Guilty as Sin

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Published by Orion

Extract

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Chapter 1

Monday, January 24, 1994

'He said it was a game,' she murmured, her voice whisper-soft, and tight with pain.

She lay in a hospital bed, the deep purple bruises on her face a stark contrast to the bleached white of the sheets and the ash white of her skin. Her right eye was nearly swollen shut, the flesh the color of an overripe plum. Bruises circled her throat like a purple satin band where she had been choked. A fine line of stitches mended a split in her lip.

The pain triggered flashes of memory – sudden, violent, blaring. A memory of pain so sharp, so intense, it took on qualities of sound and taste, the smell of fear, the presence of evil.

'*Clever girl. You think we're going to kill you? Perhaps.*'

Her throat being closed by hands she couldn't see. The instinct to survive surging. Fear of death riding the crest of the wave.

'*We could kill you.*' *The voice a silky murmur. 'You wouldn't be the first….*'

The air caught like a pair of fists in her lungs, then slowly seeped out between her teeth.

Assistant County Attorney Ellen North waited for the moment to pass. She sat on a high stool beside the bed, a legal pad and small cassette recorder on the bedside tray to her right. She had met Megan O'Malley only days before. Her impression of the field agent for the Minnesota Bureau of Criminal Apprehension had consisted of a handful of adjectives: tough, gutsy, capable, determined, a small woman with fierce green eyes and a big chip on her shoulder. The first woman to break the male ranks of BCA field agents. Her first

day on the job in the Deer Lake regional office had been day one of the Kirkwood kidnapping. Twelve days ago. Twelve days that had taken the previously innocent, quiet, rural college town into the depths of a nightmare.

In her efforts to crack the case, the chip had been effectively knocked off Megan's shoulder and smashed, and Megan along with it. She had come too close to unraveling the puzzle. Beneath the covers, her damaged right knee was elevated. Her right hand was encased in a cast. According to her doctor, the hand was badly smashed, and he despaired of the 'poor darling little bones' recovering, even with the meticulous attention of a specialist.

Megan's transfer from Deer Lake Community Hospital to the Hennepin County Medical Center in Minneapolis was scheduled for Tuesday, weather permitting. She would have been transported the night of her ordeal, but Minnesota had been clutched in the grip of a January storm. Two days later Deer Lake was just beginning to dig out from under ten inches of new snow.

'He said it was a game,' Megan started again. 'Taking Josh. Taking me. Fooling everyone. *We* fooled you all along, he said … *We*, always *we* …'

'Did you at any time hear another person in the room?'

'No.' She tried to swallow and her face tightened against a new wave of pain.

'*We've calculated all the moves, all the options, all the possibilities…. We can't lose. Do you understand me? You can't defeat us. We're very good at this game…. brilliant and invincible*.'

Eight-year-old Josh Kirkwood had disappeared from outside the Gordie Knutson Memorial Ice Arena after hockey practice on an otherwise normal Wednesday night. No useful physical evidence left behind. The only witness a woman casually glancing out her window half a block away and seeing nothing to cause alarm: a little boy being picked up from hockey practice; no sign of fear or force. The only trace of him left behind had been his duffel bag with a note tucked inside.

A game. And she had been used as a pawn. The idea brought Megan a rush of useless emotions – anger, outrage, a hated sense of vulnerability. The only satisfaction was in the fact that they had spoiled his little coup de grâce and now Garrett Wright was sitting in a cell in the Deer Lake city jail.

Garrett Wright. Professor of psychology at Harris College. The man the media had pulled in as an 'expert witness' to attempt to explain the twisted workings of the mind that had perpetrated this crime. The Kirkwoods' neighbor. A respected member of the community. A volunteer counselor of juvenile offenders. A man above reproach.

But though Wright had been apprehended, there was still no sign or word of Josh.

'You were blindfolded?'

'Yes.'

'You didn't actually see Garrett Wright.'

'I saw his feet. He has this habit of rocking back on his heels. I noticed it the first time I met him. He was doing it that night. I could see his boots when he stood close enough.'

'That's not exactly a fingerprint.'

Megan scowled at the assistant county attorney, her temper cutting through the haze of drugs and pain. Goddamn lawyers. Garrett Wright had drugged her, terrorized her, abused her, humiliated her. He may well have ended the career that was everything to her. A decade in law enforcement, a degree in criminology, a certificate from the FBI academy – she was a damn good cop, yet Ellen North could sit here, every blond hair in place, and calmly question her as if she were just another civilian as blind as Lady Justice herself.

'It was him, the son of a bitch. He knew where I was going. He knew I was that close to finding him out. He caught me, beat the shit out of me, wrapped me in a sheet of evidence proving he stole Josh –'

'We don't know yet what the bedsheet will prove,' Ellen

interjected. 'We don't know whose blood is on it. The lab has a rush on it, but DNA tests take weeks. The blood could be Josh's or not. We have the blood samples from his parents. If the DNA analysis shows the blood on the sheet could be from a child of Paul Kirkwood and Dr Hannah Garrison, we've got something we can use. We might just as easily have a red herring. It would make more sense for the kidnapper to try to throw us *off* his trail –'

'It makes *his* kind of sense,' Megan argued. 'He believes he can get away with anything, but he underestimated us. We got him dead to fucking rights. Whose side are you on?'

'You know what side I'm on, Megan. I want to see Wright punished as much as you –'

'You can't even come close.'

She couldn't argue the point. The bitter hate that laced Megan's tone was indisputable. The emotion Wright had forged and hammered within her with every blow was something deeper than Ellen could even imagine. It was a victim's private rage compounded by the humiliation of a proud cop. Ellen knew that her own personal, moral hunger for justice was a pale appetite in comparison.

'I want him convicted,' she clarified. 'But the case against him has to be airtight. I don't want his attorney to see even a hairline crack. The stronger our case, the better our chances of squeezing the truth out of him. It could mean getting Josh back.'

Or finding out the whereabouts of his body.

She left that line unspoken. Everyone involved in the case knew the chances of finding Josh Kirkwood alive. Wright and his accomplice, whoever that accomplice might be, could not afford to let go the one person who could identify them absolutely as the kidnappers.

'If we can present Wright and his attorney with a strong enough case. If we can threaten them with a murder charge and make them believe we can make it stick even though we have no body, then Wright might give us Josh. We can force his hand if we're careful and clever enough.'

'*We thought you were a clever girl, but you're just another stupid bitch!' A disembodied voice. Never rising above a whisper, but taut and humming with fury.*

She trembled. Blind. Powerless. Vulnerable. Waiting. Then the pain struck from one direction, then another, then another.

A cry of pain, of weakness, of fear started in the heart of her, and Megan struggled to choke it off in her throat.

'Are you all right?' Ellen asked with quiet concern. 'Should I call for a nurse?'

'No.'

'Maybe we should quit for now. I could come back in half an hour –'

'No.'

Ellen said nothing, giving her a chance to change her mind, though she didn't expect that to happen. Megan O'Malley hadn't got where she was in the bureau by backing off. The BCA was the top law-enforcement agency in the upper Midwest. One of the best in the country. And Megan was one of the best of the best. A good cop with the tenacity and fire of a pit bull.

Ellen was counting on that fire. She had a meeting with the county attorney in an hour. She needed Megan's statement and time to fit it into the game plan she was formulating in her head.

She wanted her ducks in a row when she sat down across the table from her boss. Rudy Stovich could be unpredictable, but he could also be herded. In her two years in Park County, Ellen had honed her shepherding skills to the point that they had become instinctive, reflexive. She didn't know that she even *wanted* the Wright case, and still she was aligning her strategy.

'Will you be handling the prosecution?' Megan asked, working hard to even out her breathing. A fine sheen of sweat glazed her forehead.

'I'll certainly be a part of it. The county attorney hasn't made his final decision yet.'

'Well, hell, why rush? It's only been two days since we

made the collar. Initial appearance is what – all of hours away?'

'The bond hearing is tomorrow morning.'

'Will he charge it out or wimp out and go for a grand jury?'

'That remains to be seen.'

The media loved to make much of grand jury proceedings. As if the word 'grand' somehow implied 'better' or 'more important.' A grand jury hearing was a prosecutor's showcase – they got to present their evidence with no interference from the defense, no cross-examination of their witnesses. There was no need to prove anything beyond a reasonable doubt; all they had to show was probable cause that the defendant committed the crime. The grand jury had its uses. In the state of Minnesota only a grand jury could hand down first-degree-murder indictments. But, as yet, they weren't dealing with murder, and the thought of handing the fate of this indictment into the hands of two dozen citizens made Ellen's palms sweat.

The members of a grand jury could do whatever they wanted. They didn't have to listen to the prosecutor's argument. If they didn't want to believe Garrett Wright was capable of evil, he would walk. She could only hope that the ego appeal of doing a solo act in front of a grand jury didn't override Rudy's common sense.

Stovich had survived more than a decade as Park County attorney not so much by his legal wits as by his political wiles. More comfortable with civil law than with criminal law, he handpicked the few felony trials he prosecuted, choosing them for their political value. His courtroom style was dated and clumsy, with all the finesse of a vaudeville player. But Rudy's constituents seldom saw him in a courtroom, and as a glad-handing, ass-kissing backwoods politician he was without peer.

'Is Wright talking?' Megan asked quietly.

'He isn't saying anything we want to hear. He insists his arrest was a mistake.'

'Yeah, right. *His* mistake. Who's his lawyer?'

'Dennis Enberg, a local attorney.'

'Is he just a lawyer or is he an asshole lawyer?'

'Denny's okay,' Ellen said, flicking off the tape recorder. She'd been in the system too long to take affront. The distinction was one she had made herself from time to time. And, having come from a family of attorneys, she was long since immune to lawyer jokes and slurs.

She slid down off the stool and reached for her briefcase. Megan was slipping away from consciousness. Exhaustion and medication were going to end the interview whether she was finished asking questions or not.

'He's your basic ham-and-egger,' Ellen continued. 'He does the misdemeanor prosecutions for the city of Tatonka, gets pressed into service as a public defender here from time to time, has a decent practice of his own. You know how the system works in these rural counties.'

'Yeah. *Mayberry RFD*. So what're you doing here, counselor?'

She shrugged into her heavy wool coat and worked the thick leather buttons into their moorings. 'Me? I'm just here to do justice.'

'Amen to that.'

Ellen had spent her entire twelve-year career in the service of one county or another. Much to the consternation of her parents, who had wanted her to follow their footsteps into the lucrative life of tax law. Hennepin County, which encompassed the city of Minneapolis and its wealthy western suburbs where she had grown up, had swallowed up the first decade of her life after Mitchell Law in St Paul. She had immersed herself in the hectic pace, eager to put away as many bad guys as she could. Veterans of the overloaded Hennepin County court system had taken in her enthusiasm with the knowing skepticism of the war weary and speculated on her burnout date.

In ten years her tenacity had only toughened, but her enthusiasm had tarnished badly, coated with the verdigris of

cynicism. She still remembered clearly the day she had stopped herself in the hall of the Hennepin County courthouse, chilled to the bone by the realization that she had become so inured to all of it that she was beginning to grow numb to the sight of victims and corpses and perpetrators. Not a pleasant epiphany. She hadn't become a prosecutor to foster an immunity to human suffering. She hadn't stayed in the system because she wanted to reach a point where cases were little more than docket numbers and sentencing guidelines. She had become an attorney out of genetic predisposition, environmental conditioning, and a genuine desire to fight for justice.

The solution seemed to be to get away from the city, go somewhere more sane, where gangs and major crime were an aberration. A place where she could feel she was making a difference and not just trying to stick her thumb in a badly leaking dam.

Deer Lake had fit the bill perfectly. A town of fifteen thousand, it was near enough to Minneapolis to be convenient, and just far enough away for the town to maintain its rural character. Harris College provided an influx of youth and the sophistication of an academic community. A growing segment of white-collar Twin Cities commuters provided a healthy tax base. Crime, while on the increase, was generally petty. Burglaries, minor drug deals, workers from the BuckLand Cheese factory beating each other senseless after too many beers at the American Legion hall. People here were still shockable. And they had been shocked to the core by the abduction of Josh Kirkwood.

Briefcase clutched in one gloved hand, the low heels of her leather boots clicking against the hard polished floor, Ellen walked down the corridor of Deer Lake Community Hospital. Most of the activity in the hundred-bed facility seemed to center on the combination nurses' station / reception desk in the main lobby, where people with appointments were complaining about the long wait and

people without appointments tried to appear sicker than they really were in hopes of getting worked in faster.

A clutch of reporters loitering at the periphery of the sick zone perked up at the sight of Ellen and scooted toward her, pencils and pads at the ready. Two women and four men, an assortment of expensive wool topcoats and scruffy ski jackets, spray-starched coifs and greased-back ponytails. A photographer angled a camera at her, and she turned her head as the flash went off.

'Ms North, do you have any comment on the condition of Agent O'Malley?'

'Ms North, is there any truth to the rumor Garrett Wright sexually assaulted Agent O'Malley?'

The second question drew a peeved look from Ellen. 'I've heard no such rumor,' she said crisply, not even breaking stride.

The key to handling the media in full frenzy: keep moving. If you stopped, they would swarm and devour you and you would be regurgitated as a headline or a sound bite with film at ten. Ellen knew better than to allow herself to be trapped. She had learned those lessons the hard way, having been thrown to the hyenas on occasion as the sacrificial junior assistant on a case.

The lack of a juicy answer seemed only to sharpen the reporters' hunger. Two cut around to her left. Two scuttled backward in front of her. The one on her right hopped along sideways, the end of a dirty untied shoelace clacking against the floor with every stride.

'What kind of bail will the county attorney request?'

'Can you give us a rundown of the charges being filed?'

'The county attorney will be giving a press conference at the courthouse later this afternoon,' Ellen said. 'I suggest you save your questions until then.'

She pushed through the hospital's front door, bracing herself automatically for the cold. A pale wash of sunlight filtered weakly down on the pristine snow. On the far side of

the parking lot a tractor rumbled along, plowing the stuff into a minor mountain range.

She headed across the lot for her Bonneville, well aware that hers were not the only pair of shoes squeaking over the packed snow. Looking down from the corner of her eye, she saw the loose lace flapping alongside a battered Nike running shoe.

'I meant it,' she said, fishing her keys out of her coat pocket. 'I don't have anything for you.'

' "No comment" don't feed the bulldog.'

She cut him a glance. He had to be fresh out of high school, so wet behind the ears he shouldn't have been allowed to go out in the cold without a snowsuit. His face was finely sculpted. Black hair with a suspicious red cast swung down across his narrow brown eyes. He swept it back impatiently. *Young Keanu Reeves. God spare me.* Not much taller than her own five feet seven inches, he had the build of an alley cat, lean, agile, with the restless energy to match. It seemed to vibrate in the air around him as if someone had plugged him into a high-voltage generator.

'Then I'm afraid your dog will go hungry, Mr – ?'

'Slater. Adam Slater. *Grand Forks Herald*.'

Ellen pulled open the car door and hefted her briefcase across into the passenger's seat. 'The Grand Forks paper sent their own reporter all the way down here?'

'I'm ambitious,' he proclaimed, bouncing up and down on the balls of his feet as if he had to keep himself ready to bolt and run at a second's notice. Cub reporter trying to race ahead of the ravenous pack.

'Are you old enough to have a job?' Ellen asked, cranky with his enthusiasm.

'You used to be ambitious, too,' he said as she climbed behind the wheel of the car.

She looked up at him, suspicious that he might know anything at all about her.

'I have some contacts in Hennepin County.'

Contacts. He looked as if his contacts would have been the guys who stole the midterm from the algebra teacher's desk.

'They say you used to be good when you were there.' *Way back when.*

'I'm still good, Mr Slater,' Ellen declared, twisting the key in the ignition. 'I'm good in any zip code.'

'Yes, ma'am,' he chirped, saluting her with his reporter's note-book.

'Ma'am,' she grumbled as she put the car in gear and headed out of the lot. Her gaze strayed to the rearview mirror as she broke for traffic on the street. Mr Ambition from Grand Forks was bouncing his way back to the hospital entrance. 'See if you ever have an affair with an older woman, you little twerp. *Used to be good.* I haven't lost it yet.'

She wasn't entirely sure whether she meant her skills in the courtroom or her allure as a woman. As the reporter loped out of view, her gaze refocused on her reflection. Her face was more interesting than beautiful. Oval with a graceful fore-head. Gray eyes – a little narrow. Nose – a little plain. Mouth – nothing to inspire erotic fantasies, but it was okay. She scrutinized for any sign of age, not liking the depth of the laugh lines that fanned out beside her eyes when she squinted. How long before she had to stop calling them laugh lines and start calling them crow's-feet?

A birthday was looming large on the horizon like a big black cloud, like the *Hindenburg*. Thirty-six. A shudder went down her back. She pretended it was from the cold and goosed the Bonneville's heater a notch. Thirty-six was just a number. A number closer to forty than thirty, but just a number, an arbitrary marking of the passing of time. She had more important things to worry about – like a lost boy and bringing his kidnapper to justice.