cherry told him, according to Hattie: "You is a nigger who is buying new cars and we can't hardly live. I'll get you yet." After hitting and kicking Brazier more, Cherry warned him, "You'd better not say any damn thing about it or I'll stomp your damn brains out."

Soon after James Brazier was treated for his head injuries, he complained to Hattie about persistent headaches. Since her husband's ailments had been caused by his interactions with the Dawson police, Hattie marched back to the jail, which was the center of operations for both city and county law enforcement. She brandished the medical bill before the sheriff, Z.T. Mathews. The sheriff told her that if James's headaches persisted, Mathews himself would take him to the hospital.

The headaches did persist. So the next month, Hattie returned to the jail to take Mathews up on his word. Law enforcement officials picked James up from his home. But instead of checking him in to the hospital, they dumped him back in a jail cell. Hattie had to post \$25 bail for James's release, though he had not been charged with a crime.

In the spring of 1958, the Braziers bought another new car: a 1958 Impala, which would have had a starting price of \$2,586—more than Officer Cherry's annual salary. Cherry would later be promoted to assistant chief of police, but even then he would only earn only about two-thirds of Brazier's annual income. The Braziers did not fear white jealousy. James Brazier kept his brand new Chevrolet—light blue with a white top—clean and shining, cruising it proudly around the small town.

One day, a different white Dawson police officer, Randolph McDonald, eyed the automobile and asked Hattie and James how they were able to afford it.

"I works for what I gets," James Brazier retorted, according to his wife.

McDonald's response would haunt Hattie Brazier in the months and years to come. "You'll never remember paying for it," he said.

In April 1956, Terrell County, Georgia had honored the one hundredth year since its founding with a special weeklong celebration. The festivities included the “Miss Centennial” and “Miss Terrell County” pageants, daily activities dedicated to agriculture and the military, and nightly Centennial Pageant performances and “Colossal Fireworks Displays.”

The city of Dawson, the county seat, released a seventy-six-page “panorama” to commemorate the event, which was “dedicated to the men and women whose far-seeing judgment and Christian beliefs have made Terrell County one of the growing, progressive Counties of Southwest Georgia, where families take root and grow, nurtured by working Churches, good schools and expressed neighborliness.”

Somber portraits of deceased members of important families peer out from the booklet’s pages, with their genealogies detailed underneath. Photographs of old railroads and men on horseback show the county’s transition from nineteenth century wilderness to an agricultural community. But something was missing. Despite the fact that two-thirds of the county’s population at the time was African-American, the only black people in the booklet appear in photographs as laborers or are mentioned, nameless, as slaves. This was, in a sense, historically accurate. Blacks had not had equal political, social, or economic representation in Terrell County for the county’s entire one hundred year existence.

Dawson was a part of Georgia’s “Black Belt” in both an agricultural and population sense. Its rich, dark soil yielded peanuts, cotton, fertilizer, and corn. Its majority black population worked that soil and labored in the railroad, mills, and logging camps, or in white people’s homes.

By 1958, though, changing national sentiment and successful federal legislation were threatening the legitimacy of unequal societies like that of Terrell County. The Supreme Court had ruled in the 1954 deci-

sion *Brown v Board of Education* that segregation in public schools was unconstitutional—opening the door for desegregation and paving the path for a nationwide campaign for equal rights.

A little more than a year after *Brown*, the violent lynching death of a fourteen-year-old black Chicago native, Emmett Till, in Money, Mississippi, kick-started the national civil rights movement. Till's death would have been simply another statistic if his mother, Mamie Till, had not chosen to give her son an open-casket funeral. Publicity surrounding the gruesome corpse, the grieving mother, and the acquittal of the white men widely known to be responsible, brought race-related violence to the forefront of the national conscience. In 1957, Congress passed the Civil Rights Act of 1957, establishing the Civil Rights Division of the U.S. Justice Department and the U.S. Civil Rights Commission, both of which would find their way to Terrell County within the next few years.

While the Brazier family may have been distantly aware of looming cultural change, miles of dusty roads, a declining agricultural economy, and a culture of traditional conservatism in southwest Georgia muffled the significance of these events. Hattie and James, like the vast majority of Terrell County blacks, were not involved in civil rights activity. White men pulled the economic strings, and any threat to the racial hierarchy would result in guaranteed unemployment, or worse. Dawson's law enforcement officials were notorious for their use of violence against African-American men and women. Every black child in Dawson was raised in fear of the flashing lights of the police cruiser.

On the afternoon of April 20, 1958, some five months after his arrest and beating, James Brazier dropped Hattie and the children back off at their home in North Ash Street after church. He left the house in his

baby blue Chevrolet to bring his sister's children to their home. When he returned an hour later, Hattie saw that he was driving a different car. She recognized the new vehicle as that of James's father, Odell Brazier.

Hattie rushed outside. She could see several of her neighbors relaxing in the afternoon sunlight on their porches. James climbed out of the car with fear etched on his face. As Hattie would later recant to investigators, James told her he had been on his way home when he had spotted his father's car parked on the side of the highway, in front of a police cruiser. As James Brazier pulled over, he saw Officer McDonald hitting the elder Brazier on the head with a blackjack. James got out of his car—the 1958 Impala that McDonald had previously admired—and implored McDonald to stop hitting his father. McDonald pushed Odell Brazier into the police cruiser and drove off toward the county jail.

As James was finishing the story, another police cruiser pulled up to their house, carrying Officers McDonald and Cherry. The policemen hopped out of the car, slammed the doors, and marched down the Brazier's yard. They ignored Hattie and grabbed James's arms, dragging him to the front of the house.

McDonald charged that Brazier had threatened him and interfered with Odell Brazier's arrest. In front of the four young Brazier children and an audience of neighbors, Cherry kicked James Brazier in the groin and beat him on the head with a blackjack. Some neighbors claimed Cherry also pulled a gun.

Verda remembers “horrible” sight: “Just watching your mom scream was enough to drive you crazy,” she recalled in an interview. “And we just children, and just couldn't do nothing. Everyone standing around looking, nobody could do anything.”

James Brazier Jr., his namesake's oldest son, pushed between the two men, but Cherry knocked boy to the ground. The police officers, who had not shown a warrant, charged James Brazier with resisting arrest and hauled him to the Terrell County Jail, which shared facilities with the city of Dawson Police Department.

Hattie Brazier immediately tracked down her husband's employer, Ragan Arnold. She hoped that, as a white man, he could reason with the officers. After Arnold did not convince the officers to let her husband out of jail, Hattie worried alone in bed until two in the morning.

When he was brought into the prison, James Brazier had been wearing his Sunday suit, a white shirt, and dress shoes. Dr. Charles Ward, who was called to the jail to look at him, observed that James had head wounds, slurred speech, and, once again, blood in his ear—all symptoms of a serious head injury. Ward, a white man who was also the County Medical Examiner, interpreted the slurred speech as intoxication. He recommended the police officers place Brazier somewhere quiet, so the officers transferred him from the male side of the prison to the female side.

Later that night, according to other inmates who were inside the jail then, Cherry, McDonald, and other officers led James Brazier out of his cell. When they returned him hours later, he was incoherent, bloody, and naked, wrapped in an army blanket. After daybreak, when he was expected to make an appearance at Mayor's Court and enter a plea for resisting arrest, a nearly comatose James Brazier had to be carried out of his cell.

V.L. Singletary, Dawson's mayor and the court judge, fined Odell Brazier \$115 but postponed James Brazier's hearing because "he appeared to be intoxicated." Hattie Brazier arrived at the courthouse just in time to see the end of her husband's appearance in mayor's court. When she saw

him, she screamed. She later described the scene: “He was sitting in a chair, slung over,” she said, “and his tongue was hanging kind-of half-way out and a long sleet of white slobber was hanging out his mouth.”

The mayor threw her out of court for causing a disturbance. After the trial, she drove her husband to the Terrell County Hospital, where they saw Dr. Ward—the same doctor who had treated James Brazier’s head injuries the night before with nothing but a bandage. Upon this examination, he told Hattie Brazier to rush the now unconscious man to a specialist an hour away. With her family in tow, Hattie Brazier rocketed off to Columbus. Sara Brazier, James’s sister, was pregnant at the time. She cradled her brother’s battered head in the backseat of their car as the family sped towards the hospital.

He would last four days. During the time James Brazier lay in the Columbus Medical Center, a nurse at the Columbus Medical Center let Hattie stay at her home so she could be close to her husband. All of the couple’s children gathered to say goodbye to their father. Verda Brazier remembers the scene:

“When we saw him that Friday his head was soft as cotton, like a newborn baby....They said he didn’t gain conscious but he did for a moment, because they called all the children in to say, you know, goodbye. And he opened his eyes and said ‘Where gurl?’ He called my mama ‘gurl.’”

James Brazier died on April 25, 1958 of cerebral necrosis and hemorrhage related to head trauma. His family held a military funeral for him at I Hope Baptist Church the next week. Verda watched her newly widowed mother receive sympathy. “Everybody kept saying ‘Oh, it’s a shame he had to leave that little baby and she got all them children to take care of,’” Verda remembers. “Oh it was horrible. All I could do was cry.”

The end of her husband's life did not mean the end of trouble for Hattie Brazier and her family. While she was grieving at her husband's funeral service, Dawson police arrested Odell Brazier again, for running a stop sign. In fact, the Braziers would only remain in Dawson for a few months after James's death, in part because of continued harassment.

Verda remembers that her mother "wasn't afraid at all," and helped her children stay brave for the short time they stayed in Dawson after their father's death. "She was just a strong woman," she recalled. "I mean you couldn't jump in her face without her retaliating, talking back. She wasn't shy at all; I'll put it that way. She wasn't shy."

Still, Verda had to walk through a barrage of taunts and rocks to get to school. "*Nah nah nah nah nah, your daddy got killed, nah nah nah nah nah,*" she would recall.

Hattie sent Verda and her brother James to live with relatives in New Jersey. James's siblings believed that the death of their father, his namesake, gave him lifelong anger problems. For years afterward, his brothers and sisters could not mention their father's name in his presence.

The violent circumstances of James Brazier's death continued to haunt his sister Sara, too. She remained in Dawson and worked at a restaurant where Cherry, McDonald, and other law enforcement officers frequently ate lunch. The sight of them sitting at the lunch counter crashed a new wave of anger over the young woman every day.

Still, the Brazier family did not stay quiet. Even as James was still lying comatose in his hospital bed, Odell Brazier made the two-and-a-half hour journey to Atlanta to report the case to the FBI, which opened an initial civil rights investigation, bringing FBI Agents Maurice Foshee and Henry Burgett into Dawson.

Meanwhile, about a month after James Brazier died, tensions between the Dawson African-American community and local law enforcement, already high since Brazier's death, came to a head. On the night of May 23, Officer Cherry shot Tobe Latimer, a black man, in the buttocks at the local juke joint. Two nights later, Officer Cherry killed another black man, Willie Countryman, a thirty-two-year-old laborer. Cherry shot Countryman in the middle of the night in the victim's own back yard. Cherry and Robert Hancock, another officer on the night patrol, said they had been investigating a loud noise when Countryman appeared from behind a tree, brandishing a knife.

However, black witnesses said there had been no noise outside that night aside from the ring of the lone bullet bursting from Cherry's pistol, and that Countryman's small yard did not have a tree thick enough to hide a man. There were further inconsistencies with the police officers' version of events, but a coroner's jury ruled that Cherry had acted in self-defense.

That same day Countryman was killed, another officer, Harold Jones, arrested a twenty-one-year-old black man named Billie Flagg. Flagg had been playing a game of baseball when Jones cruised by in his police vehicle. Flagg made a hand gesture like he was shooting a gun at the police officer. Jones stopped the car, marched up to Flagg, slapped him and took him to jail. When Flagg's mother, Annie, went to the jail to inquire about her son, she was also thrown into jail.

The news about the weekend's events spread quickly within the Dawson African-American community. After hearing rumors that black men and women were considering retaliation against Officer Cherry, who had reportedly said that he was going to "get" four more black men, a small group of leading black citizens convened a meeting under the banner "Law, Justice, Order." They hastily wrote a letter to John Wesley Dobbs, a leading political leader in Atlanta:

The colored people is worried and afred, But if something don't be done some are planning on getting there guns and trying to stop it that way seam like no one else cares if they kill all of us. They don't believe no one care for them we are praying that something be done in a hurry!! In a Hurry! In a Hurry!

At the end of the letter, they signed their names and added a postscript: "PLEASE COME! PLEASE COME! PLEASE COME! WE CAN'T HOLD THESE PEOPLE MUCH LONGER."

The FBI opened up a new investigation in Dawson, into the death of Willie Countryman. The investigation began with a stumble, as Cherry went on vacation for Labor Day—prolonging the process—and Special Agent Burgett was censured for possibly mishandling his interviews with reticent black witnesses. Additionally, the Police Chief, Howard Lee, told his officers not to talk with FBI agents without an attorney present—an abnormality that stood out to the Special Agent in Charge in Atlanta.

While the FBI probe sputtered, the NAACP began its own investigation. Amos Holmes, the organization's field secretary for the state of Georgia, had become aware of Brazier's death from a small blurb in the *Atlanta Daily World* in May announcing the start of the FBI investigation. Holmes came into Terrell County after reports of Countryman's death. Black witnesses were more willing to talk to Holmes than to the white FBI agents, although they were still averse to getting involved with the NAACP. (The Terrell County branch of the NAACP was widely considered a one-man show run, operated, and funded by local black landowner D.U. Pullum—one of the few black men and women not economically dependent on a white man.) Local racial tensions were so high that local African-Americans warned Holmes, as a member of the

NAACP, to stay away. Holmes would assess the situation in the county to be “as bad as any [the NAACP administrators] have seen during our experiences in the South.”

Despite the known risks of associating with the NAACP—further harassment by white people or possibly being fired by a white employer—Hattie Brazier told Holmes what had happened to her husband. Compiling his interviews into a report, Holmes told NAACP leaders that Terrell County was a “powder keg” that “might explode at any time.” Holmes fed the contents of his report to editor Al Friendly of *The Washington Post* and *Times Herald*, which sent reporter Robert E. Lee Baker down to investigate.

With a name charged in Confederate memory, Baker was the main reporter for *The Washington Post* covering the American South in 1958. When he arrived in Dawson that spring, Baker encountered what he would describe as an “atmosphere of fear,” an “atmosphere of intimidation,” and an “atmosphere of despair.” Not one of the sources with whom he spoke would allow Baker to print their names. They would not even talk to him within county borders. When they did convene with Baker, he found, they “talked softly, earnestly behind tightly drawn shades.”

Baker’s vivid account of the situation in Dawson was published on the June 8 front page under the headline “Death and Violence Terrorize Negroes of Georgia Town.” Baker’s story would bring Dawson’s hidden brutality to national attention. In addition to the deaths of Brazier and Countryman, and the wounding of Flagg, Latimer, and several others, Baker wrote of other injustices in the county. His report described how law enforcement officials could persecute the county’s black community in part because blacks had practically no say in Terrell County.

Only forty-eight of the about 7,500 black people in the county were registered to vote. In comparison, there were 3,486 white registered voters.

Almost three weeks before James Brazier's death in April 1958, a group of Terrell County blacks had visited the county courthouse in an attempt to register to vote, according to an NAACP investigation. Most of them were teachers in the black schools and many were college graduates. This group of educated black men and women could not pass the registrar's literacy test, which required registrants to "read, interpret, and write any paragraph of the Federal or State Constitution." If the registrant could not perform that task, he or she could try to answer twenty to thirty oral questions. The registrant's answers to these questions were completely open to the interpretation of the registrar, a white Terrell County official. Questions included: "What does the Constitution of Georgia provide regarding the suspension of the writ of *habeus corpus*?" "What are the names of the Federal District judges in Georgia?" and "Who are the citizens of Georgia?" One of the black registrants, a teacher with a Bachelor of Science degree, had been trying to register for two years. He was rejected for ostensibly slurring the word "original," and he was later fired from his position.

This group of registrants planned to push back against this blatant violation of the infant Civil Rights Act of 1957. Baker's article would give them the publicity they hoped would propel their case forward.

Meanwhile, while Dawson's blacks met Baker in secret and only dared whisper their stories of violence and oppression, Dawson's white law enforcement officials brazenly gave Baker, a fellow southern white man, quotations verifying their tyrannical reputations.

"You know, Cap', there ain't nothing like fear to keep niggers in line," Terrell County Sheriff Zachary "Z.T." Taylor Mathews told Baker, as quoted in the *Washington Post*. "I'm talking about 'outlaw' niggers. And we always tell them there are four roads leading out of Dawson in all directions and they are free to go anytime they don't like it here."

Mathews, who ran the Terrell County jail, did not deny that blacks were excluded from the local political process.

“Well, Cap’, I believe we ought to be strict about who votes,” the sheriff said. “There isn’t a nigger in Georgia who wouldn’t take over if he could. They want all the power.” The law enforcement officials blamed the recent unrest on news from the northern press spreading ideas about civil rights, and on “Communists.” They blamed the violent incidents on alcohol.

Dawson’s Police Chief, meanwhile, Howard Lee, told Baker that he was annoyed when white citizens bothered him about James Brazier’s death. He showed Baker the man’s record of seven arrests as an explanation for the deceased man’s character, but noted that he had been surprised by Countryman’s apparent attack on his officers. He said Countryman had been “a good nigger.”

Lee said he didn’t like the FBI coming around asking questions about the Brazier and Countryman deaths. “It aggravates me,” Lee told Baker, as quoted in the story, “because the FBI starts talking to niggers and then the niggers get the thinking they’re important and it stirs them up.” The police chief specifically requested that Baker write down several of his memorable quotations, including: “We’re just as good to niggers as they’ll let us be.”

Baker described Dawson’s leading official, Mayor Singletary, as “a quiet, pleasant man” who “seemed weary” when talking about race. Singletary was the judge who had ignored James Brazier’s visibly severe medical state in court the morning of April 21. Singletary told Baker that race relations in Dawson were “generally good” and that the city had “lots of good niggers.” The city’s police chief painted a prophetically different picture.

“We’ve had a lot of trouble,” Lee told Baker. “We’re going to have more of it.”

Baker’s front-page article evoked sharp reactions across the state and the nation. An editorial in *The Washington Post* published the day after the article summarized Northern sentiment: “What has happened in Terrell County concerns the conscience of humanity,” it said.

Baker’s national article put Dawson’s own main news source on the defensive. “At the moment without a ‘Little Rock,’ *The Washington Post* and *Times-Herald* must have a whipping boy,” *Dawson News* editor-in-chief Carl Rountree protested in a June 12 editorial. “And so they have chosen Dawson, on the basis of rumor, as its new target.”

“The negroes of Dawson have nothing to fear,” Rountree asserted.

Terrell County’s officials justified their actions. “Anything I did I would do again if the circumstances were the same,” Cherry told *The Atlanta Constitution*. He maintained that Baker never asked him about Brazier’s death or any other violent incidents for his article. In the same article, Chief Lee defends Officer Cherry, who had shot Countryman and allegedly beaten Brazier, as “one of the most level-headed officers I have worked with.”

As Baker’s article rippled across the country, pressure mounted on the federal government to act. Congressman Charles C. Diggs Jr., an African American Democrat from Michigan, deemed the “obvious voter intimidations and ‘under-color-of-law’ savage brutality” in Dawson “the counterpart of the worst Nazi abomination.”

The information broadcast by the *Post* story motivated the Justice Department to reopen the Brazier and Countryman cases and to request a full investigation into all of the article’s allegations. Working with the NAACP, federal agents gathered information for prosecution.

During the first week of August 1958, U.S. Attorney Frank Evans went before a federal grand jury sitting in Macon and pursued indictments against the Terrell County law enforcement officials named in Baker's article. Hattie Brazier stayed involved, in the hope that the men responsible for her husband's death would meet some kind of punishment. Over the course of three days, Evans presented testimony from more than twenty witnesses in the deaths of James Brazier and Willie Countryman, and in the injuries to Willie B. Latimer, Billy Flagg, and another black man named Eugene Renfroe.

One key witness was missing: Marvin Goshea, a young black man who had been in jail with James Brazier that fateful April night, and who had been prepared to provide incriminating testimony against his former jailers.

Goshea told investigators he had seen Brazier walk into his jail cell wearing his Sunday suit and tie. Goshea had held a coherent conversation with the other prisoner before Officers Cherry and McDonald ordered Brazier to follow them out of the cell later that night. Goshea had heard James Brazier ask them to wait so he could put on his shoes.

Goshea had heard Cherry reply, "You won't need no shoes."

The next morning, Goshea helped carry a bloody and incoherent James Brazier to Mayor's Court. The injured man no longer wore his blue suit coat; he wore only a ripped undershirt and dirty trousers, and he had four bruised and foot-long red marks on his back. His head was bleeding worse than when he had entered the jail the previous night.

Later that summer, shortly after receiving a subpoena to appear before the federal grand jury, the twenty-three-year-old Goshea was walking on a Dawson street when Officer Cherry stopped him and told him to go to jail. Goshea told investigators that when he asked why, Officer Cherry replied, "You just need to be in jail."

Goshea was kept in jail for one week, including the entire length of the federal grand jury hearing. Goshea never testified. At the end of the week, Cherry told him he could go home. “I can only guess,” Goshea later told investigators, “although no one ever told me, that the only reason I was locked up was because they didn’t want me to go to Macon.” On August 8, the twenty-three-member grand jury refused to indict Cherry, McDonald, and the other law enforcement officials.

New York Times reporter Anthony Lewis wrote that the verdict was an example of the difficulties of prosecuting civil rights violations under federal law—most significantly, the impossibility of getting an all-white southern jury to bring any indictments for white-on-black crimes. And in a county like Terrell, where less than one percent of the black population was registered to vote and therefore registered to be chosen for jury duty, the juries were all but guaranteed to be white.

Meanwhile, the Justice Department returned to the county one month later to file the first-ever court action under the Civil Rights Act of 1957. *U.S. v Raines* named the Terrell County Board of Registrars as defendants and charged its members with “arbitrary refusal to register Negroes who demonstrate themselves to be fully qualified.”

In September 1960, Judge William Bootle of the U.S. District Court in Macon found that thirty Terrell County blacks had been denied the right to vote based on race. The court ordered the board of registrars to put four African-Americans on the voter registration rolls and placed an injunction against any further acts of discrimination. However, Bootle denied the Justice Department’s request to appoint a “voter referee” to supervise voter registration. So while there was a formal federal injunction against the Dawson registrars’ actions, there was nothing in place to make sure that the injunction was followed.

Despite federal intrusion, not much changed in Terrell County. The 1960 federal injunction went unenforced. And, meanwhile, the Macon federal grand jury's decision to not indict Dawson law enforcement officials allowed their tyranny over the black community to continue. Cherry, the officer accused of killing two black men and wounding at least one more, was promoted to police chief in 1959.

So it would be left to Hattie Brazier to decide whether or not to pursue justice against her husband's killers through a different route. She could quietly accept her husband's death as an example of insurmountable Southern injustice or she could pursue her day in court, in a civil action. The choice seemed clear to her.

Though Hattie had moved with her two younger children, Hattie Jr. and Willie, to Albany, a half hour's drive away from Dawson, she still could not avoid harassment by the Dawson police. In 1959, Dawson officers arrested her in Albany on a charge of stealing her own "power mow" from her father-in-law (Odell Brazier), who had borrowed it. When she met Sheriff Mathews back in Dawson that year, he showed no sympathy for her husband's death. "A nigger like you, I feel like slapping them out," he told the widow, according to an NAACP investigation. "You niggers set around here and look at television and go up North and come back and do to white folks here like the niggers up North do, but you ain't gonna do it.

"I'm gonna carry the South's orders out like they oughta be done," the sheriff said.

In April 1960, almost exactly two years after Cherry and McDonald grabbed James Brazier from his home on Ash Street, Hattie Brazier's lawyers filed a civil suit in the U.S. District Court for the Middle District of Georgia against Cherry, McDonald, Mathews, and Howard Lee.

Hattie sued for the alleged wrongful death of her husband under the argument that the defendants had deprived James Brazier of his most basic civil right: the right to life. The suit alleged that James Brazier died from “willful and intentional acts of violence, individually and collectively” committed by the defendants who “had a duty to protect him while in their individual and collective custody.” Sheriff Mathews was included in the suit because the county jail shared facilities, including the jailhouse, with the city of Dawson police department.

Hattie sought \$120,448 for the price of her husband’s life. Her lawyers determined that James Brazier, who was thirty-one when he died, had had a life expectancy of 33.68 years and had a monthly income of \$300. She also sought \$50,000 in punitive damage, for a suit totaling \$170,448.

Convictions for white-on-black crimes in the Jim Crow South were rare. A black plaintiff would more than likely face an all-white jury and a white judge, who—especially in local or state trials—were likely to side with a white defendant. And in this case, the attorney for the defendants was a powerful one—Charles J. Bloch, who had also defended the Terrell County Board of Registrars in their voting rights suit. Bloch was one of the most eminent lawyers in Georgia and one of the best connected. The Macon-based attorney was a close friend to U.S. Sen. Richard Russell, the powerful segregationist Georgia lawmaker. He had also represented the segregationist governor, Herman Talmadge, and had argued against the Civil Rights Act of 1957 before the U.S. Supreme Court. In 1958, the year Dawson first made national news, “Macon’s Lawyer of the Year” published his book, *States’ Rights: the Law of the Land*. The dry book, full of legalese, outlined Bloch’s opinion that the Supreme Court’s decision in *Brown vs. Board* had outrageously denied southern states their right to self-government, without precedent. He was Jewish and, in that regard, an anomaly as a white supremacist.

In *Brazier vs. Cherry*, Bloch asked the federal court to dismiss the case for lack of jurisdiction and, in June 1960, federal Judge William Bootle obliged. Hattie Brazier's lawyers, Donald Hollowell and C.B. King, appealed that decision to the Fifth U.S. Circuit Court of Appeals.

Hollowell and King were two of only a handful of African-American lawyers in Georgia at the time. King was the only black lawyer based in South Georgia who took on criminal and civil cases, and was known for his eloquence and nearly photographic memory in the courtroom. Hollowell, as the chief civil rights lawyer in Atlanta, already had an overloaded schedule by the time he and King filed Hattie Brazier's civil suit. While serving as chairman of Georgia's NAACP Legal Redress Committee, he was, along with the committee's Director-Counsel, Thurgood Marshall, working on a case to desegregate the restaurants in the Atlanta airport. Hollowell was also counsel for Charlayne Hunter and Hamilton Holmes in the case that would lead to desegregation of the University of Georgia in 1961. Hollowell fought for equal justice for blacks while experiencing discrimination in the courtroom, including judges who turned their backs on him as he argued his clients' cases. In the courtroom, Hollowell typically played the "good cop" attorney, while King served the "bad cop" role.

Their work on the Brazier case was likely financed by the NAACP Legal Defense and Educational Fund, which financed the bulk of Hollowell's civil rights case expenses. Hollowell would take civil rights cases for little to no compensation, keeping his firm open through his work with other types of cases. The two African-American attorneys matched blows with Georgia's leading segregationist lawyer in a flurry of legal paperwork. The Fifth Circuit Court of Appeals reversed Bootle's decision on July 7, 1961. For the second time in a case involving Terrell County, Bloch had appealed all the way to the Supreme Court and lost. Hattie Brazier's case would go to trial.

By the time Hattie received word that she would once again be meeting officers Cherry and McDonald in court, the legally sanctioned violence in her husband's story had fueled Terrell County's reputation as "Terrible" Terrell. Brewing restlessness and mounting discontent over segregation in southwest Georgia erupted that year with the formation of the Albany Movement in bordering Dougherty County, which mobilized thousands in support of desegregation and set the stage for later, more successful movements. National civil rights organizations descended upon Southwest Georgia and white Dougherty County law enforcement jailed local blacks by the hundreds. The movement attracted national media as prominent civil rights leaders like Dr. Martin Luther King Jr. joined the nonviolent protests.

The movement also attracted sixteen-year-old Verda Brazier, who had been living in Albany for a short time with her mother. She said she visited a protest at first to be "nosy" and meet boys, but eventually joined in. "You could tell how people felt," she recalled. "People were determined to get that recognition—I suppose, if you think about it, to stop being trampled and considered a nobody people."

The Albany Movement spilled over into Terrell County in early 1962, when members of the Student Nonviolent Coordinating Committee, known as SNCC (usually pronounced as "snick"), announced plans to push their campaign to register black voters beyond Albany and into rural Dougherty, Lee, and Terrell counties. The Southwest Georgia Voter Registration Project leader was Charles Sherrod, who, at twenty-five, was already a veteran of the nonviolent movement. Sherrod, a black man, was acquainted with Terrell County, which SNCC workers christened "Tombstone Territory."

If SNCC workers were not aware of the Brazier case by the time they entered the county, Marion Paige, an Albany Movement leader, certainly told them about it. It was Paige, who had been working for a local black mortuary, who picked up James Brazier's corpse from the Columbus Medical Center for the funeral home. He told SNCC workers that when he lifted the body, the dead man's broken bones "clicked like dice."

SNCC workers were also connected to the case because of Hattie Brazier's lawyers, King and Hollowell. The two attorneys were handling thousands of arrests and the unending court battles associated with the Albany Movement. When protests in Albany spiked in December 1961, the Albany police chief, Laurie Pritchett, flooded nearby southwest Georgia jails with more than seven hundred civil rights protesters in an attempt to avoid overcrowding the Dougherty County jail and drawing attention to the city's growing tensions.

Charles Sherrod planned to change Terrible Terrell through community organizing rather than direct nonviolent protest. Voter registration was the key goal for such counties; Sherrod and his SNCC colleagues believed the majority black proportion of the population had enormous potential for political power.

But the resistance was fierce. Sherrod and twenty other protesters spent time in the Terrell County jail. There, he first encountered Sheriff Mathews, one of the named defendants in Hattie Brazier's suit. Mathews lined up the prisoners from Albany. "When you come here you lose all your rights," he barked at them. "This is my jail and I run it like I please."

When Mathews denied Sherrod's request to lead a group prayer within their cells, Sherrod appealed to the officer: "We are still human beings and Christians."

Mathews responded by clubbing Sherrod in the face.

Although Judge Bootle had issued the injunction against the Terrell County Board of Registrars in 1960, two years later fewer than ten more blacks had registered to vote in the county. Terrell County's white officials had strolled away from the national limelight with no outside pressure to force them to change their ways. The registration process remained in the hands of the state registrars who had been found to discriminate against blacks. And no system stood in place to nurture and develop a black voting bloc. As the historian Howard Zinn found in his 1962 study of the Albany Movement, "the most powerful factors operating against Negro registration still exist in Terrell County: the threat of economic reprisals, an atmosphere of intimidation and repression, a history of brutality."

James Brazier's death had become a looming presence over the struggle for equal rights in Terrell County, but Hattie Brazier's pursuit of justice had become its symbol. SNCC workers and the Terrell County black community hoped that the case might help pave the way for equal justice in the region. Jack Chatfield, a white college student from Vermont, recalled years later that he and the other SNCC workers were highly aware of the case as one of the defining elements of Dawson at the time. "These trials are so important because one of the brightest hopes of the ballot is justice," another SNCC worker, Faith Holsaert, said.

While Bloch built his defense of Terrell County and Dawson law enforcement officials against Hattie Brazier's civil suit, those same officials were defending their home turf against the changes promised by the young men and women they saw as trouble-making interlopers. Although he was no longer chief of police, Howard Lee still acted with his old brutal authority; He slapped and kicked a black seventeen-year-old in the Terrell County courthouse as the teenager helped an older black woman register to vote. When Sherrod went to the county registrar's office to pick up voter registration material, an officer threatened to call his supe-

rior, who Sherrod referred to as “the infamous captain Cherry.” Sheriff Mathews then bossed the civil rights leader out of the courthouse. “We don’t know who you are,” Mathews told Sherrod. “We can’t just let anybody come in here and look anywhere they please.”

Mathews’s intimidation tactics pushed his county once again onto the national stage. On July 27, 1962, *The New York Times* ran a front-page article by reporter Claude Sitton titled “Sheriff Harasses Negroes at Voting Rally in Georgia,” re-introducing the rest of America to Mathews and his deputies. Sitton had covered a dramatic July 26 meeting inside Mount Olive Baptist Church in Sasser, near Dawson, where SNCC workers encouraged black Terrell County citizens to register to vote. As Sitton and two other white journalists in the church watched, Mathews and thirteen other law-enforcement officers interrupted the meeting carrying guns and police batons. A remarkable dialogue ensued, according to Sitton’s story.

“We want our colored people to go on living like they have for the last hundred years” Mathews told the group of thirty-eight blacks and two white SNCC workers. The sheriff claimed that none of Terrell County’s blacks were dissatisfied with their way of life. He then asked the group, “Are any of you disturbed?”

They replied, “Yes.”

“Can you vote if you are qualified?”

“No.”

“Do you need people to come down and tell you what to do?”

“Yes.”

“Haven’t you been getting along well for a hundred years?”

“No.”

The frustrated sheriff told the group that no one was allowed to register between July and December, directly contradicting Georgia law, and that it would “not be in your interest” to continue the meeting. The sheriff told them he was trying to prevent violence from local whites, people he hinted he “could not control.”

“I don’t appreciate outside agitators coming in here and stirring up trouble.” Mathews said. “I’ve helped more colored people than any man in the South, I reckon.”

For Mathews, this was actually mild. Penny Patch, sitting with her SNCC colleagues, noticed that the sheriff held back his usual vitriol because of the reporters’ presence. A local black leader, Lucius Holloway, led a prayer during the meeting: “Our concern is not to destroy. Our concern is not to displace or to fight but to build a community in which all our children can live and grow up in dignity.”

The officers shuffled outside of the church as SNCC workers and the aspiring black registrants joined together in a crescendo of *We Shall Overcome*. “Their voices had a strident note, as though they were building up the courage to go out into the night,” Sitton wrote, “where the whites waited.”

According to Taylor Branch’s book *Parting the Waters*, it was after reading Sitton’s story that U.S. Attorney General Robert Kennedy pushed the Justice Department into action. In August 1962, the civil rights division of the Justice Department filed its second suit against officials in Terrell County for interfering in voter registration. The suit sought an injunction forbidding Mathews—already a defendant in the *Brazier v Cherry* case—and fifteen other white southwest Georgia officials from intimidating prospective voters by “disrupting meetings, threatening or committing violence or dismissing Negroes from their jobs.”

Tensions in the community were rising, as bad publicity and the ongoing annoyance of SNCC workers continued to incense local whites. Nearly two months after Sitton's article was published, the small black church that had been the setting for Mathews's confrontation, Mt. Olive, blazed to the ground, in an apparent case of arson. Before dawn on September 9, 1962, SNCC workers and local blacks held hands and prayed around the ashes, consoling one another as they watched the smoke rise over Terrell County.

Federal, state, and local officials investigated the scene that day and found the cause of the destruction of Mt. Olive and another nearby Baptist church that burned, Mt. Mary, to be undetermined. But the story grew. The baseball star Jackie Robinson, who had been visiting the region as a native of nearby Cairo, visited the site, and would later head the Southern Christian Leadership Conference's donation drive to rebuild the burned churches. Indeed the destruction of the black churches struck the emotions of whites as well as blacks. Outrage over the burnings spread all the way to the nation's capital, where President John F. Kennedy called them cowardly. "I don't know of any more outrageous action which I've seen occur in this country for a good many months or years than the burning of a church—two churches—because of the effort made by Negroes to be registered to vote," Kennedy said.

Eugene Patterson, the editor of *The Atlanta Constitution*, initiated a donation drive within the pages of his paper to rebuild the churches. He specifically requested no donations from black Georgia residents. Patterson, a white man, believed that white people had probably burned the churches and so white people should be the ones to rebuild it.

Terrell County's white community hastened to defend its members against allegations of violent racism. Carl Rountree, Dawson's mayor and the editor of *The Dawson News*, the main local publication,

defended his white constituents in a September 13 page-one editorial, titled “Who Profits Most?” He argued that the “good white people” of Terrell County were too wary of breaking the 1960 injunction against intimidating blacks and bringing more bad publicity to the area to have burned the churches. He answered the question posed in the title of his editorial by pointing at the victims: “The negroes know their churches were old. They know that they are going to be rebuilt larger and better. Let us hope that these new churches will be used for the purpose for which they are intended—the worship and glorification of God—not the vilification of man.”

Sheriff Mathews also placed the blame elsewhere. “The people are disturbed about the outsiders,” Mathews had told reporters after the church burnings. “If they’d leave, things would quiet down again.” On September 14, one such outsider, Dr. Martin Luther King Jr., visiting from nearby Albany and held a vigil on the site of what had been Mt. Olive Baptist Church, with the support of both blacks and whites from across the state. An African-American SNCC worker, Prathia Hall, the daughter of a Baptist minister, gave a speech. According to SNCC worker Faith Holseart, her theme was “I have a dream”—a theme that may have stuck in King’s memory.

Three days later, I Hope Baptist, the site of James Brazier’s funeral four years earlier, burned. Unlike the first two incidents, however, investigators quickly caught the perpetrators—three local white men, who, along with a white teenager, confessed and were each sentenced to seven years behind bars. “We sat around talking about segregation and the burning of the churches at Sasser and Chickasawhatchee,” said one of them, a thirty-one-year-old construction worker named Marvin Milner, whom *The Dawson News* named as the group’s ringleader. “I got mad. I don’t want my children going to school with Negroes. So we decided to burn the church.”

The destruction of a church by local whites pushed the Terrell County white community into mimicking Patterson's campaign. *The Dawson News* and local officials established a fund to rebuild I Hope Baptist. The paper insisted in an editorial that Terrell County whites were not seeking outside contributions to their local donation drive to rebuild the church. "We think this is our job," the editorial said.

But while SNCC workers continued to canvass and hold meetings under a tent where Mt. Olive had once stood, no more black pastors in Terrell County would allow SNCC workers to use their churches for meetings. SNCC workers found that by the time of Hattie Brazier's civil suit, the fires had sparked a fear in local African-Americans that caused them to retreat rather than unite.

Nearly five years after James Brazier was carried from the Terrell County jail, bloodstained and comatose, Hattie Bell Brazier faced the law enforcement officials responsible. From February 4 to 8, 1963, in the federal district court of Americus, Sumter County, the African-American civil rights attorneys Hollowell and King sparred with the white supremacist lawyer Bloch to prove that the defendants had, under color of the law and because of the color of his skin, illegally arrested James Brazier and used unnecessary force against him. The attorneys asserted that officers Weyman Cherry and Randolph McDonald had targeted James Brazier, and that Sheriff Mathews—who was in charge of the county jail—had knowingly allowed the violence to happen.

Attending the trial were members of SNCC's Southwest Georgia Project. The young men and women were expanding the project into Sumter County that month, but had taken a break from canvassing to watch Hattie Brazier's stand against the men who reigned over Terrell County. According to Faith Holseart, the courtroom gallery was nearly full with

activists and local men and women. Attendance, she noted, was something of an act of courage in Americus, because “people could take your name down and retaliate.”

Judge J. Robert Elliott, who had dismissed the injunction against Sheriff Mathews’s intimidation of black voters, was presiding over the case. The jury had initially had two black members, but Bloch struck them from the panel. The jury would be all white.

Hollowell and King were missing a key piece of their defense before they even stepped foot in the Americus courthouse: Marvin Goshea, the young black man who had been in the Terrell County jail cell with James Brazier. Goshea had not been able to give his testimony to the federal grand jury in 1958 because Cherry had locked him up. And now, he would be unable to give his testimony in 1963 because he had been found dead two years earlier from apparent asphyxiation. The FBI investigated his death, but agents determined there was no evidence of foul play.

Another witness from that night in the jail, Irene Gladden, had also since died under unknown circumstances. A female black prisoner, she had recognized James Brazier that night, calling him by his nickname, “Bubber,” when the officers took the man to the woman’s side of the prison. Gladden had called out to an unconscious James Brazier through the cell walls.

The only eyewitness for the plaintiffs who was available was Mary Carolyn Clyde, who had been Gladden’s cellmate that night in 1958. At the time, Clyde, at nineteen and with a fifth grade education, had been in jail since October 1957 for spousal homicide. When FBI agents first investigated James Brazier’s death in spring of 1958, Clyde told them the only time she had seen Brazier was when he was walking, unsupported and healthy, to Mayor’s Court the next morning. But later, Clyde smuggled a handwritten letter through the prison’s cook to the NAACP that told a

different account: “Please don’t you all call my name and I want you all to help me if you all can,” she scrawled in almost illegible, hurried characters. Clyde wrote that she had seen James Brazier arrive in the jail cell next to hers. She later saw officers take him out of that cell. When they returned the prisoner, she said, he was wrapped in a bloody blanket and would not answer when officers called his name.

She later told representatives of the NAACP that she could not tell the truth in her first FBI interview because an eavesdropper had been stationed on the porch near where they were sitting. That eavesdropper, Eugene Magwood, was the black prisoner trustee—a selected prisoner given special privileges and freedoms in exchange for helping the sheriff with jailhouse duties. Clyde told NAACP officials that officers threatened to kill her if she told anyone what she’d seen, and that they also bribed her to keep her mouth shut. According to her new testimony, when she had first met with FBI agents and told them her more benign account of that night, Mathews had pushed back Clyde’s interview time so that he could wash the blood from the cell floor where James Brazier had lain.

Clyde subsequently told Hollowell her more complete story and agreed to testify in court against the officers. But when Clyde stepped onto the witness stand in 1963, she became visibly fearful. In the five years between the federal grand jury sessions and the civil suit, the twenty-four-year-old woman had been released from jail. She still lived in Bronwood, Terrell County with her father—less than seven miles from the county jail.

As she sat in the witness chair, staring into the faces of the three law officers who had controlled her life behind bars, Clyde wrung her hands and frowned. Stuttering and mumbling, she denied knowing anything about that night in jail—anything at all. She told the courtroom she

had been asleep the whole night and did not see James Brazier until the next morning. “Every time she would tell a lie for them she would close her eyes,” a spectator at the trial later told a journalist for the *Afro-American* newspaper. “You could tell she was afraid by the way she gripped the chair and the way she could not control the trembling of her body and legs.”

Because of Clyde’s changed behavior, Hollowell, who did most of the questioning, took the unusual step of leading his own witness. Hollowell reminded her that she had confided in him that she was afraid because people were “getting hurt.” She had specifically mentioned Gladden and Goshea. But Clyde continued to deny everything on the witness stand. Frustrated, Hollowell asked the judge to declare her a hostile witness.

Another witness, Frank Hunter, also denied knowing anything about James Brazier’s death. Hattie Brazier’s mother had told investigators that Hunter, night watchman at the Dawson Compress and Storage Company, had confided in her that he had seen the policemen drag James Brazier to his job site to savagely beat him.

Other members of the Dawson community, both black and white, appeared before the court to frustrate Hollowell’s case. One white woman claimed she had seen James Brazier walking to Mayor’s court unsupported and still in his Sunday suit. Bloch spent much of his questioning trying to paint James Brazier and his father Odell to the jury as drunkards, and to characterize the deceased Brazier as a domestic abuser. A black storeowner with a record of illegally selling whiskey said, with contradictory evidence, that James Brazier had been a frequent customer of his and that he had frequently broken up physical fights between the Brazier couple.

One of the tallest obstacles in Hollowell's path, however, had nothing to do with witnesses or testimony: Judge Elliott, who was perhaps best known as the judge who, during the height of the Albany movement, had placed an injunction on the demonstrations led by Martin Luther King Jr. in the city. Elliott appeared to have very loose control over his courtroom—at least as far as the defense was concerned. According to the trial transcript, Hollowell stopped the trial at one point by objecting to the defense's courtroom behavior. Bloch's associate, James Collier, was shaking his head and gesturing at a witness on the stand. In another instance, Cherry appeared to be coaching a different witness. When Hollowell objected, Elliott allowed the behavior.

On the night before the last day of the trial, seventy-five SNCC workers and local blacks gathered in a nearby Baptist church. Many of them had been attending the Brazier trial instead of registering Sumter County voters. They sang a freedom song, praying for a victory for Hattie Brazier: *Guide my heart, while I run this race/Cause I don't want to run this race in vain.*

At the end of the trial, when all voices by either side had been heard, Elliott spent two hours giving the jury instructions. He charged them with deciding if officers Cherry and McDonald had arrested James Brazier with illegally brutal force, leading to his death.

After five days listening to evidence and two hours listening to instructions, the jury deliberated for less than an hour and a half. They decided in favor of the defendants.

Faith Holsaert, the young white woman working for the Southwest Georgia Project, declared in a field report that the jury's decision to be "a bad blow, very bad" to SNCC's efforts in the region. She noticed that many people "were moved and angered, but simply discouraged, not rededicated." Holsaert voiced her frustrations with the ruling in a letter

to the Voter Education Project: "If one ever had the naïve hope that the system had disappeared, the Federal Court sitting in Americus has made quite plain the fact that the system is quite alive, and fostered by some of the ablest minds around."

Still, after the trial Hattie Brazier addressed members of the black press and expressed some optimism. "If I never get a penny out of it, I think this case has done some good," she told the reporters. "It has exposed the way police in this part of Georgia operate and what they can do without being punished."

The story of the case had touched people outside of Terrell County. While working on the case, Hollowell received a letter from an anonymous white person who had heard that Hollowell was helping Hattie Brazier. The person wrote that his or her father had been a police officer in a small Georgia town similar to Dawson. "I loved him, but he was cruel to Negroes," the writer said. "I have seen it and it has affected my whole life."

The author wrote that his or her father was not the only police officer responsible for cruelty to blacks in the small town: "The Negroes never had a chance. There seemed to be an unspoken [sic] of law among police officers that Negroes were to be kept in complete subjection. [sic] They were too, or they were found to be 'missing' or beaten and nothing was ever done."

The letter writer remembered that even as a child he or she had known that the oppression of blacks was "terribly wrong." "Thank God for people like you," the author told Hollowell, "who will help these people." And the writer explained why he or she would not sign the letter. "I'm not brave like you," the writer said. "I'm a coward."

Hattie Brazier's civil suit was an act of defiance against the law enforcement officials who represented and enforced the legally sanctioned oppression of African-Americans in southwest Georgia. Her case drew the hopes of the two-thirds of Terrell County's population who were denied social, economic, and political representation because of the color of their skin. But the jury's decision affirmed the hold of white supremacy on Terrell County and, by example, Georgia's Black Belt.

In 1966, Hattie Brazier wrote to Donald Hollowell asking for her husband's bloody clothes and photographs back, which had been taken as evidence for the civil suit. She was moving from Georgia to New Jersey to live with her extended family and her daughter Verda. The last time Hattie had seen or heard from Hollowell or C.B. King was on the steps of the Americus courthouse on February 8, 1963. The lawyers had then assured her that they would pursue a new trial, but she had not heard anything about it since.

The two lawyers had filed a motion for a new trial a week after the jury's decision. They asserted that the verdict was contrary to the law and the weight of the evidence on both sides. Hollowell and King also maintained that Bloch introduced evidence solely to paint a negative image of James Brazier's character, and that Judge Elliott should have declared a mistrial when it appeared that the defense was coaching witnesses.

Elliott denied the motion for a new trial that September. Hollowell and King filed another appeal, but nothing ever came of the action and the two soon became consumed in their other civil rights-related legal work. In 1964, King became the first African-American since Reconstruction to run for a seat in the U.S. House of Representatives from Georgia, though his run was unsuccessful. The Albany Movement, which had catapulted the two attorneys to regional prominence, had formally ended

in August of 1962, when Dr. Martin Luther King Jr. and the SCLC transferred their nonviolent protest campaign to Birmingham, Alabama, leaving the movement in Albany with unrealized goals.

The Southwest Georgia Voter Registration Project continued in Terrell and other counties, but SNCC workers found that in Terrell County, at least, the black community's enthusiasm for the project deflated after the church burnings and the Brazier trial. Voter registration continued, hesitantly, until December 1963, when nightriders shot and bombed the Dawson home that served as the center of SNCC work in the county. After that, attendance at meetings dropped by half.

The 1965 Voting Rights Act, which instituted a federal referee to monitor voter registration in the county and made restrictive literacy tests illegal, resulted in more black voters in the county, but blacks would still remain a political minority for decades. The "atmosphere of fear" that Dawson blacks had experienced in 1958 still lingered years later, when Hattie Brazier prepared to migrate north.

In her 1966 letter, Hattie Brazier told Hollowell that she had visited Dawson since the trial in Americus. She had found that in the three years since her suit, five more blacks had become victims of police brutality. The widow believed her legal efforts, which had come at a high financial and emotional cost, didn't seem to have changed the town at all. "The only thing I believe will stop them is the Lord," she wrote in reference to the law officers. "He got time set for every person that do each other wrong."

Indeed, Sheriff Mathews ruled Terrell County until his retirement in 1969 and Weyman Cherry remained Dawson's chief of police until he died in a car crash in 1970. The county would not have a black government representative until 1979.

Hattie Brazier eventually remarried and became Hattie Watson. She died in 2005.

Terrible Terrell did resist change, but it did, finally, change somewhat. Local black citizens, with the help of federal legislation, eventually transformed the small rural county. Today, the county's sheriff and the county seat's mayor are both black. The year 2013 marked the county's first black history program in local schools, in which local civil rights leaders talked about their experiences during and after the "King years."

The Brazier family, whose loss had inspired and symbolized civil rights action in the county in the 1950s and 1960s, harbored bitter feelings about Dawson more than fifty years after James Brazier's death. Hattie's daughters, Hattie Brazier Polite and Verda Brazier Bush, who survived their mother as well as their two brothers, said in a 2013 interview that they tried to avoid visiting their hometown because of the memories associated with it.

The sisters had received a letter from the FBI in 2009. The FBI began what was called the "Cold Case Initiative," which identified and investigated racially motivated cold case murders from the Civil Rights era, in 2006 with the eventual partnerships of the NAACP, the Southern Poverty Law Center, and the National Urban League. James Brazier's case, like dozens of others, was reopened and quickly re-closed. FBI sent letters to the remaining family of the victims informing them of the reopened investigations. But the letters were often reminders of tragedy rather than heralds of justice.

It was tough going. In a 2013 article reviewing the Cold Case Initiative, *The New York Times* reported that it faced obstacles of "the limited federal jurisdiction in some cases, the statute of limitations in others, and, of course, time's passage," as well as what critics called a lack of time commitment to these case.

In 2009, like most of the families whose loved ones were victims in these civil rights cases, the two daughters of James Brazier were told by the Department of Justice that their father's fifty-year-old case was officially and finally closed—still with no resolution. Paige M. Fitzgerald, the deputy chief in charge of the Cold Case Initiative, wrote that since both officers Cherry and McDonald had died, the department had “no choice but to close the investigation.”

“We regret that we cannot be of further assistance to you,” Fitzgerald wrote.

Although Verda Brazier Bush recalled that her brother, James Brazier Jr., carried “a lot of hatred in his heart” about their father's murder until his own death six decades later, she said she felt she had to move forward. “It's hard, it's difficult, when you start to think about it,” she said of her father's death. “It's hard. What can you do as a child? And here I am, almost seventy years old.”

Verda lived in New Jersey and New York for more than forty years, raising a child and building a career, before moving back to Albany in 2008. Time, she said, has changed her perspective on her father's death. “It makes a difference in the way you think, in the way you feel about people,” she said. “You don't hate as much as you used to hate because time changes things as you mature.”

James Brazier's name is one of seventy-four enshrined in a display at the Civil Rights Memorial in Montgomery, Alabama. The display, which also names Willie Countryman, bears the label “The Forgotten.”

Yet nearly sixty years after it happened, James Brazier's death remains unjustified and unsettled. But it is not forgotten.

About the Authors

Erika Hayasaki is a journalist based in Southern California and a professor in the Literary Journalism Program at the University of California, Irvine.

Miles Corwin, a former Los Angeles Times reporter, is the author of six books. *The Killing Season* was a national bestseller. *And Still We Rise* was awarded the PEN Center USA award for nonfiction. *Homicide Special* was a Los Angeles Times bestseller. His novel *Kind of Blue* was named one of the Top Ten First Crime Novels by Booklist. His two other novels are *Midnight Alley* and *L.A. Nocturne*. He graduated from UC Santa Barbara and received his M.A. at the University of Missouri School of Journalism.

Adriana Carranca is a Brazilian journalist known for her work on international affairs and political issues, particularly in Brazil and the United States. She has written for prominent publications like *Estadão* and *O Globo* in Brazil, and also contributed to media outlets like *The New York Times*, *The Atlantic*, and *Granta Magazine*.

Carole Mersch, an Oklahoma entrepreneur honored by IBM for community service and by Oklahoma Family and Children's Services Award for special parenting. After selling her companies, she concentrated on writing nonfiction. She turned her story for the Delacorte Review into her most recent book, *Guilty When Black*.

Shaun Raviv is a freelance journalist based in Atlanta. He is the creator of *Noble*, which the *New Yorker* named the best podcast of 2024.

Jonathan Fink is Professor and Coordinator of Creative Writing at the University of West Florida. His most recent book, *Don't Do It—We Love You, My Heart*, was published by Dzanc Books in 2025. He has been a National Endowment for the Arts fellow, and his writing has appeared in many publications, including the *New York Times Magazine*, *Poetry*, *Slate*, *Narrative* and the *Virginia Quarterly Review*.

Jeff Patterson was a police officer in Ohio and Florida for 27 years, serving as Detective Captain for the Clearwater, Florida, police department and Chief of Police for Boardman Township, Ohio. He is a graduate of the University of South Florida and the University of Akron School of Law. In addition to the *Delacorte Review*, his writing has appeared in *Tortoise Media* (UK), the *St. Petersburg Times*, and the *FBI Law Enforcement Bulletin*.

Mary Claire Kelly is a DeKalb staff attorney for the Atlanta Legal Aid Society working to protect tenants rights. A Harvard Law School graduate, Kelly was previously a digital producer at WABE, and a graduate of Emory University, where she worked as a researcher and editor at the Georgia Civil Rights Cold Cases Project at Emory, investigating racially-motivated civil rights-era cold case murders.

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