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THE NIGHT SWIM

Written by **Megan Goldin**

Published By **Mirror Books**

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The NIGHT SWIM

Also by Megan Goldin

The Escape Room

The NIGHT SWIM

MEGAN GOLDIN



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To Bernard and Suzanne

'Twas a thousand pities that it should have
happened to she, of all others.

—THOMAS HARDY, *Tess of the D'Urbervilles*

1

Hannah

It was Jenny's death that killed my mother. Killed her as good as if she'd been shot in the chest with a twelve-gauge shotgun. The doctor said it was the cancer. But I saw the will to live drain out of her the moment the policeman knocked on our screen door.

"It's Jenny, isn't it?" Mom rasped, clutching the lapel of her faded dressing gown.

"Ma'am, I don't know how to tell you other than to say it straight." The policeman spoke in the low-pitched melancholic tone he'd used moments earlier when he'd pulled up and told me to wait in the patrol car as its siren lights painted our house streaks of red and blue.

Despite his request, I'd slipped out of the back seat and rushed to Mom's side as she turned on the front porch light and stepped onto the stoop, dazed from being woken late at night. I hugged her withered waist as he told her what he had to say. Her body shuddered at each word.

His jaw was tight under strawberry blond stubble and his light eyes were watery by the time he was done. He was a young cop.

Visibly inexperienced in dealing with tragedy. He ran his knuckles across the corners of his glistening eyes and swallowed hard.

"I'm s-s-sorry for your loss, ma'am," he stammered when there was nothing left to say. The finality of those words would reverberate through the years that followed.

But at that moment, as the platitudes still hung in the air, we stood on the stoop, staring at each other, uncertain what to do as we contemplated the etiquette of death.

I tightened my small, girlish arms around Mom's waist as she lurched blindly into the house. Overcome by grief. I moved along with her. My arms locked around her. My face pressed against her hollow stomach. I wouldn't let go. I was certain that I was all that was holding her up.

She collapsed into the lumpy cushion of the armchair. Her face hidden in her clawed-up hands and her shoulders shaking from soundless sobs.

I limped to the kitchen and poured her a glass of lemonade. It was all I could think to do. In our family, lemonade was the Band-Aid to fix life's troubles. Mom's teeth chattered against the glass as she tilted it to her mouth. She took a sip and left the glass teetering on the worn upholstery of her armchair as she wrapped her arms around herself.

I grabbed the glass before it fell and stumbled toward the kitchen. Halfway there, I realized the policeman was still standing at the doorway. He was staring at the floor. I followed his gaze. A track of bloody footprints in the shape of my small feet was smeared across the linoleum floor.

He looked at me expectantly. It was time for me to go to the hospital like I'd agreed when I'd begged him to take me home first so that I could be with Mom when she found out about Jenny. I glared at him defiantly. I would not leave my mother alone that

night. Not even to get medical treatment for the cuts on my feet. He was about to argue the point when a garbled message came through on his patrol car radio. He squatted down so that he was at the level of my eyes and told me that he'd arrange for a nurse to come to the house as soon as possible to attend to my injured feet. I watched through the mesh of the screen door as he sped away. The blare of his police siren echoed long after his car disappeared in the dark.

The nurse arrived the following morning. She wore hospital scrubs and carried an oversized medical bag. She apologized for the delay, telling me that the ER had been overwhelmed by an emergency the previous night and nobody could get away to attend to me. She sewed me up with black sutures and wrapped thick bandages around my feet. Before she left, she warned me not to walk, because the sutures would pop. She was right. They did.

Jenny was barely sixteen when she died. I was five weeks short of my tenth birthday. Old enough to know that my life would never be the same. Too young to understand why.

I never told my mother that I'd held Jenny's cold body in my arms until police officers swarmed over her like buzzards and pulled me away. I never told her a single thing about that night. Even if I had, I doubt she would have heard. Her mind was in another place.

We buried my sister in a private funeral. The two of us and a local minister, and a couple of Mom's old colleagues who came during their lunch break, wearing their supermarket cashier uniforms. At least they're the ones that I remember. Maybe there were others. I can't recall. I was so young.

The only part of the funeral that I remember clearly was Jenny's simple coffin resting on a patch of grass alongside a freshly dug grave. I took off my hand-knitted sweater and laid it out on top of

the polished casket. "Jenny will need it," I told Mom. "It'll be cold for her in the ground."

We both knew how much Jenny hated the cold. On winter days when bitter drafts tore through gaps in the patched-up walls of our house, Jenny would beg Mom to move us to a place where summer never ended.

A few days after Jenny's funeral, a stone-faced man from the police department arrived in a creased gabardine suit. He pulled a flip-top notebook from his jacket and asked me if I knew what had happened the night that Jenny died.

My eyes were downcast while I studied each errant thread in the soiled bandages wrapped around my feet. I sensed his relief when after going through the motions of asking more questions and getting no response he tucked his empty notebook into his jacket pocket and headed back to his car.

I hated myself for my stubborn silence as he drove away. Sometimes when the guilt overwhelms me, I remind myself that it was not my fault. He didn't ask the right questions and I didn't know how to explain things that I was too young to understand.

This year we mark a milestone. Twenty-five years since Jenny died. A quarter of a century and nothing has changed. Her death is as raw as it was the day we buried her. The only difference is that I won't be silent anymore.

2

Rachel

A single streak of white cloud marred an otherwise perfect blue sky as Rachel Krall drove her silver SUV on a flat stretch of highway toward the Atlantic Ocean. Dead ahead on the horizon was a thin blue line. It widened as she drove closer until Rachel knew for certain that it was the sea.

Rachel glanced uneasily at the fluttering pages of the letter resting on the front passenger seat next to her as she zoomed along the right lane of the highway. She was deeply troubled by the letter. Not so much by the contents, but instead by the strange, almost sinister way the letter had been delivered earlier that morning.

After hours on the road, she'd pulled into a twenty-four-hour diner where she ordered a mug of coffee and pancakes that came covered with half-thawed blueberries and two scoops of vanilla ice cream, which she pushed to the side of her plate. The coffee was bitter, but she drank it anyway. She needed it for the caffeine, not the taste. When she finished her meal, she ordered an extra-strong iced coffee and a muffin to go in case her energy flagged on the final leg of the drive.

While waiting for her takeout order, Rachel applied eye drops to revive her tired green eyes and twisted up her shoulder-length auburn hair to get it out of her face. Rachel was tying her hair into a topknot when the waitress brought her order in a white paper bag before rushing off to serve a truck driver who was gesticulating angrily for his bill.

Rachel left a larger than necessary tip for the waitress, mostly because she felt bad at the way customers hounded the poor woman over the slow service. Not her fault, thought Rachel. She'd waitressed through college and knew how tough it was to be the only person serving tables during an unexpected rush.

By the time she pushed open the swinging doors of the restaurant, Rachel was feeling full and slightly queasy. It was bright outside and she had to shield her eyes from the sun as she headed to her car. Even before she reached it, she saw something shoved under her windshield wiper. Assuming it was an advertising flyer, Rachel abruptly pulled it off her windshield. She was about to crumple it up unread when she noticed her name had been neatly written in bold lettering: *Rachel Krall (from the* Guilty or Not Guilty *podcast)*.

Rachel received thousands of emails and social media messages every week. Most were charming and friendly. Letters from fans. A few scared the hell out of her. Rachel had no idea which category the letter would fall into, but the mere fact that a stranger had recognized her and left a note addressed to her on her car made her decidedly uncomfortable.

Rachel looked around in case the person who'd left the letter was still there. Waiting. Watching her reaction. Truck drivers stood around smoking and shooting the breeze. Others checked the rigging of the loads on their trucks. Car doors slammed as

motorists arrived. Engines rumbled to life as others left. Nobody paid Rachel any attention, although that did little to ease the eerie feeling she was being watched.

It was rare for Rachel to feel vulnerable. She'd been in plenty of hairy situations over the years. A month earlier, she'd spent the best part of an afternoon locked in a high-security prison cell talking to an uncuffed serial killer while police marksmen pointed automatic rifles through a hole in the ceiling in case the prisoner lunged at her during the interview. Rachel hadn't so much as broken into a sweat the entire time. Rachel felt ridiculous that a letter left on her car had unnerved her more than a face-to-face meeting with a killer.

Deep down, Rachel knew the reason for her discomfort. She had been recognized. In public. By a stranger. That had never happened before. Rachel had worked hard to maintain her anonymity after being catapulted to fame when the first season of her podcast became a cultural sensation, spurring a wave of imitation podcasts and a national obsession with true crime.

In that first season, Rachel had uncovered fresh evidence that proved that a high school teacher had been wrongly convicted for the murder of his wife on their second honeymoon. Season 2 was even more successful when Rachel had solved a previously unsolvable cold case of a single mother of two who was bashed to death in her hair salon. By the time the season had ended, Rachel Krall had become a household name.

Despite her sudden fame, or rather because of it, she deliberately kept a low profile. Rachel's name and broadcast voice were instantly recognizable, but people had no idea what she looked like or who she was when she went to the gym, or drank coffee at her favorite cafe, or pushed a shopping cart through her local supermarket.

The only public photos of Rachel were a series of black-and-white shots taken by her ex-husband during their short-lived marriage when she was at grad school. The photos barely resembled her anymore, maybe because of the camera angle, or the monochrome hues, or perhaps because her face had become more defined as she entered her thirties.

In the early days, before the podcast had taken off, they'd received their first media request for a photograph of Rachel to run alongside an article on the podcast's then-cult following. It was her producer Pete's idea to use those dated photographs. He had pointed out that reporting on true crime often attracted cranks and kooks, and even the occasional psychopath. Anonymity, they'd agreed, was Rachel's protection. Ever since then she'd cultivated it obsessively, purposely avoiding public-speaking events and TV show appearances so that she wouldn't be recognized in her private life.

That was why it was unfathomable to Rachel that a random stranger had recognized her well enough to leave her a personalized note at a remote highway rest area where she'd stopped on a whim. Glancing once more over her shoulder, she ripped open the envelope to read the letter inside:

Dear Rachel,

I hope you don't mind me calling you by your first name. I feel that I know you so well.

She recoiled at the presumed intimacy of the letter. The last time she'd received fan mail in that sort of familiar tone, it was from a sexual sadist inviting her to pay a conjugal visit at his maximum-security prison.

Rachel climbed into the driver's seat of her car and continued reading the note, which was written on paper torn from a spiral notebook.

> *I'm a huge fan, Rachel. I listened to every episode of your podcast. I truly believe that you are the only person who can help me. My sister Jenny was killed a long time ago. She was only sixteen. I've written to you twice to ask you to help me. I don't know what I'll do if you say no again.*

Rachel turned to the last page. The letter was signed: *Hannah.* She had no recollection of getting Hannah's letters, but that didn't mean much. If letters had been sent, they would have gone to Pete or their intern, both of who vetted the flood of correspondence sent to the podcast email address. Occasionally Pete would forward a letter to Rachel to review personally.

In the early days of the podcast, Rachel had personally read all the requests for help that came from either family or friends frustrated at the lack of progress in their loved ones' homicide investigations, or prisoners claiming innocence and begging Rachel to clear their names. She'd made a point of personally responding to each letter, usually after doing preliminary research, and often by including referrals to not-for-profit organizations that might help.

But as the requests grew exponentially, the emotional toll of desperate people begging Rachel for help overwhelmed her. She'd become the last hope of anyone who'd ever been let down by the justice system. Rachel discovered firsthand that there were a lot of them and they all wanted the same thing. They wanted Rachel to make their case the subject of the next season of her podcast, or

at the very least, to use her considerable investigative skills to right their wrong.

Rachel hated that most of the time she could do nothing other than send empty words of consolation to desperate, broken people. The burden of their expectations became so crushing that Rachel almost abandoned the podcast. In the end, Pete took over reviewing all correspondence to protect Rachel and to give her time to research and report on her podcast stories.

The letter left on her windshield was the first to make it through Pete's human firewall. This piqued Rachel's interest, despite the nagging worry that made her double-lock her car door as she continued reading from behind the steering wheel.

> *It was Jenny's death that killed my mother* [the letter went on]. *Killed her as good as if she'd been shot in the chest with a twelve-gauge shotgun.*

Though it was late morning on a hot summer's day and her car was heating up like an oven, Rachel felt a chill run through her.

> *I've spent my life running away from the memories. Hurting myself. And others. It took the trial in Neapolis to make me face up to my past. That is why I am writing to you, Rachel. Jenny's killer will be there. In that town. Maybe in that courtroom. It's time for justice to be done. You're the only one who can help me deliver it.*

The metallic crash of a minibus door being pushed open startled Rachel. She tossed the pages on the front passenger seat and hastily reversed out of the parking spot.

She was so engrossed in thinking about the letter and the mys-

terious way that it was delivered that she didn't notice she had merged onto the highway and was speeding until she came out of her trancelike state and saw metal barricades whizzing past in a blur. She'd driven more than ten miles and couldn't remember any of it. Rachel slowed down, and dialed Pete.

No answer. She put him on auto redial but gave up after the fourth attempt when he still hadn't picked up. Ahead of her, the widening band of blue ocean on the horizon beckoned at the end of the long, flat stretch of highway. She was getting close to her destination.

Rachel looked into her rearview mirror and noticed a silver sedan on the road behind her. The license plate number looked familiar. Rachel could have sworn that she'd seen the same car before over the course of her long drive. She changed lanes. The sedan changed lanes and moved directly behind her. Rachel sped up. The car sped up. When she braked, the car did, too. Rachel dialed Pete again. Still no answer.

"Damn it, Pete." She slammed her hands on the steering wheel.

The sedan pulled out and drove alongside her. Rachel turned her head to see the driver. The window was tinted and reflected the glare of the sun as the car sped ahead, weaving between lanes until it was lost in a sea of vehicles. Rachel slowed down as she entered traffic near a giant billboard on a grassy embankment that read: WELCOME TO NEAPOLIS. YOUR GATEWAY TO THE CRYSTAL COAST.

Neapolis was a three-hour drive north of Wilmington and well off the main interstate highway route. Rachel had never heard of the place until she'd chosen the upcoming trial there as the subject of the hotly anticipated third season of *Guilty or Not Guilty.*

She pulled to a stop at a red traffic light and turned on the car radio. It automatically tuned into a local station running a talkback slot in between playing old tracks of country music on a lazy Saturday

morning. She surveyed the town through the glass of her dusty windshield. It had a charmless grit that she'd seen in a hundred other small towns she'd passed through over her thirty-two years. The same ubiquitous gas station signs. Fast-food stores with grimy windows. Tired shopping strips of run-down stores that had long ago lost the war with the malls.

"We have a caller on the line," the radio host said, after the final notes of acoustic guitar had faded away. "What's your name?"

"Dean."

"What do you want to talk about today, Dean?"

"Everyone is so politically correct these days that nobody calls it as they see it. So I'm going to say it straight out. That trial next week is a disgrace."

"Why do you say that?" asked the radio announcer.

"Because what the heck was that girl thinking!"

"You're blaming the girl?"

"Hell yeah. It's not right. A kid's life is being ruined because a girl got drunk and did something dumb that she regretted afterward. We all regret stuff. Except we don't try to get someone put in prison for our screw-ups."

"The police and district attorney obviously think a crime has been committed if they're bringing it to trial," interrupted the host testily.

"Don't get me wrong. I feel bad for her and all. Hell, I feel bad for everyone in this messed-up situation. But I especially feel bad for that Blair boy. Everything he worked for has gone up in smoke. And he ain't even been found guilty yet. Fact is, this trial is a waste. It's a waste of time. And it's a waste of our taxes."

"Jury selection might be over, but the trial hasn't begun, Dean," snapped the radio announcer. "There's a jury of twelve fine citizens

who will decide his guilt or innocence. It's not up to us, or you, to decide."

"Well, I sure hope that jury has their heads screwed on right, because there's no way that anyone with a shred of good old-fashioned common sense will reach a guilty verdict. No way."

The caller's voice dropped out as the first notes of a hit country-western song hit the airwaves. The announcer's voice rose over the music. "It's just after eleven A.M. on what's turning out to be a very humid Saturday morning in Neapolis. Everyone in town is talking about the Blair trial that starts next week. We'll take more callers after this little tune."

3

Rachel

The moment the traffic light turned green, Rachel put her foot on the gas and shot out across the intersection toward her hotel. It was a modern four-star hotel on a beach road, opposite the town's new marina, where day cruisers were docked in a gleaming white row. Hanging off the biggest boat was a giant red banner offering the cheapest prices in town for day trips and game-fishing cruises.

Rachel gave her car to the hotel parking valet and wheeled her suitcase to the reception desk. Check-in wasn't for an hour, but the hotel had promised to make her room available early.

Rachel had deliberately arrived in Neapolis days ahead of the trial to cultivate sources and get to know the people and the rhythm of the town. She was under enormous pressure to make Season 3 better than the last two seasons. A flood of imitation podcasters were copying her original format, with varying results. She had to keep *Guilty or Not Guilty* fresh and groundbreaking, or risk the podcast falling into obscurity as ambitious rivals overtook it. In short, she had to deliver a podcast that ran rings around the

first two seasons. There was no room for failure and Rachel knew it. That was why she'd selected a case for Season 3 that was topical, controversial, and had the potential to spark conversations at water coolers and dinner tables alike.

For the first time *Guilty or Not Guilty* would cover an active trial while it played out in court. The previous seasons had rehashed old cases from years earlier, where everything was viewed through the twenty-twenty lens of hindsight, and with masses of information available online.

Covering a trial while it was under way would put the audience in a virtual jury box. Rachel would give her listeners the testimony and the evidence in real time as it came out in court, as if they were real jurors. Every listener would reach his or her own verdict based on the evidence as the jury deliberated.

Season 3 would test Rachel's endurance more than ever. She planned to attend court during the day and record podcast episodes at night, as well as post on the podcast website daily summaries of each day's hearings and transcripts of testimony, whenever possible. She'd have to do it all without Pete at her side. He'd been in a motorcycle crash and couldn't join her for the trip. Although he'd insisted that he'd help all he could from his hospital bed.

Rachel's first interview was scheduled for later that afternoon, and she wanted to freshen up and change into clothes better suited to the sticky heat. Mostly she wanted to unpack so she could explore the town before her hectic work schedule began. Her heart sank a little when the hotel reception clerk said that her room was still being cleaned.

Rachel headed to the lobby cafe, sitting at a small, round table while she waited for her room. Behind her was a gilded birdcage. She assumed it was ornamental until she heard a rustling noise

and turned around to see a brown bird with a reddish tail scratching listlessly at birdseed. A waiter passed by. She called him over and ordered a glass of freshly squeezed orange juice.

"What kind of bird is that?" Rachel asked the waiter when he returned with her drink.

"It's a nightingale," he said. "The manager thought it was a cute idea to have a songbird in the lobby. The problem is that bird doesn't know how to sing. I've never heard it so much as tweet. It's not much to look at, either. Between you and me, I think it's a fake. I don't think it's a nightingale at all."

"Well, I'm hardly a bird expert, but even I can tell that's one unhappy bird," Rachel said.

"Maybe," the waiter said, shrugging helplessly as if to tell her that he had no influence when it came to the bird's welfare. "You're here for the trial, aren't you?" he asked, changing the subject.

"What makes you think that?" Rachel responded, suddenly on guard.

"You don't have a vacation vibe. The manager said we'd be getting some guests staying here for the trial. Media types. Lawyers too."

Rachel could tell he was fishing to find out which category she fell into, but she had no intention of satisfying his curiosity. She'd booked into the hotel using Pete's family name for a reason. She didn't want anyone at the hotel to know her true identity.

"I gather the trial is an emotional topic around here," she said.

"It can get heated," he agreed. "Everyone knows the boy involved. Some personally and some by reputation. He's pretty famous around here. And this town is small enough that people can pretty much guess who the girl is, even though her name has been kept out of the newspapers."

"If everyone knows everyone, I'm surprised the trial wasn't moved to a different jurisdiction."

"I heard the judge refused to allow it to be moved. Said he had faith in the jurors. I think he's right. They'll be fair. I don't think it's true that everyone knows everyone here. Maybe once. Neapolis isn't a small town anymore."

"Have you lived here long?" Rachel asked.

"My parents moved here when I left for college. I visit them in the summer and work at the hotel during the tourist season." He wiped the table next to Rachel's as he spoke.

"You must like the place if you come every summer?"

"It's great for kids and old people. Not much to do here if you're my age. Nothing in the way of jobs, that's for sure," he said. "My dad says this town never got a break. The factories are struggling. Fishing and tourism are the big money earners. Neither are reliable. The fishing used to be good. Not so much anymore. The tourism, well, that depends on the hurricane season."

Rachel's phone rang. The call was from Pete. The waiter inched away, straightening chairs that didn't need to be straightened. Rachel could tell that he was listening in to her conversation. He had a perplexed expression that suggested he was trying to figure out why her voice sounded so familiar.

It was a common reaction. Rachel's soft, breathless broadcast voice was instantly recognizable. It was her signature. That and her tendency to break the fourth wall with reflections on the miscarriages of justice that she investigated for the podcast. The combination made the podcast addictive.

"Rachel Krall has sexualized true crime in the same way that Nigella Lawson has given sex appeal to frying eggs," one newspaper columnist wrote. "Krall's seductive voice and out-loud musings

give her true-crime podcasts the intimacy of pillow talk. It's no wonder that it's the most successful podcast in the country. I suspect Ms. Krall could record a podcast on paint drying and people would be hooked on her every intonation and the silky cadence of her bedroom voice."

"I couldn't hear your voice mails properly, Rach. The connection was horrible. I did hear you mention finding something on your car? What was it?" Pete asked.

"Someone left a letter on my car while I went for breakfast at a truck stop. It was addressed to me. By name," Rachel said, cupping the receiver of her phone so the waiter wouldn't overhear.

"Were there any threats?" Pete asked.

"It wasn't the content of the letter so much as the way it was left for me under my windshield wiper," she said. "Someone recognized me, Pete."

"It was bound to happen," sighed Pete. "You are a household name."

"I'm not a household face. People don't recognize me so easily, and this place was truly in the middle of nowhere. I don't think anyone here has ever heard of the podcast. It's so remote."

"What was in the letter?" Pete asked.

"Something about a girl called Jenny who was murdered here in Neapolis decades ago," Rachel told him. "The writer claims to have emailed us in the past asking me to investigate. We must have sent back one of those rote letters I hate so much. We should stop sending them, Pete. They're soul destroying. Better to not respond than brush people off."

"Let me get this right," said Pete. "After writing to you several times and getting a rejection letter, this person just by chance happens to see you at a truck stop in the middle of nowhere, recognizes you, and leaves you a letter on your car while you're eating

breakfast." A note of worry inflected Pete's voice. "That seems awfully coincidental."

"Yes. That's exactly my point," Rachel said. "I didn't even know myself that I was going to stop until I saw the restaurant sign on the highway. What's the probability that someone who sent me fan mail months ago and received your very polite 'thanks but no thanks' letter happened to be at an isolated rest stop area at the exact time that I made an unplanned stop?"

"Whoever left the letter must have followed you," answered Pete. "Did you notice being tailed on the drive down?"

"I'm pretty sure I saw the same car off and on for a good part of the drive. I lost it when I hit heavy traffic as I drove into Neapolis," Rachel said.

"Did you get a description? License plate?"

"You know me, Pete. I can't tell a Mazda from a Toyota, and don't even get me started on European cars. The way I figure it, there's only one word for someone who followed me across three states to leave a note on my car."

"A stalker," said Pete.

"That's why I'm just slightly freaked out. Not from the letter. The letter intrigues me, to tell you the truth. It's the way it was left for me. The familiarity of its tone. And the fact that whoever left it must have followed me," said Rachel.

"I could ask the cops to look into it. See what they can find out," Pete offered. "My contact at the FBI said we shouldn't hesitate to file a complaint after the death threats you got last year. I still have his card with his direct number," he added. "Send me a copy of the letter. I'll see what I can do."

"Let's keep the letter between us for now. I don't want cops involved. Not yet, anyway. I don't want to be the girl who cried wolf," said Rachel.

"If you insist," said Pete reluctantly.

"I'm sorry, Pete. I shouldn't bother you with this stuff. You're in the hospital and you're probably in agony."

"Nah, they've given me stuff for the pain. Trust me, anything I can do to take my mind off my current predicament is fine by me. Send it over, Rachel; I am actually begging you. I can safely say that if I die here, it will be only of boredom."

"I feel like an idiot, Pete. I'm sure it's nothing."

"Better to be paranoid than to lower your guard, Rach. There are a few nutjobs out there and I am betting that you are right at the top of their crazy list. You need to watch your back."

After hanging up, Rachel took a photo of the letter with her phone and emailed it to Pete. It was only when she was stuffing the pages back into the envelope that she noticed writing scribbled on the corner of the envelope, almost as an afterthought.

Maybe we should talk in person. I'll wait for you at the Morrison's Point jetty at 2 p.m. sharp.

Rachel tore the envelope into strips. She had no intention of rendezvousing with an anonymous fan and possible stalker at an old jetty. Pete was right. She needed to be careful. The first episode of Season 3 had been released. Her fans knew she was in Neapolis to cover the trial. So did everyone else.

4

Guilty or Not Guilty

Season 3, Episode 1: Victim Blaming

Ever since I announced that I'm covering a rape trial for Season 3, I've been inundated by people asking me why. My mother. My brother. My producer. Even my ex called to express his reservations.

The phrase "Rachel, are you crazy?" came up a lot. They're worried that no matter how I report on the trial, I'm going to rile people up. I'm going to offend people. I'm going to get hate mail and abuse. And, perhaps most frighteningly, I'm going to get crucified on Twitter.

Because rape, for a reason that I can't understand, is divisive.

Murder is a piece of cake by comparison. Everyone agrees that murder is heinous. There's no argument about that. There's no difference of opinion. The Bible says it straight out: "Thou shalt not kill."

When it comes to rape, the Bible is more ambivalent. Much like rape laws have been for millennia.

Raping women was considered a legitimate spoil of war throughout much of human history. It wasn't that long ago when a husband could rape his wife without breaking the law in some states. In some countries,

a husband can still rape his wife, or even a random woman or girl. As long as he marries her afterward.

That's why I chose this case rather than cover another murder trial for Season 3. I want to make you think about how rape and the threat of rape affect the lives of women in a hundred different ways.

I suppose there's another reason why I chose to cover this case. Long before I heard about the rape trial in Neapolis, there was another case I worked on that, well, I'd be lying if I didn't tell you that it got to me. Even today, I get kind of teary. And emotional. As you can probably hear . . . Damn, I promised I wouldn't cry when I told you the story.

The victim was my age. She lived on my block. We shopped at the same supermarket. We took shortcuts through the same park at night. We took the same train from the same platform. So, yeah, her death felt personal.

It was my park. My neighborhood. And she died there, on a damp stretch of grass where my friends and I would play Frisbee in the summer.

But . . . if I'm honest, I think there was more to it than that awful, selfish thought that "but for the grace of God go I." Her story, out of all of the stories that I covered as a crime reporter, tore me up because of the way she was treated after her death.

I won't say her real name, but let's call her Cat Girl. She loved cats. She had a miniature sphinxlike cat tattooed on her shoulder. That was how she was identified—through that tattoo. She worked at an animal shelter on Sundays and at a soup kitchen on Wednesdays. She was kind and funny. By all accounts, she was a talented jazz musician with a husky, evocative voice that put chills down my spine the first time I heard a recording of her singing. If that wasn't enough, she played some seriously good sax.

Cat Girl worked at a little jazz club in Carytown, in downtown Richmond. Music lovers went there for the jazz. College students went

there for the Happy Hour specials. The bar was a hole-in-the-wall sort of place. Narrow wooden stairs at a side-street entrance leading down to a basement bar. It had midnight blue walls and grungy water-stained tables with mismatched chairs. Nobody noticed because the place was too dark to see anything except the stage.

It was a Thursday night. Cat Girl performed a few songs in between serving tables. At some point, a big-shot record producer who was out scouting talent gave her his business card and invited her to audition for a band he was putting together. It was the biggest break she'd ever had. His business card was listed in her personal effects in the autopsy report. It was a sobering reminder that her life went from elation to tragedy in the space of hours.

When the bar closed, she walked home instead of taking a cab. Maybe she wanted to unwind. It was early summer. A perfect night for walking. So she walked. Why not. Right?

It took fifteen minutes for her to walk home. The last part was a little dicey. Remember, it was my neighborhood. I knew it like the back of my hand. Before she cut through the park, she texted her friend to say she was almost home. I guess you can figure out the rest.

Her body was found by a jogger. She was lying on the grass in the middle of the park. Her clothes and hair were wet. It had rained overnight. Her underwear lay in a ball in a puddle and her skirt was hiked up. There were bruises around her throat. She'd been raped and strangled.

It was the way that she'd been left exposed by her killer that sickened me most. He'd taken everything from her. He'd taken her life. Yet even in death, he had to degrade her in one final act of humiliation.

The area where she was murdered was a popular neighborhood for college students living in off-campus apartments. Rumors spread like wildfire that she was killed by a serial killer. Well, you can imagine the hysteria.

It didn't help any when the cops told women living in the area to take precautions. You know, the usual stuff. Hold your keys between your fingers to use as a weapon. Keep your phone in your hand and dial nine-one-one if you're being followed or feel afraid. If every woman who felt afraid called nine-one-one, the switchboard would melt. That is what women live with every day of our lives.

A lot of women felt the cops were blaming Cat Girl instead of her rapist and killer. These women argued that women should be able to walk wherever they want, whenever they want. If they walk home late at night through a park, they shouldn't be criticized for it. And they sure as hell shouldn't be raped and murdered for it.

When school kids are shot by a random shooter, nobody asks whether the victims should have taken more precautions. Nobody suggests that maybe the victims should have skipped school that day. Nobody ever blames the victims.

So why is it that when women are attacked, the onus is on them? "If only she hadn't walked home alone." "If only she hadn't cut through the park." "If only she'd taken a cab."

When it comes to rape, it seems to me "if only" is used all the time. Never about the man. Nobody ever says "if only" he hadn't raped her. It's always about the woman. If only . . .

As I was researching possible cases for Season 3, I thought a lot about Cat Girl and what happened to her. Mostly I thought about the way she was blamed for her own rape and murder.

Then I heard about the upcoming trial in Neapolis. Something about it moved me so deeply that I couldn't get it out of my mind. It reminded me of the Cat Girl case even though the Neapolis case is different in so many ways. In almost every way.

There is one thing that is exactly the same. That's the blame-the-victim game. That hasn't changed at all. Just like with Cat Girl, I kept hearing people blaming the girl at the center of this case in Neapolis.

This trial isn't about the victim. It's about the man accused of raping her. Yet somehow you could be mistaken for thinking that the victim is on trial, too, because, like most rape trials, the case largely rests on his word against her word. The alleged rapist and the alleged victim. Which one of them is speaking the truth?

The trial starts next week. We're in this together. Let's see where the evidence takes us.

I'm Rachel Krall and this is *Guilty or Not Guilty,* the podcast that puts you in the jury box.

5

Rachel

Rachel had to stand on her tiptoes to get a glimpse of the sea from her hotel room window. The reception clerk had told her that she'd been upgraded to an ocean view room when he handed her the key card downstairs. He hadn't mentioned the view would be obstructed by the smokey gray glass of the marina restaurant complex across the road.

Rachel let go of the white netting of the drapes, disappointed by the uninspiring view. She returned to unpacking her suitcase and settling into what would be her home and office for the duration of the trial.

There was a desk, a coffee-making nook, and a brocade armchair alongside a bronze lamp on the blue-gray carpet. In the bathroom was a glass-enclosed shower with a pile of fluffy white towels and an assortment of miniature bottles of translucent body wash and shampoo. The room smelled of carpet deodorizer, vacuum cleaner fumes, and cleaning spray.

Rachel stifled a yawn as she slipped off her shoes and collapsed

on the starched white sheets of the king-size bed, staring up at the ceiling until her eyes blurred. She'd been driving since the middle of the night. She longed for sleep and was tempted to take a nap, but she reminded herself that she had work lined up later that afternoon and couldn't risk oversleeping.

She reluctantly climbed off the bed and finished hanging her clothes in the wardrobe before arranging her files on the desk along with her laptop and power chargers. When she was done, she changed into shorts and a T-shirt and went downstairs for a brief walk to loosen up her body, stiff from hours sitting behind the steering wheel.

It was a relief when she was finally outside the hotel, strolling in the sunshine along the boardwalk. After a while, Rachel sat on a bench and soaked up the almost blinding explosion of color from neon-clad swimmers in the blue water and rows of striped beach umbrellas across the strip of golden sand. She felt so relaxed that she briefly wondered how she'd get any work done She had to remind herself that Neapolis might be a vacation town, but she was there for business.

A white-haired couple walking arm in arm smiled at Rachel as they went past. She smiled back and then surprised herself by calling out to ask them where she could find the Morrison's Point jetty. She regretted each word as she said it.

"Morrison's Point," repeated the man. "Haven't heard it called that for a long time. It's past the headland over there." He pointed to the south. "Nobody goes there much. Not since they built the marina and fixed up the beaches around here."

"Except for fishermen," his wife corrected. "Always plenty of fishermen. Just like the old days."

"Yup," her husband said. "Fishing's still good down there."

"Is it far? Can I walk?"

"Sure can. Keep walking till you can't walk anymore. You'll see it across the beach. Can't miss it."

As Rachel walked, she told herself that she was breaking a cardinal rule for true-crime podcasters: Never rendezvous with fans who leave notes on your car windshield. Never.

Rachel had a tendency to break cardinal rules, so she kept walking. Her feet hit the concrete of the boardwalk faster and faster in her determination to get there on time. The boardwalk ended and Rachel jumped down onto the sand. She took off her shoes and jogged by the shoreline, jumping over seaweed while trying to keep out of reach of the lapping waves.

She had a clear view of the Morrison's Point jetty from the next headland. It looked old and decrepit from a distance, but when Rachel came closer she saw that it was solidly built from aged timber.

A handful of fishermen were scattered across the jetty, their eyes fixed on the tension of their nylon lines. One fisherman sitting on a red cooler box gripping a fishing rod looked half-asleep, with a canvas hat slouched over his head.

Rachel walked to the end of the jetty and leaned against the rails as she watched a sailboat maneuver in the distance as sunlight hit the water.

"Have you caught anything today?" Rachel asked a nearby fisherman whose face was creased in concentration as he hunched over his rod. In answer, he kicked open the lid of a white bucket next to his stool. Rachel peered inside. Two silver fish sloshed around in circles.

"Pulled in a flounder earlier. Threw it back. Too small," he said, indicating the size of the fish with his hands.

"Seems big to me," said Rachel.

"Nah, that's nothing," he said. "When I was a kid, we'd get fish three times the size without even trying. Best place to fish

for miles. No rocks here. It's all sand. On a windless day when the water is clear, you can actually see the fish through the water. They've got nowhere to hide."

"Sounds like you've been fishing here for a long time?"

"Used to come with my great-granddaddy. This jetty has been here for over a hundred and twenty years. It's survived more hurricanes than you can poke a stick at. We thought it would get blown away when Sandy hit. But it held up good."

Rachel turned around to look for Hannah. She'd made it to the jetty by the deadline. But there was nobody around other than the fishermen and a man with a shaved head jogging along the beach. His dog trailed behind, yapping at the waves.

Rachel examined a brass plaque inset into a timber rail on the jetty. It was engraved with a brief dedication to the crew of a trawler who'd died in a storm in 1927. There were other plaques, too, in memory of sailors whose boats had gone down in storms over the years. The most prominent was a plaque dedicated to a merchant ship torpedoed in nearby Atlantic waters by a German U-boat during World War Two.

"The coast around here is a graveyard. My daddy used to say it was haunted. At night the ghosts of—" The fisherman's rod jerked and he abruptly stopped talking as he quickly reeled in the line until an empty hook emerged from the water. "Got away," he muttered, rehooking his line with fresh bait and shuffling to his feet to recast it into the water.

"Did you see anyone waiting?" Rachel asked once his line was set. "I'm supposed to meet someone here. A friend," she added, looking around again. "I don't see her anywhere."

"Can't say that I've seen anyone standing around. Except you. But that's not to say that nobody's been here. I keep my eyes on my line," he said. "Got to be quick or you lose 'em."

Rachel could feel her skin starting to burn as she waited. The sun was strong. She regretted not putting on sun lotion. She hadn't expected to be out that long and certainly never planned to wait at the jetty for Hannah to turn up. Rachel didn't even know why she'd come. She was in Neapolis to cover the trial for the podcast. She couldn't help Hannah. She didn't have the time. The trial would take up all her focus and energy.

Still, she didn't leave. She looked across the beach. There was nobody heading toward the jetty. The beach was deserted now that the man and his dog had disappeared. The old couple who'd given her directions earlier were right. Nobody came there except for fishermen.

A gull squawked. Rachel swiveled around to watch it swoop down toward a school of silver perch. The fish darted under the jetty to take cover. Other gulls swept in and hovered over the water, but the perch remained stubbornly under the jetty.

This is ridiculous, Rachel thought. She'd wasted a good part of the afternoon and she wasn't going to waste another second. She was done waiting.

As she walked back down the jetty, she noticed a gleam of metal. It was a pocketknife, stuck into the post of a timber rail. Rachel squatted down to take a closer look. The pocketknife was skewering an envelope into the timber. The knife's blade was pushed into the wood so deeply that Rachel had to use all her strength to tug it free, grabbing the paper before it fell between the slats of jetty. It was an envelope. Her name was written on it in what was becoming familiar handwriting.

Rachel closed the knife and put it in her pocket. She took a closer look at the timber post. Someone had carved a heart into the timber exactly where the envelope had been pinned. An inscription had been painstakingly pried into the wood with the sharp

tip of a knife: *In loving memory of Jenny Stills, who was viciously murdered here when she was just 16. Justice will be done.*

Rachel remembered seeing a fisherman slouched on a red cooler box in the same spot earlier. The fisherman was gone.

She sat down on the timber decking. Her legs hung over the side of the jetty as she opened the envelope. It had a big hole through it from being pierced by the knife.

Rachel heard the faint ring of her phone. She retrieved it from her bag. It was Pete, but he had already hung up by the time she answered it. He'd left her a voice mail message. She pressed her phone hard against her ear to listen to his message above the wind.

"Rach, I called Tina, the student who interned for us in the spring. She remembers getting emails asking you to investigate the death of a girl called Jenny. She sent back the usual form letter. The writer wasn't happy. She wrote back. Begged us to help her. Tina sent another 'rejection' note. Then the writer stopped emailing us—"

The last part of Pete's message was drowned out by a sudden peal of laughter. Teenagers were running onto the jetty, making it sway as they climbed over the handrail and jumped into the waves with loud whoops. One splash followed another until they were all in the water except for a girl with long blond hair, who stood uncertainly on the narrow ledge, her back to the rails. The others treaded water, waiting for her to jump.

"Come on," someone shouted.

The girl hesitated.

"Jump already!"

The girl took a deep breath and jumped into the water, splashing Rachel and the note. The paper was damp and the ink was bleeding as Rachel began to read.

6

Hannah

Rachel, I wrote to you about my sister Jenny five months ago. I received a response from your office. It was signed by you, but I got the impression that you didn't write it. In the letter, you said that you were deeply sorry to hear about my tragedy but that you weren't able to help. You wished me the best of luck and said that you hoped that I'd get justice for my sister.

I appreciate the sentiment. I really do. At the same time, and I hope you don't mind me saying so, I don't see how that could possibly happen. Not without your help. The cops gave up a long time ago. You're the only person who can help me now. If I didn't believe that then I wouldn't have left you that letter at the rest stop. You looked flustered when you found it. I wasn't sure whether you'd read it. But you did. Otherwise you wouldn't have come to the jetty and you wouldn't be reading this note.

I know that Jenny is just a name to you, so I want you to understand what she meant to me. Perhaps then you'll reconsider.

Jenny had long blond hair the color of corn and the same pale blue eyes as our mother. Light freckles flecked her nose and cheek-

bones. She had a wide smile with a slight gap between her front teeth that she hated. I always thought it was her most beautiful feature.

Jenny was more than my big sister. She took care of me when our mother was at work, which was often, since Mom worked two jobs until her health waned. Jenny picked me up from school and took me to the supermarket, where we'd do homework in the staff room until Mom's shift was over. Sometimes if Mom worked late, we'd take the bus home and Jenny would fix dinner. My sister's loss left a gaping hole in my heart that has never healed.

After Jenny's funeral, Mom's decline was quick. Her complexion faded into the lifeless gray of a dying tree. Her eyes were flat. She moved slowly with the listlessness of an old woman. Most troubling of all, for the first time since she'd been diagnosed she made no effort to hide her suffering.

Before Jenny died, Mom would pick lemons from our tree and juice them by hand to make a pitcher of lemonade. All the while, she'd talk enthusiastically about plans for the summer and a promised road trip the following year. Though maybe even then she knew that it would never happen.

After Jenny died, there was nothing. No hope. No plans. No thoughts about the future. Mom stopped fighting. She capitulated. Without a will to live, those relentless invaders surged through her body, leaving devastation in their cancerous wake.

Day and night, she lay in bed facing the wall, staring at photos of Jenny. It was almost as if she turned her back on life. And me. Within weeks of Jenny's death, my mother's casket was lowered into the ground alongside Jenny's grave. I wasn't there for the funeral. I was in the hospital.

When I was feeling better, the psychologist, a pretty woman with a heart-shaped face and short dark hair whose name I have

long forgotten, offered to take me to the cemetery so I could lay flowers at their graves. She said it was important to say goodbye. I ignored her offer as I sat in my usual spot on the floor by the hospital windows, hugging my knees to my body as I looked through the glass panes at hedges clipped to rectangular perfection.

I haven't told this to a living soul, but if I'd gone to the cemetery and stood by my mother's and sister's graves then I would have found a way to join them. For they were the only family that I had ever known and the pain at their loss sears my soul to this day.

I never returned home, though I remember every nook and cranny of our simple house. We lived south of town, inland from the beach. Mom called it no-man's-land, because there was nothing much there except for us.

It was an old two-bedroom house with a rusty flat roof that leaked when it rained hard. We had an overgrown garden of fruit trees in the back. Hanging from an apple tree was a rope tied to an old tire that I'd swing on while Mom hung clothes on the washing line. That house and her beaten-up station wagon were about all we had in the world.

I don't remember much about my time at the hospital. I sat by the bay window most days, thinking about home. It was from my usual perch that I saw a man and woman arrive one afternoon. He walked with a pronounced limp. She was soft and ached with a maternal need that I could sense as I watched them through the glass window.

They shuffled across the sloping lawn to the hospital entrance. Their pace was excruciatingly slow. I silently urged them on. She held his arm to support him as they climbed the stairs to the main doors, and then disappeared out of my line of sight.

I knew without having to be told that they were the couple who had offered to foster me. I'd already informed the psychologist in

no uncertain terms that I would not live with strangers. She said that I needed a family that would love me as their own. I told her that no family would love me the way my real family had done.

It took time, but eventually I realized I couldn't stay at the hospital forever. A foster family was my only option. I had no relatives that I knew of. I asked the psychologist if the couple she'd told me about had other children. She said they hadn't been blessed in that way. I asked why and she told me that she guessed it was because he'd been hurt in a war and that it had taken a long time for him to heal.

I learned much later that Henry was injured five weeks into his first tour of Vietnam, when a grenade exploded in a ditch not far from where he lay. He spent more time in rehabilitation than he had on the battlefield.

A surgeon at a U.S. military hospital saved him by stopping the bleeding and removing whatever shrapnel he had time to pull out in the meatball surgery they did in those battlefield hospitals. The shards he left behind caused Henry terrible pain for the rest of his life. Henry was a kind man who spoke little and left it to his wife to run the household. Her name was Kate. Henry always called her Kitty.

On the day I first met them, they walked into the hospital recreation room, their eyes only on me as I stood uncertainly while introductions were made. Before I could say a word Kitty embraced me with plump arms and the scent of jasmine. It was probably only a second or two, but I could have stood like that for hours. In her arms. For the first time since Jenny died, I felt safe. When Jenny died, my mother surrendered to death. Now I embraced life. I cherished it and protected it as if it were the sputtering flame of a candle. I couldn't look back. Only forward. Or my life would be unendurable.

In the months that followed I moved to Kitty and Henry's graceful home across the state, near the Appalachian foothills. I wore pretty cotton clothes in shades of pastel and white. I slept in a cream four-poster bed in an upstairs bedroom. Henry painted the walls a dusty pink. Kitty plaited my hair and drove me to school and dance class and soccer practice. Nothing was too much for them.

When my art teacher told Kitty that I had talent, Kitty arranged extra classes with a private teacher. She covered her living room walls with my creations, even those that only a parent could love. Time passed and we blended into a family. I can't remember exactly when the adoption went through. I must have been around thirteen.

During those first weeks, Kitty slept on an armchair in my room when I woke screaming during the night. Eventually they bought me a night-light. I used that night-light throughout my childhood out of politeness. It never stopped the nightmares. Not once.

My night terrors became so bad that when I went to college my roommate asked to be reassigned. She said that she couldn't live with someone who screamed as if she were being murdered. I learned to stifle my screams by burying my head in my pillow.

I made an appointment at the college campus medical clinic and asked the doctor for a prescription for sleeping tablets. He suggested I consider therapy. I told him that I was just fine with the medication. I fooled him. I didn't fool myself.