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Dead Sky

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PROLOGUE

He knew before he entered the house that day that something was very wrong. It was August. The sky pressed down like an anvil--ominous, dark, gray. The afternoon was over, evening not yet begun. Time had ceased to mean anything.

The air was still, as if the day was holding its breath in anticipation of what would come. Dead calm. Lightning ripped across the western sky. Thunder rumbled, a distant drum roll.

In his memory there were never other houses around the four-square, clapboard house with the peeling green paint, and the porch that bowed midway across the front of the building like a weary smile. Everything else receded, slipped into the trees, dropped over the horizon. He saw the house, the yard–turned weedy and straw-colored by the lack of rain. He saw the trees back by the train tracks, leaves turned inside out.

No one was around. No cars on the street behind him. No kids ripping up and down on their bikes. There were no dogs, there were no birds, there were no squirrels or rabbits. There was no sound but the thunder, drawing ever-closer.

In his memory, he didn't draw near the house. The house advanced on him.

Bang!

His heart stopped. His head snapped to the left.

"You better get in the basement! Tornado's coming!"

The neighbor, whose dreary ranch-style cracker box had crept back onto the periphery, stood on his back deck. He was a guy with Elvis sideburns and a gigantic beer gut. He held a camcorder. He pointed to the west.

A storm was coming.

The air was electric. Colors were sharper, crisper. Everything seemed in hyper-focus. His eyes hurt taking it in.

The house lunged at him. He tripped on the first step and stumbled onto the porch. The hinges on the screen door screamed as he drew it back and stepped inside.

Crack! Boom!

The lightning was so bright, it seemed to fill the living room. He called out. No one answered.

In his memory his feet never moved, but he was suddenly in the dining room, then the kitchen, then the tv room at the back of the house. The room was small and dark, wrapped in cheap wood paneling. The heavy curtains at the windows were old and they didn't hang right. They had been made for some other window in some other house, and cast out when the fashions changed. Light seeped in around the edges and down the center where the panels didn't quite pull all the way together.

The television was on. Storm warning. Outside the house the wind came in a gust. Lightning flashed.

He found the first body.

She was sprawled on the couch, propped up like a giant doll, eyes open, as if she was still watching television. A wide strip of duct tape covered her mouth and circled her head. Her hair had been chopped off with a scissors or a knife. Coagulating blood marked gouges in the scalp. Her clothing had been cut down the center and peeled back, exposing her body from throat to crotch.

Storm coming.

Crack! Boom!

She'd been cut down that same line. Through skin, through muscle, through bone, like a fish to be gutted.

Bile rose in his esophagus at the same time his throat closed.

Terror wrapped two big bony hands around his neck and squeezed. He stumbled backward, turned and ran into a floor lamp, jumped sideways and tripped over a footstool, fell and hit his head on the corner of the coffee table.

Crack! Boom! Crack! Boom!

Dizzy, weak, scared, he scrambled to get his feet under him and get out of the room. He ran to the kitchen, grabbed the telephone receiver off the hook, punched 911. Nothing. A strange mewling sound squeezed up out of his throat, like a dog that had been beaten.

He ran out the back door. He couldn't stay in the house, couldn't get away from it fast enough. The world had taken on a weird green cast. There was a roaring sound coming, coming, like a freight train. But when he looked at the tracks there was no train, or if there had been one, it had been swallowed hole by the huge black funnel cloud that had touched ground and was chewing up everything in its path.

This had to be a nightmare. None of this could really be happening. But he felt the debris hit him. Slivers and splinters, and dirt pelted him. He threw his arms up around his head to protect his face. The roar was deafening.

The old storm cellar door was open and clinging to the frame by a single hinge as the wind tried to rip it free. He all but threw himself down the concrete stairs and kicked in the door to the basement itself. It was old and rotted with damp, and it split away from the frame on the third kick.

The basement was as dank as a cave, and smelled of mildew. He couldn't find a light switch.

Above him, the old house had begun to shake. He had the impression of it pulling upward as the tornado tried to rip it from its foundation.

The rain came in a deluge. The bullwhip crack of lightning. Thunder drumming. The basement was illuminated in bursts of stark white light. The darkness between was absolute.

He curled into a ball on the floor–cold, wet, sick at the thing he had seen upstairs, sick at the smell of the basement.

He didn't know how long he stayed there. It might have been five minutes or five hours. Time meant nothing. All he would remember later was the dawning of awareness that everything had gone silent again. So silent, he thought he might have gone deaf.

Random flashes of lightning still illuminated the night beyond the high basement windows, but he couldn't hear the thunder.

Slowly he rose from the cold wet floor. Something like a hand touched the back of his neck, and the sweat coating his skin turned to ice. Something nudged him in the back, as if to make him turn around to see a surprise.

Lightning burst outside the windows like the flash of a camera, and the image was forever imprinted on his brain. A memory that would never fade, never lessen in its impact or in its horror: The bodies of two children hanging from the rafters, their lifeless eyes staring sightless into his.

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"He slaughtered a mother and two children."

Hennepin County prosecutor, Chris Logan, was a man of strong opinions and stronger emotions. Both traits had served him well in the courtroom with juries, not always so well in judge's chambers. He was tall, broad-shouldered, athletic, with a thick shock of black-Irish hair, now threaded with silver. Forty-five years old, twenty of them spent in the criminal court system, it was a wonder he hadn't gone entirely white.

"I'm sorry," said the defense attorney, his sarcasm belying the expression of shock. "Did I miss something? When were we suddenly transported to the Dark Ages? Aren't the accused in this country still innocent until proven guilty?"

Logan rolled his eyes. "Oh, for Christ's sake, Scott, could you spare us the act? We're all adults. We all know each other. We all know you're full of shit. Could you spare us the demonstration?"

"Mr. Logan . . ."

Judge Carey Moore gave him a level look. She had known Chris Logan since they had both cut their teeth toiling as public defenders–a job neither of them had the temperament for. They had moved on to the county attorney's office as quickly as they could, and both had made their names in the courtroom, prosecuting everything from petty theft to rape to murder.

Sitting in the other chair across from her desk was another cog in

the public defender's machine. Kenny Scott had gone in that door and had never come out, which made him either a saint battling for justice for the socially disadvantaged, or a pathetic excuse for an attorney, unable to rise out of anonymity and go on to private practice. Having had him in her courtroom numerous times, Carey suspected the latter.

He looked at Carey now with the eyes of a mouse in a roomful of cats. Perspiring, nervous, ready to run, scrambling mentally. He was a small man whose suits never fit–too big in the shoulders, too long in the sleeves–which somehow emphasized the impression that he was overwhelmed by his job or by life in general.

By the luck of the draw, he had gotten stuck with the job of defending the most hated man in Minneapolis, if not the entire state: a drifter named Karl Dahl, accused of the most heinous murders Carey had encountered in her career.

The scene had been so gruesome, one of the uniformed officers who had responded to the original call had suffered a mild heart attack, and had subsequently retired from the force. The lead homicide detective had been so effected by the case, he had eventually been removed from the rotation and put on a desk job, pending the completion of psychiatric counseling.

"Your Honor, you can't allow Mr. Logan to circumnavigate the rules of law," Scott said. "Prior bad acts are inadmissable–"

"Unless they establish a pattern of behavior," Logan argued, loudly. He had the fierce expression of an eagle.

Kenny Scott looked like he wanted nothing more than to bolt from the office and run for his life, but to his credit, he stayed in his seat.

"Mr. Dahl's previous offenses have nothing to do with this case," he said. "Criminal trespass? That hardly establishes him as a violent offender."

Logan glared at him. "What about possession of child pornography? What about breaking and entering? Window peeping? Indecent exposure?"

"He never killed anyone with his penis," Scott said.

"It's an escalating pattern of behavior," Logan argued. "That's

what these pervs do. They start small and work their way up. First they get their jollies whacking off while they look at little kids in their underwear in the J. C. Penney catalog. When that doesn't do it for them anymore, they move on to window peeping, then to exposing themselves. Next they need to have physical contact–"

"And they jump from weanie wagging to evisceration?" Scott said. "That's absurd."

He turned back toward Carey. "Your honor, there is nothing violent in Karl Dahl's record. The information regarding his prior convictions would be prejudicial and inflammatory. The jury would be ready to convict him based on Mr. Logan's theory, not fact, not evidence."

Logan ticked his facts off on his fingers. "We have his fingerprints at the scene. We have a complaint filed by one of the neighbors, reporting him for looking in her windows. We know he knew the victims, that he'd been hanging around the neighborhood. He had the victim's necklace in his possession at the time of his arrest--"

"He was doing odd jobs," Scott said. "He admits to having been in the Haas home the day of the murders. Mrs. Haas paid him thirty-five dollars to install some curtain rods. He stole a cheap necklace. Big deal. Other than the one neighbor, no one in the neighborhood had any complaint against him."

Logan rolled his eyes dramatically. "Every one of them said the guy was strange, that he gave them the creeps–"

"That's not against the law–"

"Good thing for you," Logan muttered.

Carey warned him again. "Mr. Logan . . . ."

He gave her a familiar look from under the heavy dark eyebrows. "An eyewitness puts him at the scene–"

"At least five hours after the murders had been committed," Scott pointed out.

"Coming back to review his work," Logan said.

"That doesn't make any sense. Coming back that late in the day, when people would be arriving home from work--"

"So he was back to kill the father and the oldest kid–"

"Just where did you get your crystal ball, Logan?" Scott asked. "Maybe we can all run out and get one. Maybe the state can buy them in bulk and distribute them to every law enforcement agency–"

Carey arched a brow in disapproval. "Put the sarcasm away, Mr. Scott."

Logan jumped in again. "This is a clear exception to the rule, your honor. The man is a serial killer at the front end of his career. If we don't stop him now--"

Carey held up a hand to stave off any more arguments. Her head ached as if it had been crushed by a millstone. Through law school and the years working her way up the ranks, her goal had been to sit in these chambers, to wear the robes, to be a judge.

At that moment, she wished she had listened to her grandmother and honed her secretarial skills as a fall-back should she not land a suitable husband.

Presiding over felony proceedings was a responsibility she had never taken lightly. Coming from a successful career as a prosecuting attorney, people expected her to be biased toward the prosecution--an expectation she had worked hard to dispel.

As a prosecutor it had been her job to vigorously pursue the conviction of defendants. As a judge, her job was to preside fairly, to take no sides, to keep the scales of justice in balance so that every verdict was reached based solely on the relevant facts and evidence presented.

Carey couldn't take sides, no matter what her personal feelings might be. In this case she had her work cut out. Two children had been brutalized, tortured, murdered, left hanging by their necks from the rafters of a dank basement.

She was a mother herself. The idea of someone harming her daughter evoked an emotion so strong there were no adjectives adequate to describe it. She had viewed the crime scene photos and the videotape. The images haunted her.

The children's foster mother had been raped, sodomized, tortured, her body sliced open from throat to groin. The coroner had determined

that the woman had died first, though there was no way of knowing what might have taken place before her very eyes prior to her death. She might have been made to watch while unspeakable acts were committed on the children. The children might have been made to watch while unspeakable acts were committed on her. Either way, a nightmare from the darkest, most primal, fear-filled corner of the human mind.

But as a judge, Carey couldn't attach those atrocities to the defendant on trial before her. Her decision on the matter before her now couldn't be swayed by her own fears or disgust. She couldn't worry how people would react to her ruling. A criminal trial was not a popularity contest.

A fine theory, at least.

She took a breath and sighed, the weight of the matter pressing down on her. The attorneys watched her. Kenny Scott looking like he was waiting for her to pronounce sentence on him. Logan's impatience was palpable. He stared at her as if he believed he could influence her mind by sheer dint of will.

Carey quelled the sick feeling in her stomach. Move forward. Get it over with.

"I've read your briefs, gentlemen," she said. "And I'm well aware of the impact my decision will have on this case. I can guarantee neither of you would want to be sitting in this chair right now."

Logan would have argued that, she knew. Bias was a way of life for him. Right with might, was his motto. If he believed something, then it was so—no arguments. But he held his tongue, held his breath, poised to leap out of his chair. Carey met his gaze full-on.

"I don't see an exception here," she said.

Logan opened his mouth, ready to rebut.

"You'll allow me to finish, Mr. Logan."

His face was flushed red with anger. He looked at the wall.

"Mr. Dahl's prior acts may point in a particular direction, suggesting a possible path of future criminal behavior," she said. "However, he has no history of violent crimes, and this court can't foresee what Mr. Dahl might do in months or years to come. At any rate,

we aren't allowed to try people for crimes they have yet to commit."

"Your Honor," Logan said, his voice tight from holding back the need to shout. "Violent criminals are made over time. Mr. Dahl's record–"

"Is inadmissable," Carey said.

If people could have been put away for crimes they had yet to commit, Chris Logan would have been led away in handcuffs. The fury in his eyes was murderous.

Kenny Scott barely contained himself from leaping out of his chair and doing a victory dance. Carey stared at him, and he slouched back down and swallowed the joy of his victory. He wouldn't think it was such a good thing after the news hit the press, Carey thought.

People generally demonstrated less loathing for public defenders compared to headline defense attorneys. They were, after all, civil servants toiling away for low wages, devoting their lives to help the unfortunate. But as soon as her ruling was made public, Kenny Scott would suddenly become an enemy of the state. Defending the indigent was one thing. Getting an accused murderer off was quite another.

"Your Honor," Scott said, ready to strike while the iron was hot. "In view of your ruling, I don't see that the prosecution has enough evidence to support the indictment–"

Logan came out of his chair.

Eyes popping, Scott looked at the man looming over him. "I move that the charges be dismissed," he said, talking as fast as he could, trying to get all the words out of his mouth before Logan could grab him by the throat and crush his larynx.

"Motion denied," Carey said, with a calm that belied her inner tension. "Sit down, Mr. Logan, or I'll have you removed."

Logan glared at her, defiant. He didn't sit, but he moved away from Kenny Scott and went over by the wall, his hands jammed at his waist, nostrils flaring as he tried to gather himself.

"But Your Honor," Scott argued, "the state has no direct evidence linking my client to the crimes. No fingerprints on the murder weapons—"

"He wiped them clean," Logan growled.

"No blood evidence on his clothes–"

"So he ditched the clothes."

"No DNA evidence–"

"He used a condom–"

"Not so much as a hair–"

"The guy doesn't have any," Logan snapped. "He shaves his body clean so he won't leave any hairs behind. What does that tell you?"

"He does it for hygienic reasons," Scott said. "The guy's a transient. He doesn't want to pick up lice."

Logan made a rude sound and rolled his eyes dramatically.

Carey turned to him. "Well, Mr. Logan? What do you have on Mr. Dahl?"

"I'm supposed to lay out my entire case in front of him?" Logan said, incredulous.

"Do you have a case to lay out?"

"He's got conjecture, supposition, and coincidence," Scott said.

"I've got a grand jury indictment," Logan said.

"And the Cracker Jack box it came in?"

"It's good to know you have so much respect for our criminal justice system, Mr. Scott," Carey said, without humor.

Scott stammered, tripping backwards trying to cover his mistake. Carey held up a hand to forestall the attempt. She wished the earth would open and swallow Kenny Scott and Chris Logan, and this entire nightmare case.

"The indictment stands," she said. "A jury can decide if the state has a case strong enough to convict your client, Mr. Scott."

She gave Logan a look she knew he recognized from their years together on the same side of the bar. "And if you don't, Mr. Logan . . . God help you."

She rose behind her desk and nodded toward the door. "Gentlemen . . ."

Kenny Scott bounced up from his seat. "But your honor, shouldn't we revisit the idea of bail?"

"No."

"But my client–"

"Should consider himself damned lucky to have a guarded building between himself and the public," she said. "Considering the climate of the community, bail would not be in your client's best interest. Quit while you're ahead, Mr. Scott."

Scott bobbed and nodded. "Yes, ma'am."

"Don't call me ma'am."

"No. I'm sorry, your honor. I meant no disrespect."

"Please leave."

"Yes, ma– Of course."

He held up his hands as if to concede his stupidity, then fumbled to grab his briefcase and nearly tripped himself on his way out the door.

Logan remained for a moment, but didn't say a word. He didn't need to. Carey knew exactly what was going through his mind. Then he huffed a sigh and walked out like a man with a purpose.

The bottle of scotch in his bottom right-hand desk drawer.

"Have one for me," she muttered.