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THE HUMBOLDT MURDERS

Five people found themselves one New Year's Eve in a run-down Nebraska farmhouse. How they got there —and why three of them died—is a story of the forgotten young drifters of the heartland.

By John Gregory Dunne

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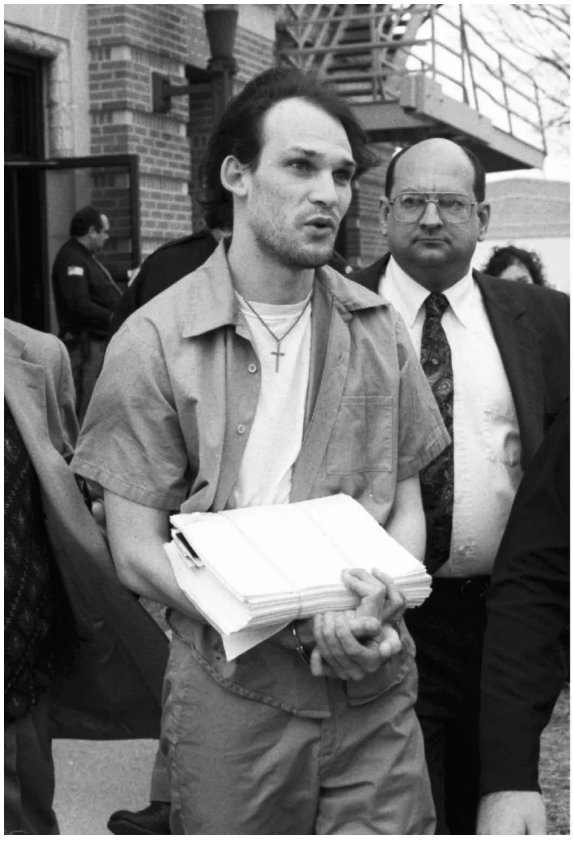
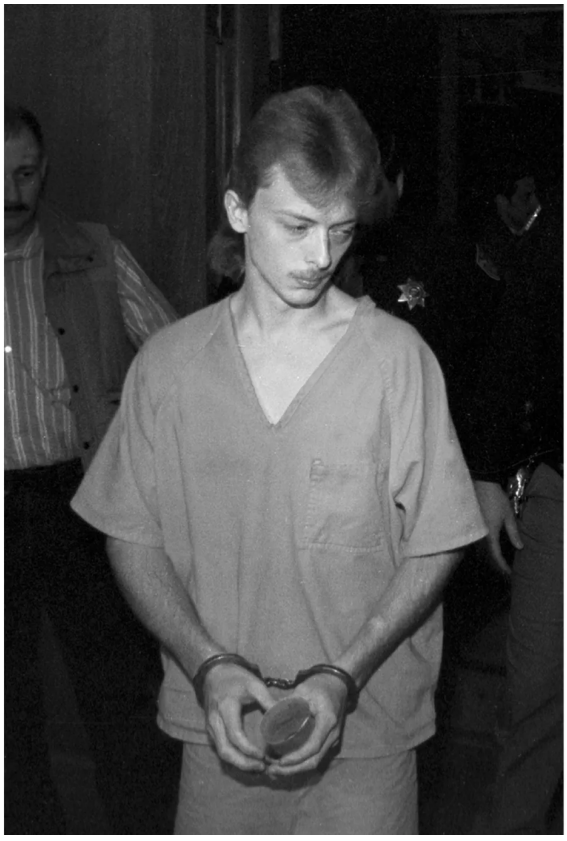
I.

Marvin T. Nissen, a.k.a. Thomas M. Nissen, was convicted, in March, 1995, of one count of murder in the first degree and two counts of murder in the second degree in the Richardson County District Court, in Falls City, Nebraska. After making a bargain under which he agreed to testify against his co-defendant, John L. Lotter, Thomas Nissen was sentenced to spend the rest of his life in prison, without possibility of parole. He was twenty-two years old when he was convicted, and is currently incarcerated at the Lincoln Correctional Center, in Lincoln, Nebraska.





The sociopathic curricula vitae of John Lotter (left) and Thomas Nissen (right) were almost interchangeable. They met just weeks before they committed murder. Left: Photograph by Eric Keith / St. Joseph News-Press / AP; Right: Photograph from Lincoln Journal Star / AP

Nissen is a slight man with a receding chin and reddish-blond hair, a few strands of which, during his weeklong trial, he had twirled into a shoulder-length rat's tail. "A bugger grip" was the way one of the marshals assigned to the courtroom, and wise to the ways of prison life, described this effect. I attended Nissen's trial, and also, later that spring, that of John Lotter. In February, 1996, Lotter was sentenced to death, largely because of the testimony of Thomas Nissen, who presented himself as a reluctant accomplice to Lotter's killer-in-chief; Lotter is now on death row at the Nebraska State Penitentiary.

In the summer of 1995, I began to correspond with Thomas Nissen, in the hope that I might interview him about the murders. He has an I.Q in the low eighties, but his letters, for all the spelling mistakes and grammatical errors, were often acute about how he had got himself in a situation that could only be described as hopeless. With each of my letters, I would include one of my books or a book by my wife, Joan Didion, and Nissen's response indicated that he had read them closely and perceptively. Sometimes he would send drawings that had almost a draftsman's precision, renderings that alluded to his bleak future behind bars. One was headed "Thou Shalt Not Kill," and pictured Nissen's gravestone, as well as an electric chair. Then, in the spring of 1996, Nissen abruptly ended the correspondence:

Dear Mr. Dunne,

Good day Sir. Do to personal and financial problems, I will no longer do any type of interviews. That may change at a later date.

Until then,

/s/ Thomas Nissen

P.S. Please tell your wife hi for me.

2.

"Promote Beef—Run Over Chicken" was a bumper sticker I saw on Highway 50 as I drove down to Falls City from Lincoln on an unseasonably warm day in the late winter of 1994. It was my first trip to Nebraska, a journey for which I had prepared by re-reading Willa Cather's "My Ántonia" and "Obscure Destinies." This was corn and sorghum country; every few minutes, the Top 40 on the car radio was interrupted by the latest crop reports and commodities prices. Family farms dotted the rolling hills, and small herds of cattle grazed on the distant prairie. Outside Humboldt, twenty-six miles northwest of Falls City, I stopped and walked through a tiny, rocky cemetery, where a Czech surname was chiselled on every stone. The dead, I subsequently learned from the pastor of the Catholic church in Falls City, himself a Czech, were the descendants of Middle European refugees who had emigrated to America in the late nineteenth century to escape the dogs of war. Nebraska reminded them of home. They were the spiritual kin of Cather's Bohemians, who had settled in Webster County, to the west, for much the same reason.

The waterfall on the Nemaha River from which Falls City takes its name no longer exists: in the eighteen-fifties, the river channel was straightened, and the town moved to higher ground. "Welcome to Falls City," say the road signs leading into town. "A Great Place to Live," population 4,769. The center of town is dominated by the Richardson County Courthouse; the streets around the square are cobblestone, and on the lawn outside the courthouse is a miniature Statue of Liberty. The sheriff's department is on the

third floor, and pinned to its bulletin board was a broadsheet that said, “See Dick Drunk, See Dick Drive, See Dick Die—Don’t Be a Dick.”

In all, I visited Richardson County four times over the next two years. The separate trials of Thomas Nissen and John Lotter were open-and-shut affairs, each lasting less than two weeks, including jury deliberations. The only suspense was whether Nissen, who was being squeezed by the prosecution, would roll over on Lotter in exchange for not being sentenced to death; for Nissen, this was a no-brainer. Because of concern that it would be difficult to find an impartial jury in a county with a population of less than ten thousand, the jurors and their alternates were selected in Omaha and put up across the street from the courthouse, at the Stephenson Hotel, where rooms went for twenty-two dollars a night. Except during final deliberations, the jury was not sequestered, although Robert Finn, the judge in both trials, suggested that for Omaha people having the freedom of Falls City might be considered a form of sequestration.

In spite of the intense media attention the murders originally generated, I was struck by the absence of a curious local citizenry in the courtroom. When I asked Robert Roh, the pastor of SS. Peter and Paul Catholic Church (Catholics are the largest denomination in Falls City), about this apparent lack of community interest, he answered that only a minuscule percentage of his congregation—no more than five per cent, he suggested—knew anyone involved in the case. What seemed implicit in his remark was that the accused and the dead were an embarrassment to Falls City’s upbeat, middle-class image of itself. In a promotional brochure, the Falls City Economic Development Board says, “The crime rate is low and the standard of living high.” In this part of Nebraska, the high schools are so small that football is an eight-man sport—five linemen and three backs. Outside SS. Peter and Paul, there is a bell tower erected in honor of Steven J. Kopetzky, a football player at Sacred Heart, the Catholic high school. On the tower are inscribed the words “O.K., Coach, I’m ready to go.” During a game in 1974, Kopetzky suffered a concussion, was examined by doctors, and then uttered the words now memorialized on the bell tower. Sent back into the game, he collapsed on the next play, and died. In more sophisticated municipalities, the parents would have sued the school and the church; in Falls City, Steven Kopetzky’s parents gave money for the bell tower, so that his name and devotion to his team and his school would be remembered.

3.

Richardson County is in the southeastern corner of Nebraska, abutting Kansas and Missouri, and is washed by the Missouri River. It is the heart of the heartland, the America mythologized, in 1943, by Oscar Hammerstein in the lyrics of “Oklahoma!”: “We know we belong to the land, and the land we belong to is grand.” In fact, the sentimental celebration of neighborly values that so contributed to the success of “Oklahoma!” exactly coincided with the peripheralization of agrarian life; the military and industrial dislocations caused by the Second World War essentially finished the rural America of the small family farm, ranch, and homestead passed from generation to generation.

This part of prairie America may have been grand, but its history was also soaked with blood. During the Civil War, the raiders William Clarke Quantrill and Bloody Bill Anderson, with their legions of poor whites sympathetic to the Confederacy, pillaged the border states of Kansas and Missouri for private gain and personal satisfaction. The James brothers rode with Quantrill and Anderson, and continued, after the war, to plunder and murder, heroes to the disaffected; Henry Fonda played Frank James in the movie. Economic discontent during the Depression turned the killers Bonnie Parker and Clyde Barrow into public darlings and folk legends, because they had the effrontery to rob the very banks posting the foreclosure notices on property that had been

farmed into extinction; Faye Dunaway and Warren Beatty played Bonnie and Clyde. Nebraska's contribution to this pantheon was Charles Starkweather, a runty garbageman who, in 1958, with his fourteen-year-old girlfriend, Caril Fugate, roamed from one end of the state to the other, killing nine people in less than a week; Martin Sheen and Sissy Spacek played the Starkweather and Fugate surrogates in Terrence Malick's "Badlands."

Rulo, Nebraska, ten miles from Falls City, sits on the western bank of the Missouri River. It is a hard, rough hamlet of fewer than two hundred people, several bars, and a keno parlor. In the mid-nineteen-eighties, a militant doomsday cult led by a man called Michael Ryan established an encampment outside Rulo; Ryan saw the spot as a perfect fire base from which to defend Anglo-Saxon values against Soviet attack and the resultant breakdown of law and order. He claimed that the parts of the Bible with which he disagreed had been added by the Jews, and that Yahweh, as the cult called God, permitted polygamy, which had enabled him to marry not only a second wife but that wife's two sisters, one of whom was fifteen, as well as their mother. To prepare for the imminent Armageddon, Ryan and his followers stockpiled food, fuel, and seventy-five thousand rounds of ammunition. The lust for Armageddon was standard cult stuff, but Ryan added an individual spin. He designated wayward members of the cult slaves, and proclaimed that Yahweh sanctioned bestiality, sodomy, torture, and even murder if a slave was unrepentant or beyond saving.

An appellate decision handed down by the Nebraska Supreme Court affirming the first-degree murder conviction of Michael Ryan would not seem the likeliest place to find a lurid account of the events that took place in Rulo in the spring of 1985, but the very aridity of the decision's language invokes the gothic barbarism of the incidents. There were two victims—Luke Stice, the five-year-old son of Richard (Rick) Stice, a Ryan enlistee, and James Thimm, an adult member of the group who had been demoted to slave. Luke Stice's transgression was that he had apparently "expressed doubts about Yahweh." As punishment for these "bad thoughts," Ryan "forced Rick Stice to perform oral sex on his son Luke and forced Luke to perform oral sex on his father while the other men watched." Luke Stice died after Ryan "repeatedly shoved him, causing Luke's head to strike a cabinet." After Luke's death, "defendant [Ryan] forced Rick Stice to copulate with a goat on three different occasions."

James Thimm also had questioned the existence of Yahweh, and for this heresy Ryan insisted that he, too, be "forced to copulate with a goat." Next, Ryan "told Thimm that he was going to be sexually assaulted with a shovel handle." After some initial probing, the shovel handle was replaced by a thicker pick handle. Thimm was tied to a farrowing crate with baling wire, and his mouth was taped so his screams could not be heard. The next day, Ryan "told Thimm that he was going to skin a part of him. Defendant put on a pair of yellow kitchen gloves and used a razor blade to make incisions in Thimm's leg, and then used pliers to pull off strips of Thimm's skin." Finally, James Thimm died. When his body was disinterred, autopsies were performed by two pathologists, one representing Ryan and one the Richardson County attorney; the only disagreement between the two pathologists "was whether the victim's penis and scrotum had been cut away or had decomposed."

In 1986, Ryan was tried, convicted, and sentenced to death in Nebraska's electric chair. As of June, 1996, Ryan's trials and the subsequent appeals of his death sentence have cost Richardson County more than four hundred and seventy thousand dollars; with the appeals continuing, it is unlikely that the hemorrhage of county resources will end in the foreseeable future. The expense of the Ryan case, along with massive flood damage from the 1993 rains that sent the Missouri over its banks, have essentially tapped Richardson County out.

What the county government did not need was another death-penalty trial that would further drain its exchequer. What it got during the early-morning hours of the last day of 1993 was a triple murder at a remote farmhouse a mile south of Humboldt,

murders as singular in their way as the atrocities in Rulo, murders that would result in two more death-penalty trials that would have to be funded by Richardson County.

4.

Anna Mae Lambert lives in Pawnee City, thirty-six miles west of Falls City. She is a small, grandmotherly woman with short, graying hair. For nearly twenty years, she has been a social worker at the Pawnee Manor Living Center, a home for the elderly. She is divorced, and her ex-husband, John Lambert, works at the Campbell's Soup factory in Tecumseh. Late in 1993, their daughter, Lisa, an unmarried single mother with a nine-month-old son, Tanner, was renting, for a hundred and twenty-five dollars a month, a ramshackle one-story farmhouse outside Humboldt. Tanner was the product of a brief encounter, and when Lisa became pregnant the boy's father abandoned her. Lisa had graduated from a community college and was working as a nurse's aide at the Colonial Acres nursing home, bathing, dressing, and feeding patients. Slight and pretty, Lisa Lambert was the sort of young woman who collected human strays and invited them to stay at her farmhouse. To supplement her income, she tended bar occasionally at Big Mike's, on Humboldt's town square, and she did not, according to another bartender at Big Mike's, "have an enemy in the world."

Shortly after 10 A.M. on December 31, 1993, Anna Mae Lambert drove up the narrow, rutted dirt path leading to Lisa's farmhouse with some things she had promised to drop off. Lisa's house was set among a stand of trees a quarter mile off the main road. Anna Mae Lambert noticed that the storm door was ajar and the front door was open, unusual in the bitter cold. She knocked on the door and received no response, but when she heard Tanner crying inside she entered. "There was a Negro sitting on the floor in the living room in front of the couch," Anna Mae Lambert testified during Thomas Nissen's trial, fourteen months later. "I just kept right on going. I just went right on through to the bedroom where I knew Tanner's bed was. . . . I went straight to the crib and picked Tanner up." It was then that she turned around and saw Lisa on her water bed, not moving, with blood on her face. The water bed had been punctured, and the floor was soaked. There was another person lying across the foot of the bed. "All I saw was just—just the legs of the other person," Anna Mae Lambert testified. "I never looked at the body of the other person."

Anna Mae Lambert picked Tanner up from the crib and went out to the dining room, where she placed a call to the Humboldt police. "I reported that I was at my daughter's house," Anna Mae Lambert testified, "and that there was bodies there." Then she prepared a bottle for Tanner, heating it in the microwave oven. Scrupulously, she tried to avoid touching anything, explaining to the court that she was an emergency medical technician and had been trained in how to behave at a crime site. "I touched only what I needed to," Anna Mae Lambert said, "and then I only done it with one finger and a thumb, if at all possible." Anna Mae Lambert also avoided looking at the body of the black man in the living room. "When I was sitting with Tanner in the chair," she said, "I didn't look around. I just looked at him and fed him and talked to him." This quiet competence suggests a woman who would not have been out of place driving a covered wagon west across the empty prairie. There in a house surrounded by three bodies, including that of her daughter, her first priorities were to take care of her cold and crying grandson, and to maintain the integrity of the crime scene.

Lying face up on her water bed, wearing a long green shirt, black shorts, and maroon underpants, Lisa Lambert had been shot three times. There was a non-life-threatening wound through skin and subcutaneous tissue on the right side of her chest,

and two bullets fired into her brain at such close range that there were powder burns on her head; one bullet entered through her right eye and exited below the right ear, destroying Lisa Lambert's face.

The black man lying against the couch in the living room had been shot twice. He was identified as Phillip DeVine, he was twenty-two years old, and he had come to Richardson County in mid-December to spend the Christmas holidays with a young Falls City woman he had met at the Job Corps training center in Denison, Iowa. Phillip DeVine was physically handicapped, with only a stump for a right leg, and a prosthetic device that attached below the knee. He was wearing both his prosthetic leg and the boot it fit into. The bullet that killed him entered his skull above the right eyebrow and lodged at the base of his brain.

The third victim, the young woman lying at the foot of Lisa Lambert's water bed, was also a recent arrival in Richardson County. Her name was Teena Renae Brandon, she was from Lincoln, and she had been in the Humboldt and Falls City area for less than two months. When Teena Brandon was killed, she was wearing black Jockey-style underwear, sweat shorts, a sweatshirt, a T-shirt, and sweat socks. Her killer had placed his weapon under her chin and fired; the bullet fractured her left mandible and lodged in the base of her brain underneath her right eye. A second bullet had exited the skull just below her right ear. It was impossible for the pathologist who conducted the autopsy to discern which bullet was fired first, but either would have killed her almost instantly, because both caused massive brain damage. Teena Brandon had also been stabbed, a wound that penetrated five inches into the right lobe of her liver and could have killed her if the two bullets into her skull had not.

That all three victims had been shot execution style indicated to investigators that robbery was probably not the reason the intruder or intruders had broken into the farmhouse. Nothing seemed to be missing, and little disturbed, except for the pierced water bed and the open front door, which had been violently pushed in from the outside. Of the three victims, Teena Brandon was the most familiar to authorities. Since her arrival in Richardson County, in November, she had been in and out of trouble with the law. Shortly before midnight on November 27th, she had been cited for M.I.P., or minor in possession of an open bottle of alcohol, after a car she was driving was involved in an accident. Teena Brandon had produced a driver's license belonging to a cousin named Charles Brayman, and it was as Charles Brayman that she signed the complaint, and was ordered to appear for a hearing at 2 P.M. on December 15th at the Richardson County Courthouse, in Falls City. That Teena Brandon had been able to pass herself off as a man to the officers citing her was not that surprising. In the circles in which she moved, she was known as Brandon, a young man down from Lincoln, and as Brandon she, as he, had declared his love for, and slept with, a number of women in Falls City and Humboldt, including Lisa Lambert.

On December 15th, Teena Brandon, still posing as Charles Brayman, had shown up for her court date in Falls City and pleaded not guilty to the M.I.P. charge. Charles Brayman said he had the means to engage counsel and was released on his own recognizance. On his way out of the courthouse, Brayman was approached by a deputy sheriff who addressed him as "Teena" and asked if he could speak to her upstairs in the sheriff's department.

Teena Brandon must have known the jig was up. She made no claim that her name was Charles Brayman, and accompanied the deputy to the sheriff's office, where she was shown three checks on which she had allegedly forged the name of Carrie Gross, a friend and former roommate, including one for $121.35. The checks, drawn on Gross's account at the First Federal Bank of Lincoln, had been cashed at the bank's Humboldt branch. A teller at the bank, shown a photo lineup after Carrie Gross told authorities that the endorsement signatures on the checks were not hers, had identified Teena Brandon as the woman who had cashed them. After the deputy read Brandon her Miranda rights, she confessed to the theft and was arrested on a charge of second-degree forgery. Later that afternoon, in the same courtroom where two and a half hours earlier she had appeared as

Charles Brayman, she was remanded to the county jail as Teena R. Brandon, setting in motion the chain of events that ended, as if inevitably, with the murders in Humboldt early on the morning of December 31, 1993.

5.

Willa Cather, when she was a young girl growing up in Red Cloud, Nebraska, in the late eighteen-eighties, cropped her hair short in the sort of brush cut a Marine lieutenant might favor, often wore men's clothes, and called herself William Cather, and sometimes William Cather, M.D. Cather was so discreet about her lesbianism, according to her biographer Sharon O'Brien, that many critics regard her as either celibate or asexual. Her relationships with women had the virtue of constancy; she shared an apartment in New York with Edith Lewis for almost forty years, and her friendship with Isabelle McClung lasted nearly as long, and was even relatively untroubled by McClung's marriage.

If Cather's literary life was centered in New York, her talent was sustained by Nebraska. She understood what it was to be different in a small prairie town and how toxic its gossip and small-mindedness could be. "This guarded mode of existence was like living under a tyranny," the narrator says in "My Ántonia." "People's speech, their voices, their very glances, became furtive and repressed. Every individual taste, every natural appetite, was bridled by caution." Cather, however, was a woman of rank, money, and ability, and her observations proceeded from the heights of privilege: for her, this prairie tyranny was ultimately "material," the raw stuff of art.

Teena Brandon was the raw stuff distilled to its very essence, a young woman from that vast constituency living at or below society's safety net. The tyranny from which she could not escape was less that of gender than of class, a prison more tyrannical than Willa Cather's prairie town, especially in white America, where class distinctions are not supposed to exist. Hers was the marginalized world of mobile homes, grungy rentals, public housing, unemployment, welfare, service jobs, minimum wage, social workers, domestic abuse, sexual molestation, absent fathers, paternity tests, teen-age pregnancies, foster homes, court-ordered psychological counselling, learning centers rather than high schools, Job Corps, petty crime, felony convictions, and penitentiary hard time.

She was small and vaguely androgynous. Her hair was cut short and her clothes were loose-fitting, less masculine than unisex. Her background was the kind that in literature the protagonist tries to overcome. Teena's mother, JoAnn Brandon, gave birth to her first child, Tammy, when she was fourteen years old. Teena's father, Pat Brandon, had Sioux Indian blood. He worked hard-hat jobs, and with his young family lived in a mobile home off Cornhusker Highway in northeast Lincoln. When JoAnn Brandon was sixteen, and one month pregnant with Teena, Pat Brandon, only nineteen himself, was killed in an automobile accident. Years later, Teena Brandon would tell psychiatric counsellors that her father was drunk when his convertible rolled over and went off a bridge.

This fragile family background has been compellingly and encyclopedically documented by the true-crime writer Aphrodite Jones, who appeared in Falls City not long after the murders to research "All She Wanted," a book that she published as a paperback original. From the day of her arrival in town, Aphrodite Jones was a high-profile presence. A strikingly handsome woman with a mass of dark hair, she was the most glamorous thing to hit Falls City in a long time, and she was not unaware of it. She did not suffer competitors gladly, and, to make her position clear, she had the foresight to sign the Brandons and other principals in the case to contracts in which the signees agreed to "exclusively supply author with interviews, letters, photos and

other pertinent documents to support the author's writing of the book and film project," effectively freezing out other reporters. The contract read that no money would change hands until or unless a "motion picture" was "released" from any book Jones would publish, at which point the signee would receive ten thousand dollars or ten per cent of the book's movie purchase price, whichever was greater; the prospect of this payment was so problematic as to barely exist, and would come to seem, for those who signed, just one more disappearing dream.

These were people for whom dreams tended to disappear. Circumstances—marriage before she was out of junior high school, two daughters and widowhood by the time she was seventeen—had dashed JoAnn Brandon's dream of becoming a model, a career that she thought might be available because she had modelled children's clothes for department-store catalogues. She moved back to her mother's house, where she began the arduous task of raising Tammy and Teena as a single parent, relying on the social-security checks that began to arrive after Pat Brandon's death. Shortly before Teena's second birthday, JoAnn Brandon embarked on a second marriage. She was nineteen; the marriage lasted five years.

JoAnn Brandon was a Catholic, and managed to send her daughters to parochial schools. Teena was a tomboy, her mother and Tammy told the interviewers who sought them out when Teena's murder was leading the news. She played with a garter snake instead of a doll; she liked to tinker with cars and take radios apart; she imagined herself quarterbacking the football team at Pius X High School. Then there were the stories about how she and her sister had been sexually molested by a male relative. It was as if somewhere in this litany of gender uncertainty, rejection by men, and furtive molestation there might be an early clue, a first cause, a reason that would make Teena's subsequent ventures across the gender divide easier to accommodate.

JoAnn Brandon's ability to control her daughters was compromised by her own hard relationships. Like tumbleweed, Tammy and Teena began to move about the underside of Lincoln, in and out of the houses and trailers of friends and lovers who made up a floating hegemony of rootless, unsupervised children. Teena moved in with Traci, then with Tammy, who had been involved with a man who beat her up. Tammy thought Teena might be stealing money from her, Aphrodite Jones reports, and the arguments between them forced Teena to move back in with JoAnn. As if to erase any lingering femininity, Teena bound her breasts with an elastic athletic bandage. When Operation Desert Storm was heating up, she tried to enlist in the Air Force, but was rejected after flunking the written test.

Tammy got pregnant, and decided to give up the child—a half-black daughter, who was adopted by a lesbian couple in San Francisco. Teena was distraught; the idea of being an aunt had appealed to her. Her best friend, Sara, got pregnant, and Teena suggested that she would like to help raise that baby, and perhaps adopt it. Illegitimacy is generally regarded as a black inner-city problem by middle-class whites, a comforting illusion. But twenty-two per cent of the white children born in 1991 were born out of wedlock; more than eighty per cent of these single mothers had only a high-school education or less, and sixty-nine per cent survived on less than twenty thousand dollars a year. On this rung of the social ladder, birth control was seen as a dreary restriction—messy, expensive, and unspontaneous—and, because babies conferred a kind of status on teen mothers with nothing much going for them, abortion was not considered an option.

6.

It is interesting to speculate on the degree of empathy Willa Cather might have displayed toward Teena Brandon. A clue can be found in her portrait of Ántonia Shimerda, the immigrant Bohemian servant girl who is the heroine of "My Ántonia." There

was a certain Lady Bountiful aspect to Cather that perhaps led her to invest Ántonia with more decency, spirit, strength, and calm than any character can easily bear. I suspect that Teena Brandon would have made Cather impatient: Teena was socially and economically no more disadvantaged than Ántonia, and one can assume that Cather would have regarded her obsession with gender and its discontents as self-indulgent, and her gender confusion as an excuse to abdicate personal responsibility.

After leaving Sara's place, Teena Brandon was once again forced to live in her mother's mobile home, in a trailer court on Cornhusker Highway out past the state fairgrounds. The court was situated behind V.F.W. Post 131 ("Wednesday Bingo, Public Welcome"), Laura's Hair Care, and Close-Outs Unlimited, an outlet for tools. Across Cornhusker Highway was a line of grain elevators, and day and night a steady flow of Burlington Northern trains pulled away, hauling loaded grain cars to market. Many of the mobile homes had wind chimes, and when a breeze came up the effect was like listening to a concerto for xylophones. It was a place to come from, to get out of, but for Teena Brandon, not yet eighteen, Cornhusker Highway represented a comfort zone she seemed disinclined to leave. Unengaged by school, she failed to graduate from Pius X. She was undereducated, her ambition was limited, she had no specific gifts on which she could capitalize, and, most important, she was without positive sexual identity.

Destiny intervened, in late December, 1990, when a thirteen-year-old named Liz dialled a wrong number. Liz liked the sound of the unknown voice on the other end of the line, and the two began to flirt. The voice said his name was Billy Brinson. Liz proposed that she and Billy get together, and Billy was game. On New Year's Eve, Liz and Billy Brinson went on a roller-skating date. Billy Brinson, of course, was Teena Brandon, and she was finally cast in a part in which she felt comfortable: the Peter Pan mentor to a post-pubescent little girl.

Liz was followed quickly by Heather, who was fourteen, as Billy Brinson effortlessly retooled his name to Billy Brandon. He was a good kisser and an expert cuddler, and he stuffed socks into his shorts to give his groin the appearance of a male basket; later, he would wear a dildo. Billy moved out of JoAnn Brandon's mobile home and in with Heather and her mother, Ruth. He suggested to Heather that he was a hermaphrodite, or, alternatively, a man trapped inside a woman's body, explanations, JoAnn Brandon says, that Teena/Billy picked up from "The Montel Williams Show." Billy told Heather that he had undergone sex-change surgery, but as he refined the story over the next years he would claim that the process had only just begun, that there was something down there, it was small, but it would get bigger by the time all the operations were completed. In carnal situations, Brandon smoothly managed to avoid exposing his genitalia; the butch was always the toucher, never the touched, and in time he worked the references to future surgeries into a routine that passed muster with female companions prepared to take it on faith. Heather was unequipped or unwilling to express any doubts she might have entertained, so when Billy asked her to marry him she said yes; they decided to spend their honeymoon on a cruise.

The metamorphosis of Teena into Billy unhinged JoAnn Brandon. She left messages on Ruth's answering machine, saying that Heather and Billy were lesbians; her tone was so threatening that the police cited her for disturbing the peace. No one believed JoAnn when she kept insisting that Billy Brandon did not exist, that Billy was in fact her daughter Teena. Teena vehemently denied to her mother that she was a lesbian, adding to the strain between them.

Billy was soon calling himself Brandon, and in the teen world of the underprivileged he had become a lady killer of some proportion. Fidelity was not his long suit; Heather was followed by Reanna and Danielle and Lindsay and Gina and Daphne and uncounted others. The reality principle seemed not to apply; Heather went on the pill and Daphne claimed that Brandon got her pregnant. With his sexuality a constant source of conjecture, Brandon was nomadic, moving from place to place,

girl to girl, seldom staying anywhere long. He picked up a bogus photo I.D. so he could get jobs as a temp, or a pizza delivery boy, or a vacuum-cleaner salesman working on commission. Brandon's idea of courtship, when some nymphet caught his fancy, was to pitch old-fashioned woo—shower the object of his affection with flowers and candy and pizzas and promise rings and marriage proposals. He rented a hotel suite and wore a tuxedo for a party to announce his engagement to Gina, and charged everything to the room; he collected the photos of this event into a scrapbook that he called his wedding album.

To pay for this extravagance, Teena Brandon had fallen into the bad habit of stealing. A.T.M. cards were one source of income, and forged checks another. In general, she, as he, stole only from friends or the parents of friends. Surprisingly, some victims were willing to defend him; they saw Brandon as a Nebraska Robin Hood, in that the presents he charged on other people's credit cards were not for himself but for his girlfriends. Not everyone was so forgiving. In the early months of Teena Brandon's gender masquerade, the Lincoln Police Department started a rap sheet on her; its first listing was "Arrested 03-13-91" for possession of stolen property, "found guilty, fined $500." She also served three days in jail. The arrests mounted up, but in most instances the cases were dismissed, the charges were dropped, or the county attorney declined to prosecute.

In October, 1991, however, Teena Brandon was arrested on a forgery charge, and this time she could not talk her way out of it. Before her case came to trial, however, she had a high-decibel fight with Heather over her true identity: man or woman, Brandon or Teena. In its aftermath, according to Aphrodite Jones, she swallowed a bottle of antibiotics and was rushed to the hospital. A week later, she was admitted to the Lancaster County Crisis Center, in Lincoln, where she was placed under suicide alert. After a week's hospitalization, she was discharged from the Crisis Center, where therapists had diagnosed her as a transsexual with a personality disorder.

In March, 1992, in a Lancaster County District courtroom, Teena Brandon was convicted of second-degree forgery, and was sentenced to eighteen months' probation, under the terms of which she would agree to undergo psychological counseling, not consume alcoholic beverages, get a high-school equivalency diploma, or G.E.D., and make restitution in the amount of $186.49 to Food Bonanza, where she passed one of the forged checks. Probation, even for a felony, did not make Teena Brandon any less feckless. "Attendance is sporadic & infrequent," the psychological clinician assigned to her at the Lancaster County Mental Health Center wrote. Four months later, the counsellor reported, "Teena does what is needed to get by. No changes noted in taking responsibility, personal growth, or attitude." Two months after that, Teena Brandon was terminated from the program. "She told so many different versions of things it was hard to know what to believe," the counsellor wrote in her last report. "Further therapy is unlikely to be of help."

In spite of her probation, new entries piled up in Teena Brandon's arrest history. She seemed blithely unconcerned; lying came naturally to her, and because lying is the lingua franca of the court system she was in her element. She consistently put off court dates, and her excuses were all of the-dog-ate-my-homework variety:

"I have a final that I have to take that can not be taken at any other time, to get through school."

"My grandfather passed away this week. Dan Maupin was his name."

"I have to finish taking my classes and I have only two full weeks to finish them."

"I need to retake my drivers test to recieve my Driver's Permit, and I have another couple of test to take for my G.E.D. for probation that day, and I am trying to not miss to many days of work, sir."

"I had a family emergency that is in South Sioux City. My aunt had been in a hit and run accident and was seriously injured. She has taken care of me since I was little."

"My last requests was because my aunt was in an accident and in serious condition. She passed away Wed 29, 1993, and her funeral is on the Mon 4 of October, and the family would like to go Fri morning—my only transportation up there."

Outside the criminal-justice system, Teena Brandon still functioned as the young man called Brandon, and for Brandon there was always a new girl. Never entirely certain of Brandon's masculinity, these teen-agers explained his attraction in the impoverished and self-dramatizing rhetoric of adolescence: *He was the only one for me. . . . He was so cute. . . . I fell madly in love. . . . I worshipped the ground he walked on. . . . He was a perfect gentleman. . . . He knew how a woman wanted to be treated. . . . He gave me a teddy bear. . . . He broke my heart. . . . He was using me. . . . He was the biggest cheat around. . . . He was playing games with me. . . . He made me lose my faith in men*. Many of these child-women had experience with domestic abuse and sexual molestation. They resided on a social frontier where women expected to get battered, where violence against their persons was accepted as a clause in the human contract. Brandon's appeal was that he was an unthreatening romantic, a lean and unmuscular quasi-man who offered sex without pregnancy or fisticuffs.

I talked about this appeal with a female-to-male cross-dresser I had contacted in New York. "I did a lot of things Teena Brandon did, but not so rambunctious," she told me. "He made them feel good. And when you start feeling good there's a lot of mental editing that goes on. The butch pays for things. He opens doors, buys the movie tickets." That Brandon might be a hermaphrodite was a story many of his conquests accepted with few questions, in order to reconcile what they were doing with him in bed. "It's a grade-school approach to sexuality," my contact said. Teena Brandon's thievery "was part of the trip. It's a danger trip. She was out on the edge, pushing the envelope." Street culture had penetrated the larger cities of the heartland, and Teena Brandon's constant moving around Lincoln, house to house, trailer to trailer, was life at the squatter's mean street level. "The survival thing can come apart any second," my contact said. "On the street you're bound to meet other social outlaws. You just hope they're not sociopaths."

Even the real possibility of prison did not deter Teena Brandon from forging more checks and stealing more A.T.M. cards in order to meet the financial demands of courtship. By the fall of 1993, she had violated so many conditions of the probation received for her 1992 forgery conviction that a Lancaster County judge had issued a statewide warrant for her arrest. Her friend Gina discovered that the presents Brandon had given her had been charged on Gina's credit card. Early in September, Teena Brandon was arrested for forging a bank withdrawal slip for a hundred and thirty-five dollars, a second felony when she was still on probation for the first.

Teena Brandon's world was contracting. She was a woman whose entire survival strategy was based on not wanting to face certain facts; she had detoured around what she did not wish to see, compartmentalized what she did see, moved on, started over. Imagine her state of mind: If she was sent to prison, she would be adrift in the overt lesbian culture that thrives in confinement. Her continued insistence that she was not gay eliminated retreat into the gay communities of Lincoln and Omaha, where she could have been sheltered and nourished. Her only alternative was to take her sexual ambiguity and lie low in a place where no one knew her.

That opportunity came in November. Daphne had a friend named Carrie Gross. Carrie Gross happened to be crashing in a farmhouse outside Humboldt, an hour and a half south of Lincoln. With Charles Brayman as a fallback alias, Teena Brandon decamped for Richardson County, to hole up in the Humboldt farmhouse along with Carrie, Carrie's boyfriend, Mike, and Lisa

Lambert, whose place it was. Her diminishing choices notwithstanding, Teena Brandon's brio remained intact, and she acted as if her problems would never catch up with her.

7.

William Holden, as Hal Carter in the 1955 movie made from William Inge's Pulitzer Prize-winning Broadway play, "Picnic," hopped off a freight passing through a sere Kansas farm town one Labor Day morning, and as soon as his feet hit the ground the hormones of the local females began to bubble. Full of self-pity and grandiose failed schemes, Carter claimed that he'd had a Hollywood screen test, and that the studio had wanted to rename him Brush Carter. In fact, he was only a drifter and braggart who wanted to be anything but the "bum" that, in a fleeting flash of honesty, he said he was. Hal Carter was someone new in the claustrophobic emptiness of a small town, where being "new" offered immediate entrée, and of course he took up with Madge Owens, the prettiest girl in town. Madge's mother, an abandoned wife who had reared her two daughters alone, wanted someone better than Hal Carter for her oldest child, to which Madge, a nineteen-year-old five-and-dime clerk whose sole negotiable asset was her looks, could only reply, "You don't love someone because he's perfect."

The arrival of Brandon in Richardson County had much the same effect as Hal Carter's Labor Day stopover in Inge's Kansas town. Around the lumpen hangouts where the underemployed young gathered, Brandon quickly became a familiar figure, a regular at the Oasis karaoke club and at the Kwik Shop, a gas station and minimart on Harlan Street. "He was hot," said a waitress at the Falls City Frosty Queen, and that was the only reference Brandon needed to start operating again. Lisa Lambert was the first to succumb to his charms, and Brandon's immediate offer to adopt her infant son, Tanner, seemed to vouch for his intentions. Lisa claimed that she actually had intercourse with Brandon, Aphrodite Jones tells us, although Lisa added the caveat that she was drunk at the time. There remained the puzzle, however, of the tampon wrappers someone had discarded into the heating vents at the farmhouse; the wrappers did not come from Lisa's tampons, and her other roommate, Carrie Gross, was pregnant, and not menstruating. It was a puzzle that Lisa Lambert chose not to address.

Brandon was cute, but Brandon was also fickle, and he was already turning his attention to Kelli, another nymphet at the Frosty Queen. Lisa was broken-hearted, and poured out her feelings in a letter to Brandon, wondering how she had failed him, how their love might be repaired. She need not have worried about Kelli, who was only a pit stop on Brandon's romantic odyssey. He had, it seemed, finally found true love. Her name was Lana Tisdel, and to Brandon she was Madge Owens in "Picnic."

8.

The Tisdel sisters, Lana and her elder sibling, Leslie, were a Falls City itch that every local stud at loose ends felt impelled to scratch. Some branches of the Tisdel family were local gentry. Lana and Leslie's aunt, Virginia Tisdel, had spearheaded a drive for a war memorial honoring Richardson County's dead from the Second World War, Korea, and Vietnam; a plaque in the courthouse lobby made special mention of "Mrs. Virginia 'Ginny' Tisdel" for her efforts as "Project Chairman & Coordinator." When Lana's father, Leland, wedded Linda Gutierres, the tonier Tisdels thought that he had married below the salt, and kept Linda at a distance. Leland and Linda finally split up, and their daughters, Leslie and Lana, bounced back and forth between their parents. Linda received disability payments, and she and her daughters, when they were around, lived in cheap rentals. In the fall

of 1993, the three were together in a Falls City house that was a crash pad for transients, boyfriends, and miscreants either wanted by or of interest to the authorities.

Leslie Tisdel was loud, overweight, hard to handle. In and out of juvenile detention, she was drawn into a series of abusive relationships with men; at sixteen, she attempted suicide, and at seventeen she gave birth to a half-black daughter, Jasmine. Her life was so volatile that her mother, Linda, forced her to grant custody of Jasmine to an older married half sister, Jerrilyn, who had no children of her own. In the fall of 1993, Leslie Tisdel, trying to pull her life together, applied for the federal Job Corps program, and was sent to the Job Corps center in Denison, Iowa, a place invariably identified as the home town of Donna Reed.

Job Corps, however, was not a reflection of the middle-class America portrayed in "The Donna Reed Show." The center was in effect a boot camp for deprived youths. Wake-up was at 6:15 A.M., and students had to be in their rooms by 10 P.M.; profanity and racial epithets were monitored under "behavior management" strictures. The stress was on discipline and "zero tolerance" of drugs and alcohol; any student caught violating zero tolerance was immediately expelled. When I visited the center, in June, 1996, a hundred and eight students had been dismissed in the previous twelve months, forty-five for assault, sixty-three for possession of controlled substances; with a student population of two hundred and eighty-seven, the termination rate was better than one in three. It was in this environment that Leslie Tisdel met Phillip DeVine.

Phillip DeVine's life was not without hardship of its own. Because of a defective prescription drug that his mother had taken during pregnancy, he was born two months premature, with a damaged heart, crossed eyes, lungs that were permanently scarred, and a right leg that ended at the knee. In spite of his physical torment, he had grown into a strapping youth, so agile on his prosthetic leg that he was able to compete vigorously in sandlot sports. When he was still a child, his parents divorced acrimoniously, and he spent most of his time with his father, first in California, then in Maryland. During his childhood, his mother had become an acolyte of the Maharishi Mahesh Yogi, the founder of transcendental meditation. She ran TM seminars, and after a journey of exploration to Ethiopia had changed her name from Phyllis to Aisha, which in Arabic, she said, means "the living one." Ultimately, she remarried, left California, and moved to Fairfield, Iowa, where the Maharishi University of Management is situated. Subsequently, Phillip DeVine decided to join her in Fairfield, but, when Fairfield palled, the Job Corps center in western Iowa beckoned.

Phillip DeVine flourished in Denison. He was active in the center's Business Professionals of America chapter, and was selected to attend a Job Corps conference in Washington, where he met Iowa's two senators and was presented as one of the program's model citizens. It was only a coincidence that he was in Denison when Leslie Tisdel arrived, but that coincidence would cost him his life. In the fall of 1993, he had broken his good left leg playing touch football and had to withdraw from the Job Corps while it healed. Had he not broken his leg, he would, as planned, have transferred to another Job Corps center, in Colorado, and not run into Leslie Tisdel.

The center's rigid rules chafed against Leslie Tisdel's independent nature, but she and Phillip DeVine immediately connected. Leslie hoped to regain custody of Jasmine, and Phillip indicated that he was willing to act as Jasmine's father. Life moved so fast in these circles that it seemed of little consequence that the two hardly knew each other; Phillip DeVine was black, and that made him a perfect step-father candidate for the half-black Jasmine. Leslie Tisdel finally withdrew from the Job Corps, but not before she invited Phillip DeVine to spend Christmas in Falls City.

Leslie's sister, Lana, was nineteen years old in 1993, a femme fatale with a fitful sex drive; she told a friend that once a week was more than enough. Somehow she had escaped the unwed-motherhood that burdened so many of her contemporaries. Lana had not graduated from high school nor was she employed; she passed her time driving around Falls City and singing karaoke at the Oasis. Early in December, 1993, Brandon hit on Lana, an encounter that effectively erased both Lisa Lambert and Kelli of the Frosty Queen from his radar screen. The next day, Brandon took Lana to lunch at Hardee's, and that night took her to see "Addams Family Values" at the local movie house. On December 12th, Brandon failed to show up at the party Lisa was giving in Humboldt to celebrate his twenty-first birthday, bringing that romance to a screaming halt. Brandon moved from Humboldt into Linda Gutierres's house, and Lana Tisdel's bed. The sex was good, Lana reported, and Brandon stood up to pee—a modest endorsement of a heterosexual bedfellow.

Phillip DeVine had also shown up to spend the holidays in Falls City at Linda Gutierres's house, but daily proximity soon made Leslie Tisdel less fond than she had been in Denison. Soon after his arrival, she began complaining that he was too possessive. This minor turbulence seemed only to enhance the ongoing party at the house. The regulars were Leslie, Lana, Brandon, Phillip, and a couple of small-time local ex-convicts, John Lotter and Thomas Nissen. Nissen and Lotter horsed around with Brandon, swapping stories about the slickest ways to get laid, and played cards with Phillip DeVine; they both called Linda Gutierres "Mom," and used her house to hook up with their girlfriends, Missy Wisdom and Rhonda McKenzie. Missy, Linda Gutierres's teen-age half sister, was carrying on with Nissen, who was rarely faithful to his wife, Kandi, a wanderer herself, while Rhonda was the mother of Lotter's infant daughter, Rochelle. Everyone knew everyone else. Life was a beach.

9.

When Brandon was arrested, on December 15th, for forging the checks on Carrie Gross's bank account, he was identified in the Richardson County jail as "Teena Brandon." Teena Brandon's appearance bond was twenty-five hundred dollars, and she spent a week in the lockup, wearing a V-necked orange prisoner's jumper that, Lana Tisdel noticed while visiting her in jail, revealed her breasts when she leaned over. On December 22nd, Lana Tisdel was finally able to make the ten-percent payment that sprang Teena from custody. The two hundred and fifty dollars was written on a signed blank check that Lana's father, Leland Tisdel, had given her to get her hair done, but, because Lana was underage, the bond agreement was actually signed by Thomas Nissen, whom she had met only a few weeks before, and who was already smitten with her and her friends.

Once out of jail, Teena Brandon again tried, as if nothing had happened, to pass herself off as Brandon and lead a social life as an unemployed young man about Falls City. But she was now clearly identified as a woman, and was no longer welcomed by Linda Gutierres, who was furious at her daughter's liaison with Teena. Since Lisa Lambert had thrown her off the farm in Humboldt after the check forgeries, Teena camped out wherever she could, including in Thomas Nissen's house.

Housekeeping and child rearing had never been Kandi Nissen's strong suits; her children ran free and the house was a pigpen of dirty dishes, unemptied waste-baskets, and moldy French fries stuck on couches, but it was a place where Teena could stay. On Christmas Eve, Nissen had a party that turned ugly as the guests—the Tisdel sisters, Teena Brandon, Phillip DeVine, and assorted misfits who had spent too much time inside the penal system—fuelled themselves with liquor. Nissen and John Lotter, strangers only a month before, had become constant drinking companions and fuck buddies, prison toughs obsessed with proving once and for all what they and everyone else already knew: that Brandon was a woman.

Dressed in jeans and a loose-fitting shirt, Teena cooed with Lana Tisdel in the squalor of the living room and was the object of drunken threats from Lotter and Nissen. Teena had always been able to talk her way out of such situations, but Lotter and Nissen were not to be denied. As Christmas Eve wore on, they took Teena into a bathroom and removed her pants and underwear to reveal her pubic symphysis. Even this did not satisfy them. After everyone else left or went to bed, Nissen and Lotter carried Teena Brandon outside to Lotter's Crown Victoria and drove to the Hormel plant at the edge of town, where, in the back seat of the car, they proceeded to penetrate her vaginally and anally. Then Nissen beat her up. When they finished, they drove her back to Nissen's house, told her to clean up, and warned her of the consequences if she reported the assault. While pretending to take a shower, Teena squeezed out the bathroom window; bruised and bleeding, she made her way to Linda Gutierres's house. Leslie Tisdel called the police. Teena's lip was cut, her face was red and swollen, and she had a welt on her back shaped like the sole of a boot. At the Falls City Community Hospital, a rape-kit examination indicated vaginal bleeding and trauma, and there were semen specimens in both her anus and her vagina.

On Christmas Day, Teena Brandon filed a rape complaint against Lotter and Nissen, and was interrogated by the Richardson County sheriff, Charles Laux. It is difficult to listen to the tape of that interrogation without wondering if Sheriff Laux might not have thought that Teena Brandon had only got what was coming to her. He was salacious, accusing, and derogatory, referring to her "box" and to the sex act as "sinking it in." "Why do you run around with girls instead of guys, being you're a girl yourself?" Laux asked. "Why do you make girls think you're a guy?" "I have a sexual identity crisis," Teena Brandon whispered. When asked where she was first entered, her voice was barely audible: "My vagina." It was as if the admission that she had a vagina were a worse humiliation than the actual penetration.

After the Humboldt murders, Laux and Douglas Merz, the Richardson County attorney, scrambled to explain why they had not arrested Nissen and Lotter after Teena Brandon's Christmas Day complaint. Laux argued that Teena Brandon lacked credibility because she had passed herself off as Charles Brayman. For his part, Merz claimed that Teena's charges were insufficiently corroborated, and that even with Nissen and Lotter's extensive criminal records, there was not enough evidence to arrest them and put them in the county jail, if only to cool off over the holidays. Given the results of the rape-kit examination, this was a decision vigorously disputed, in retrospect, by other law-enforcement officials throughout the state. "If this was your daughter, sister, or mother that was assaulted," a sheriff from Scotts Bluff County asked, "would it take this long?" And the sheriff of Clay County: "They should have been arrested that night."

Later that Christmas Day, Linda Gutierres warned Nissen and Lotter that Teena had ratted them out; three days later, both men officially denied to local authorities that they had either assaulted or raped her. The question now facing Teena Brandon was where she could go. If she went home to Lincoln, she faced incarceration in the Nebraska Center for Women for violating the terms of her 1992 probation; in Falls City, she was looking at a felony conviction for forgery. Nissen and Lotter had warned her not to report the rape, and she had. She was a pariah. Her confidence faltered, then returned when Lisa Lambert said that she could come back to the Humboldt farmhouse. Leslie Tisdel had broken up with Phillip DeVine, and he, too, was offered shelter by Lisa Lambert until his mother could forward him the money to buy a bus ticket home to Iowa.

However few her options, Teena Brandon still acted as if being a she-man were a viable role, and in the days that followed she cruised the roads between Humboldt and Falls City, hanging out with Lana Tisdel, avoiding Nissen and Lotter. There was danger, but even though she told her mother that Nissen and Lotter had threatened to kill her, she did not have the imaginative range to consider the idea that she was truly at risk.

10.

Violence is the way stupid people try to level the playing field. Lotter and Nissen: their sociopathic curricula vitae were so similar as to be almost interchangeable. Psychiatric instability, tumultuous family lives, absentee parents, trigger tempers, suicidal tendencies, foster homes, a fascination with lethal objects, juvenile detention, sexual promiscuity, substance abuse, crime (theft and attempted burglary for Lotter, arson for Nissen), prison. As a child, John Lotter was hyperactive and a slow learner, and would use whatever weapon he could lay his hands on—hammer, pencil, knife—to beat up and injure other children. A juvenile court declared him uncontrollable, and he became a ward of the state; he was, in fact, so uncontrollable that he was turned down by Boys Town, which seemed to disprove Father Edward Flanagan's piety that there was no such thing as a bad boy. He stayed in a foster home sporadically, attended five schools in six years, and spent four of the six years before the Humboldt murders in custody. The only person who could get through to him was Lana Tisdel, who had known him since they were children, and with whom he maintained an off-and-on relationship between incarcerations.

Nissen's mother, Sharon, was pregnant with her first child (out of wedlock) when she was fourteen, and married Ed Nissen after a ten-day courtship when she was fifteen; when his parents split up, Nissen, then two, moved to Mississippi with his father. In adolescence, according to Aphrodite Jones, he began stealing cars (including an eighteen-wheeler), flirted with white supremacy, and finally moved back to Falls City to live with his mother, who was now married to an ex-con and carrying a full rap sheet of her own—bad checks, D.W.I., resisting arrest. Nissen ran off to a homeless shelter in Washington state, then returned to Nebraska, where he landed in the arms of Kandi Gibson, a sixteen-year-old unmarried mother with a six-month-old daughter. Their relationship was so volatile that Nissen enlisted in the Army. He soon went over the hill and travelled with a carnival before going back to Kandi. They were married in June, 1992; a few days later, Nissen began cheating on his wife. Twenty-three days after his marriage, he was arrested for setting two fires in Falls City; he was convicted of second-degree arson, and in September of 1992 received a prison sentence of one to three years.

The penitentiary offered Lotter and Nissen the only structured environment they had ever really experienced. Survival in prison is predicated on a simple premise: power rules. Sexual imperialism flourishes; the weak belong to the strong. According to someone who did time with him, Lotter attracted the attention of a convict with the discomforting nickname of "Tugboat." In the predicament they found themselves in after Teena Brandon's Christmas interrogation, Lotter and Nissen reverted to the penitentiary premise. If they had been powerless in prison, here was a situation where they thought they had the power. They did not want to go back to prison, and they thought Teena Brandon could make a rape charge stick. It was as if, having threatened to kill her if she talked, they thought a failure to carry through on that threat would be considered less than manly.

Logic seemed a missing chromosome. Rape is historically difficult to prosecute, and county sheriffs and small-town police in rural jurisdictions are often less than diligent in the pursuit of the accused, who will invariably argue that the sex was consensual. Charges are usually dropped, generally when the alleged victim refuses to testify, as Teena Brandon, whose history was to cut and run in the face of trouble, might well have done. Rape is a crime, moreover, that rarely has witnesses; if charges are brought, the case usually degenerates into a disputatious litany of "he said, she said." That a jury was unlikely to convict Lotter and Nissen of rape, especially given Teena Brandon's gender ambiguity, was a factor they seemed never to consider. What they also failed to consider was that murder would be easier to prove than rape, and that if the putative rape victim was killed they would be the top suspects.

Their plans began to take shape the day after Christmas. “It was a combined idea,” Nissen would testify when he appeared as a state’s witness against Lotter. “I mean, me and John Lotter arrived at it by talking about and just goin’ on and on with the conversation.” A special prosecutor from the state attorney general’s office asked if they had discussed the method of execution. “To chop her hands and her head off,” Nissen answered. His voice sounded computer-generated. “In order that the body couldn’t be identified.” And the tools for the execution? “Took a hatchet, a rope, and a change of clothing.” Why the change of clothing? “In the event that blood was on the clothes.”

Thinking that Teena Brandon might have gone back to Lincoln, Lotter and Nissen drove there the day after Christmas with their murder paraphernalia, staking out three residences they had found in the address book Teena had left behind after the rape on Christmas Eve. In fact, Teena Brandon was still in Richardson County. Returning to Falls City, Nissen and Lotter festered through the week, making and discarding plans to murder Teena, and by so doing solve what they still regarded as their only problem. This would also avenge Lana Tisdel, who in their minds had been taken advantage of by a sexual deviate.

Their inchoate rage inflamed by a five-day drunk, Lotter and Nissen finally worked up the nerve to act. In the early hours of December 31, 1993, they set out in Lotter’s Crown Victoria to find Teena Brandon. They made three stops before leaving Falls City. From his mother’s house, Lotter took a knife belonging to his father and two pairs of work gloves. The next stop was at the home of a friend named Eddie Bennett, who with his wife, Amy, was entertaining another couple. Nissen stayed in the car while Lotter went inside. On the pretext of using the bathroom, Lotter went into the bedroom and stole a .380-calibre semi-automatic handgun that Bennett kept in a dresser drawer; on the way out of the house, Lotter stopped to feel up Amy Bennett. The last stop was at the house of Linda Gutierres, who told them that Teena Brandon, along with Phillip DeVine, was staying with Lisa Lambert, outside Humboldt.

Question to Nissen from the special prosecutor: “As you drove to Humboldt from Falls City that night, was there any discussion along the way of what was going to happen once you got there?”

Answer from Nissen: “Me and John Lotter talked about killing Teena Brandon, and I told John Lotter . . . that if he shot Teena Brandon and there was other people around, that the other people would have to be killed also.”

11.

They were in the farmhouse for no more than five minutes. According to Nissen’s time line, Lotter first shot Teena Brandon, whom they discovered hiding under Lisa Lambert’s bed; for good measure, Nissen stabbed her in the stomach, the only admission of life-threatening behavior in his self-serving account of what happened that night. Nissen said that Lotter was responsible for all the shootings, and he even claimed to have removed Lisa Lambert’s son, Tanner, from his mother’s arms before Lotter fired the second shot, which killed her. In Nissen’s version, Lotter led Phillip DeVine from the second bedroom, where he had been hiding, into the living room; Nissen told DeVine to sit down on the couch, at which point Lotter shot him in the head.

Nissen’s account of the murders, devised as it was to avoid a death sentence, lacks coherence. Phillip DeVine was a large, athletic man, and was wearing his prosthetic leg when he was killed. To believe Nissen’s chronology, it would be necessary to accept that DeVine was cowering in the second bedroom as shots were fired and both the killers and their victims were screaming at the top of their lungs. It beggars the imagination that DeVine would not have tried either to escape or to come to the aid of Lisa Lambert and Teena Brandon. If he had crashed out a window into the frigid darkness, he could not have been worse off than he ended up.

The prosecutors, however, were not interested in such speculation; their priority was to get a conviction, and Nissen's testimony, as given, was enough to put Lotter on death row and Nissen in prison for life.

Five minutes in the farmhouse, three people dead. Nissen and Lotter drove into Kansas on the way home, so as to approach Falls City from the south rather than from the north; if they were spotted, they would be seen coming not from Humboldt but from the opposite direction—con cunning. On the outskirts of Falls City, they stopped and threw the gloves, the handgun, and the knife into the Nemaha River. The river, however, was frozen, and the objects remained on the ice, where investigators found them after Anna Mae Lambert discovered the bodies at her daughter's house, and the alarm went out to pick up Nissen and Lotter. The knife was in a sheath, and on the sheath was marked the owner's name—"LOTTER."

12.

On winter roads, the twenty-six-mile drive from Falls City to Humboldt takes thirty-one minutes. Rational people might assume that during that half hour the fevers of vengeance would subside. Criminals, except when carrying out a contract Mafia hit or during a territorial dispute among drug dealers, do not deliberately embark on a mission they know will result in multiple murders. At some point, self-preservation kicks in and, with it, the sure understanding that the killing of three people will increase the penalties exponentially. With Nissen and Lotter, there was an almost delusionary disengagement from reality. They were like the characters in Oliver Stone's "Natural Born Killers," high on doing it. A month before, Nissen had not even known Lotter and Lana Tisdel, and here he was on a murder mission with one on behalf of the other. I kept trying to imagine the scene when they left the farmhouse. There was no escape, no place to run. They must have known that they would be the prime suspects, but they made no attempt to flee. On the ride back to Falls City, did they fight, argue, blame Teena Brandon for what they had done? They both had grown up in Nebraska, knew the bitter cold of the Nebraska winter, knew that the rivers froze, but still they threw their weapons onto the ice-covered Nemaha, because—I can only think—killers in gangster pictures throw their guns into the river after a hit. Their single alibi attempt was to order Kandi Nissen and Rhonda McKenzie to lie if asked what time the two returned to Nissen's house—1 A.M. was the time they agreed on. Then they went to sleep, Rhonda and Lotter on the floor in Nissen's living room, Nissen and Kandi in their bedroom. I wondered if they had sex, one last spasmatic release before investigators came the next day to arrest them and return them to a world where Tugboat was sovereign.

13.

The Falls City on display in the courthouse during the trials of Thomas Nissen and John Lotter was a meaner, more marginal segment of the community than the Chamber of Commerce might have chosen to emphasize. The perils of bad weather, too much television, and a sugar-saturated junk-food diet were all too apparent in the abundance of fifty-six-inch waists in the corridors. Awaiting hearings or their turn to testify were women and men with the rolling gait of sailors home from the sea, their girth making it difficult to put one leg directly in front of the other. JoAnn Brandon arrived every morning from Lincoln, a two-hour drive. She was slight, her face all sharp planes etched with grief, a Dorothea Lange character study; she was always accompanied by her now married and pregnant older daughter, Tammy Schweitzer.

There were also supporters like Jennifer, a sixteen-year-old with a teardrop tattoo on her right hand. Jennifer had known Teena for eighteen months, and took a laissez-faire attitude toward her gender disorientation. "It didn't bother me at all," she said. "She was

a good person. However she wanted to be, it was her life." I had the distinct impression that for Jennifer the courthouse promised more than any school could offer. In fact, she did not attend school, but went to a Learning Center in Lincoln, where, under the auspices of the juvenile authorities, she was trying to earn her G.E.D. I asked what she learned at the Learning Center. "Shadowing," she said. And what was shadowing? "You shadow people in some job to see what the requirements are. Like if I wanted to be a reporter, I'd shadow you."

The Brandons were available to the press, and to gay and transgender activists, who took an almost proprietary interest in them. One referred to Teena Brandon's murder as "the gay O. J. Simpson case"; it was as if Lisa Lambert and Phillip DeVine were only supporting players. Before the Lotter trial, several dozen transsexuals drawn to Falls City by appeals on the Internet demonstrated in support of Teena Brandon outside the courthouse; many wore T-shirts lettered with the words "Transsexual Menace."

Unlike the Brandons, Anna Mae Lambert politely declined to discuss the case. In the courtroom, she sat with her ex-husband, John Lambert, and her companion, John Lange, weathered men in jeans and flannel shirts. The three of them were an island of quiet dignity, doing nothing to draw attention to themselves or their sorrow. From the photographs of Lisa Lambert, it was apparent how much she would have resembled her mother had she lived into middle age. Yet there was never a hint from Anna Mae and John Lambert that Lisa might still have been alive if Teena Brandon had not turned up in Richardson County. Blame as an idea seemed as foreign to them as resentment. What happened to Lisa was like a plane crash or a car accident, something that had gone terribly wrong.

If there was antagonism in the courtroom, it was directed mainly at the Tisdel sisters and their mother, Linda Gutierres. The three knew that Nissen and Lotter were headed for Humboldt on the night of the murders; they knew they were drunk, they knew of their propensity for violence, they knew of the threats against Teena Brandon, yet they did not telephone the farmhouse. During an early proceeding, I was talking in court to a spectator named Snooks Hayes, a rangy, rawboned woman who wore earrings shaped like tiny handcuffs. Snooks Hayes was, in fact, Lisa Lambert's aunt, and also the wife of the Falls City investigator who, on New Year's Eve, 1993, had gone with other officers to arrest John Lotter and Thomas Nissen. "I'm hateful," she told me. Lana Tisdel, she said, must have known something bad was going down, and she wouldn't go to the telephone. If she had telephoned Humboldt, "three people wouldn't be dead today." This attitude fanned considerable speculation, started by Nissen in one of his numerous conversations with authorities, that Lana Tisdel had gone to Humboldt with him and Lotter. Nissen subsequently withdrew the allegation, and it was not vigorously pursued in testimony.

Because of the ill-concealed animosity, Lana and Leslie Tisdel seemed more comfortable sitting among the Lotter and Nissen relatives when they were in the courtroom. There was a washed-out, Mia Farrow quality to Lana Tisdel's looks; she was toothpick-thin, with long strawberry-blond hair hanging halfway down her back, and she had a constant nervous tic between her nose and upper lip. The first time I saw her, at a preliminary hearing in 1994, she was perfectly made up, not a strand of hair out of place; there were television cameras outside the courthouse and it seemed as if she had dressed to be discovered—that the murder coverage offered her a last best chance for a ticket out of Falls City.

Leslie Tisdel was something else again—heavy, brash, contentious, trying to make eye contact with John Lotter, who without looking around gave friends and family in the courtroom a kind of over-the-head, backhand wave. He was stooped and skinny, his hair gathered into a ponytail held by a rubber band, and he looked not unlike Charles Manson. At the conclusion of an early hearing, Leslie Tisdel tried to speak to Lotter, but she was herded out of the courtroom by Sheriff Laux, who was running for

reëlection. “He told me to get out of there real snotty-like,” Leslie loudly complained in the elevator. “He didn’t have to approach me and be all hateful. He ain’t going to get my vote.”

It was this self-absorption that made the Tisdels such a bewildering element in the case. A reporter for one of Nebraska’s larger papers told me of introducing himself to Leslie Tisdel and asking her what her fight with Phillip DeVine was about. “And she said she was taking a bath,” he said. She told him, “Phillip came into the bathroom and he wanted it now. I said, ‘No way,’ and besides, I was on the rag.” The Tisdel sisters were best described by Barbara Jackson, the cartoonist and editorial writer for the Pawnee *Republican*, the weekly newspaper in Pawnee City, population 1,156. She is married to a family practitioner and, as a newspaper woman and doctor’s wife, has seen or heard about most of the bad shit that can go down in a small town. “The Tisdels are like paper boats,” Barbara Jackson said one day. “They’ve got no rudders—they just float through life any which way.”

Nissen was convicted in March, 1995, with his sentencing—to either death or life imprisonment—delayed pending his testimony against Lotter. By the time Lotter’s trial began, in mid-May, Lana Tisdel looked feral and haggard, “like an animal run to ground,” Barbara Jackson said. The continued speculation that she might be placed by Nissen in the Crown Victoria on its run to Humboldt and back seemed to have taken a toll on her. Lana had a new boyfriend, a construction worker with three children and a vasectomy.

Lotter seemed detached throughout the trial; the only time he appeared animated was the day his father came to court, and he showed him his leg irons. The Brandons were in the courtroom every day, and JoAnn Brandon showed photographs of Tammy’s daughter Baileigh to anyone who asked. “The light of my life,” JoAnn said. “She looks just like Teena.” As always, the Lamberts sat quietly by themselves. There was a new regular in the courtroom, Donna Lotter, John’s mother, a slightly overweight gray-haired woman in a nondescript raspberry sweater. The mother of five children, Donna Lotter held three jobs (nurse’s aide, waitress, and clerk at the Hinky Dinky supermarket) in a vain effort to keep her family together. Donna Lotter sat directly behind John in court, with one or both of her daughters, and occasionally she would whisper bits of local gossip to him across the bar. Snooks Hayes was one of Donna Lotter’s co-workers at the Hinky Dinky. What had happened in Humboldt, Snooks told Donna Lotter, was a tragedy that did not involve them and should not affect their relationship.

This view, instinctive and protective, did in fact prevail. During a recess before final summations in the Lotter trial, I sat in the almost empty courtroom going over my notes. When I looked around, I saw three middle-aged women talking quietly in the back two rows. The three were Virginia (Ginny) Tisdel, Lana and Leslie Tisdel’s aunt, wearing a swanky sweat jacket; Anna Mae Lambert; and, leaning back toward them from the next row forward, Donna Lotter. They appeared to be talking about children and grandchildren—Mrs. Tisdel about Lana as a child, Mrs. Lambert about Tanner, Mrs. Lotter about what I did not try to discover. It seemed a perfect tableau vivant of small-town life, a moment in which three women—the mother of the accused, the mother of a victim, and the aunt of the beauty whose restless eye had set the story in motion—acted as if there were no freight between them. They all knew each other, and, whatever their private feelings, there was a sense of immense shared sorrow.

I think it was the saddest sight I have ever seen.

14.

f you can't get laid in Falls City, you have a serious problem," Thomas Nissen wrote me from the Lincoln Correctional Center in the summer of 1995. To clear up any misunderstanding he thought I might have about his attitude toward Teena Brandon's sexual deception, he said in another letter, "I hate, and am totally against homosexuality between men. Between men is sick. Between women, it's such a show of love. I think it's cool." After O. J. Simpson's acquittal, Nissen mused, "One lucky rich nig—well, best not use that word." And about Falls City: "Lots of alcohol and seldom a shortage of drugs. Most of the time the county jail is full. Not much for the younger race to do but drink, drive, and dodge the boys in blue. Lots of unmarried moms and kids. There is very little work to be found. Even when there is work, it doesn't last for long. . . . Good things do come out of Richardson Co. If I ever hear of one, I'll be sure to tell you! That was a joke."

In one of my letters, I asked Nissen if he ever contemplated the element of chance that had put five such disparate people together in the Humboldt farmhouse the night of the murders. Nissen replied immediately. "A million ifs," he wrote. "What if I had never went to the bar in November and met the Tisdels. What if I had just simply been faithful to my wife, or not drank, or not allowed Brandon to live in my home, or bailed him out of jail, or liked him, or not even cared. Had I not been fucking other women, I would never have met Lotter when I did. After all, Rhonda McKenzie would have not been staying at my home had I not left Kandi alone for so many damn lonely nights. What if Brandon had been honest, or told everyone the truth when push came to shove. What if on Dec. 23, Brandon had told me, Tom, I'm really a girl and please take me home because I think I may get hurt. What if Brandon would have ran when the car got stuck on the late night of the 24 of December. He had the chance. What if I had recked the car like I thought of doing on the way to Lisa's home, or what if there had been a gun in Lisa's house, or what if Phil had not got into a fight with Leslie, or Missy been awake when I was at Lana's home on the early hours of the 31st, or if Brandon had been put in jail when we took him to court in Lincoln, or I had been busted on a dirty U.A. [urinalysis] while on parole, or if I had listened to Kandi when she told me not to have nothing to do with Lana, if I had killed myself or if the gun had never been fixed, or if I had simply said, no. This list could go on and on. Yes Sir, fate can be a motherfucker."

15.

Early in the summer of 1996, I drove up the road leading to the secluded farmhouse where Teena Brandon, Lisa Lambert, and Phillip DeVine had been murdered two and a half years before. I did not expect the house to be occupied, but scattered on the postage-stamp lawn were two tricycles, a bicycle, and a new doghouse. Unable to think what I might say to whatever strangers were living there, I turned my car around and drove back out to the main road.

When I arrived in Falls City, the first person I saw was Judge Robert Finn, having lunch at the Stephenson Hotel. A former F.B.I. agent, Finn looks like a movie version of a judge—tall, with snow-white hair, and a calm detachment that I never saw him lose during the time he presided over the Nissen and the Lotter trials. We talked about the local lack of interest in the two cases, and in the social complexity of a small town, the gulf between the haves and the have-nots. If I wanted to see how this applied in real life, he said, I should drop by his courtroom that afternoon, where he would be hearing motions. "You keep seeing the same faces," he said. "I'm into third-generation domestic abuse and restraining orders." What the judge meant was that women were seeking restraining orders against abusive husbands and lovers whose fathers and grandfathers had appeared before him on the same charges in the course of his sixteen years on the bench.

The subtext that Judge Finn and I were dancing around, of course, was the matter of class, and the way in which the Humboldt murders had revealed a drifting and woefully underequipped stratum of southeastern Nebraskans distinctly at odds with the place's

official view of itself. This was the stratum so noticeably on display, in the months after the murders and during the subsequent trials, on the mud-wrestling that passes for daytime and tabloid television. The Humboldt murders had everything daytime television craves—sex, violence, race, deviant behavior, and gender bending. Maury Povich calling, Montel Williams and "Inside Edition," too.

Before the trials began, Povich nabbed the Tisdels, mother and daughters, John Lotter's sister Michelle, and two of Brandon's old Lincoln girlfriends, Lindsay and Daphne. All their responses seemed programmed by watching too many shows like Povich's. "I thought Brandon was the best person I could have ever met in my whole life," Daphne said, and Lindsay said, "If a guy would look at me, he'd kiss me because he was really jealous. . . . He didn't want nobody looking at me." Linda Gutierres's memories had taken on a more benign gloss since she threw Teena Brandon out of her house and told Nissen and Lotter where she was staying on the night of the murders. "I liked him a lot," she said. "He was a very nice person." Lana Tisdel answered mostly in monosyllables: "Yeah . . . uh huh . . . yes." Only Leslie Tisdel seemed determined to make the most of her five minutes of fame, opting for an audience-pleasing, if gruesome, particularity: "Lisa Lambert got shot in the right eye, the back of her head. Brandon got stabbed. Pierced her liver. She got a shot like in the upper chin part. She got shot in the side of her head. Phillip got shot in the neck, and he got shot in the side of the head."

I watched a videotape of Donna Lotter on "Montel," and was struck by how mortified she seemed. At some point, it was if she realized that she was only cannon fodder. Her sole claim to the audience's attention was that she was the mother of a murderer, and therefore a target of opportunity both for Montel Williams's opprobrium and for his synthetic sympathy. The Brandons were also on that episode of "Montel," and, at Williams's urging, JoAnn Brandon agreed that she and Tammy felt no animosity toward Donna, that she was not responsible for what her son had done.

"Closure" was now the dominant theme with the Brandons, and retribution as well, a reason for living. About Nissen, JoAnn Brandon said, "Every time he goes up for parole, I'll be there to make sure he doesn't get it." With John Lotter, who still maintains his innocence, she was looking forward to years of appeals, and after each stay of execution her opinions would be sought, a sound bite for the local newscasts. "I feel sorry for his family," JoAnn Brandon said of Lotter, "but I hope he burns in hell." I expect that JoAnn Brandon will be a witness at the Nebraska State Penitentiary when John Lotter's appeals are exhausted, ten years or more in the future, and his execution is finally scheduled. She will be a woman deep in middle age, her grandchildren teen-agers, and I wonder if, when the state has exacted its punishment, she will feel a void.

As it happened, there was an execution scheduled at the state penitentiary in Lincoln on my last night in Nebraska. The condemned prisoner—a pedophile former Air Force enlisted man who had murdered two adolescent boys in 1983—had been on death row for twelve years. I stood outside the prison that afternoon, checked the name of the priest who would give the accused Communion and say the last Mass that he would hear, wrote down the menu of the last meal he ordered, counted the number of chemical toilets available to the press and to the pro- and anti-capital-punishment protesters, and jotted down their rhetoric. I thought it was a scene that JoAnn Brandon would one day pass through on her way into the prison for the final closure. Late that afternoon, however, the United States Supreme Court issued a stay of execution; the protesters melted away, and the television crews did their live feeds, then got into their satellite trucks and drove off.

The pedophile murderer was finally executed three weeks later, only the second person to be executed in Nebraska since 1959. On the day of the execution, John Lotter's photograph appeared in the Omaha *World-Herald* as one of the eleven men on Nebraska's

death row. Lotter has said that if a movie is ever made about his case he would be happy to be played by the actor Christian Slater.

On December 31, 1996, three years to the day after the Humboldt murders, I received a letter from Thomas Nissen wishing me a happy new year. He said that tensions between rival gangs had forced a five-day lockdown at the prison, and also that he had fallen in love with a Michigan woman whom he hoped to marry next fall. “Did you hear that I may receive a new trial?” he wrote. “I’m not sure how I feel about that.” ♦

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