

## Malice Aforethought

By: Jessica Deckard

1. As a child I woke up every day to the sounds of yelling coming from downstairs. Weekdays, the noise would start around 5:30. "Then get out... Just get out...If you don't like it ...Bitch...It's always about her...No...Useless... Then send her to her father's." His loud voice was punctuated by pleading sounds from my mother. Whimpers like a dog crying. I would wait to get up until I heard the outside door slam. On days when I had to go to the bathroom so badly I thought I would wet the bed, I slipped out of bed, held my breath, and quietly padded on tiptoe down the hallway. I practiced a way of turning the doorknob and lifting the bathroom door at the same time so that the hinges wouldn't creak. Even though they were downstairs, I wouldn't turn on the bathroom light until the door was shut.

After I showered and dressed and went down stairs to eat breakfast before leaving for the bus, my mother would be all smiles and act like nothing had happened. "Would you like peaches on your cereal?" she would say.

2. When I was ten I read a story about a woman who killed her husband by feeding him cream of mushroom soup. The woman went into the woods and picked the mushrooms herself, and she knew exactly which ones were poisonous and which ones were not. When she got home she divided the mushrooms but left them on the counter where her husband would find them. The husband called his wife stupid for thinking that some of the mushrooms were dangerous and insisted that she use all of them, even the ones with the red-and-white-spotted caps, in the soup. She put every variety of mushroom that the fetid depths of the forest had provided into his dinner, she just didn't put them into hers. And so he died.

After reading that story I spent about an hour a day for two years trying to figure out how I could poison my stepfather.

3. My mother is crying again. "You are my best friend," she says, "You are the only person who cares if I am alive or dead."

I look at her and feel nothing but revulsion. Tears and snot cover her face. Her look searches and I know she is trying to appeal to me for understanding or protection. I wonder if I am a sociopath. Is lack of sympathy the same thing as lack of empathy? I can make myself not care. Or maybe I pretend I don't care so I can fool myself from hurting so much about the fact that she doesn't care. Which is it?

4. Would it surprise you to know that the first time someone was tried for "premeditated murder" in the United States was in 1963? A man named Mark Richardson was found guilty of plotting his wife's murder for three years—from the time they married until he killed her.

5. I knew it was time to break up with my first fiancée when I began to fantasize that he would be killed in a car crash. I didn't know if I was strong enough to actually leave him—In the past when I had tried he had begged me to stay, and cried, and once, he had taken a handful of Tylenol and washed it down with what he thought was a dramatic amount of tequila, but which in reality had only been a few shots—so I settled on death as a cleaner end. Soon after visualizing his egg-head broken on the pavement, the brain-yolk scrambled out, skin frying like bacon as the car exploded, I left him.

6. Jose and Kitty Menendez were shot to death in their home on August 20, 1989. Their two sons, Lyle and Eric, claimed they had been at the movies watching Batman when the murders occurred. In 1994 both sons were convicted of the murders and sentenced to life without parole. At the time of the murders Lyle was 20 and Eric was only 17.

My family watched the entire Menendez trial on Court TV. It started in July before my sophomore year of high school and ended in January. Each day my stepfather came home from work, picked up the remote control and, without acknowledging my mother or me or the fact that we'd been watching something else, changed the channel to the trial. Sitting silently at the table, he watched it each evening while we ate dinner, and after he was finished with his meal he would push back from the table leaving his dirty plate for us to clean and walk heavily up the stairs. In the bedroom, he'd turn the upstairs TV to the trial before even turning on the light. If he was off on vacation like he was over Christmas, he watched the trial all day long.

Jose and Kitty Menendez were killed with a 12-gauge. The back of Jose's head was blown off, and then both of his arms were shot apart. Kitty was asleep on the couch when her husband was killed, but she jumped up and tried to run away. Another shot from the 12-gauge caught her in the leg and shattered it. Then one of her sons stood over her and shot her repeatedly in the face, chest and arms until she could no longer be recognized as herself. When the brothers ran out of ammunition, one of them went to the car for more and came back with birdshot. Then they shot their mother in the head.

- 7.
- Aconitine: monkshood; it's possible to derive the poison from the root of the plant (buy it from China?); dissolves best in alcohol. (Put it in his whiskey sours? How to get away with this?)
  - Arsenic: causes confusion and drowsiness when given in small doses—nerve damage when given in small doses over a period of time; can even cause the skin to blister; flu-like symptoms; diabetes is a symptom of chronic arsenic poisoning (make him suffer, not die?); large doses cause coma and death. (!!A mixture of vinegar, chalk, and arsenic was used as a skin whitener by some women in Victorian times. Used too often by Agatha Christie?)
  - Atropine: derived from the mandrake root; the name comes from Atropos, the Fate who clips the thread of life; used in hospitals, it's given to people who are having heart attacks or whose hearts are slowing down; one symptom is great thirst; some people take it recreationally because it can cause hallucinations. (Could I buy it as a street drug?)
  - Cyanide: hydrogen cyanide is known as Zyklon B—what the Nazis used in the gas chambers (Irony: Hitler killed himself with cyanide); used in the Kool-aid at Jonestown; symptoms are rapid heartbeat, red face, headache, convulsions and coma. (N.B. It seems to be commonly used for suicide—where would I get it?)
  - Strychnine: causes very identifiable and painful symptoms; whole body goes into cramps and spasms; spine bends and toes curl; dead in 2-3 hours. (Norman Bates used it to kill his mother. Too obvious.)
  - Thallium: odorless and tasteless (!); symptoms include delirium and blindness; easily absorbed through the skin and toxic in low doses; common in household poisons like rat poison and insecticide; outlawed in the U.S. since 1972. (We've only lived here since 1988—maybe Grandpa has some really old stuff in the basement? Who would believe he ate rat poison by mistake?)

8. The year between fifteen and sixteen. My skin ached and tingled with nervousness. He yelled, insulted, disregarded, ignored. Then he wouldn't speak to me for weeks. I calmed down, relaxed, was able to breathe, and then out of nowhere his rage rose up again. He made me nauseous. I had diarrhea. I wanted him gone so badly, and I thought I should kill him, but I knew I didn't have it in me. I was constantly ashamed.

9. The day before my second fiancée left me he was mugged. He went out one evening with a friend and didn't come home. After he had been gone for five hours I read the last entries in his diaries and a letter to his college roommate that hadn't yet been mailed. Finally exhausted, at three I lay down to wait. I dozed fitfully, my body too hot, tossing and turning from one cool spot to another across the expanse of mattress. My ears strained for the sound of his truck at the curb.

Someone from Charity called me the next morning and told me to come and get him. When I got to the hospital I didn't know where to go, so I circled the block until he came outside. He stood at the curb and I saw that he was wearing jeans and a hospital gown which, on him, was only as long as a shirt. The gown's pointed ends flapped in the breeze around him like green wings. When he got into the car I saw that he had a large gauze pad taped to his neck, and at the bottom of it I could see that the blood was still flowing.

When we got home, he went to bed, but I was too nervous to let him sleep.

"What's going on?" I asked.

He closed his eyes and rolled away from me. "I'm moving to Austin without you," he said.

12. Although children are legally considered to be minors until they are 18, most states have laws that allow for juveniles to be tried as adults. In New York State, those individuals between the ages of seven and sixteen are legally defined as juveniles; however, those who are aged 13, 14, or 15 and commit serious crimes can be charged as adults.

Did you know that Nathaniel Abraham is the youngest person to be tried as an adult for a crime? When Nathaniel was 11, he shot and killed a stranger outside of a convenience store. When he was 13, he was sent to prison for eight years.

"When Children Kill," November 28, 1999, The New York Times

To the Editor:

Re your Nov. 23 news article about the lack of early counseling for Nathaniel Abraham, the boy who fatally shot a man at the age of 11: Counseling or no counseling, should parents be held responsible for the behavior of their young children? If there is a living biological father who neglected Nathaniel, should he be found and punished for his neglect of the child? Why or why not?

I wonder if Michigan's governor, John Engler, is proud of Nathaniel's mother's achievements: returning to school, working a night shift, becoming a taxpayer. How could any decent soul even consider holding such a role model mother responsible for the actions of her "bad apple" baby boy? Shame on us for holding only the child culpable, when it was the father's and mother's behavior that shaped his personality.

TODD N. ROSEN, M.D., West Bloomfield, Mich., Nov. 24, 1999

10.

INT. BEDROOM – EARLY EVENING

ADULT DAUGHTER

(pleading)

Mom, I need you to understand how important this is. I haven't brought a boyfriend home in eight years.

MOTHER

Mmmm...

ADULT DAUGHTER

(insistent)

Mom, I want to talk about this before he gets out of the shower.

MOTHER

(gesturing broadly)

Do you think the new settee looks good against that wall, or did you like the yellow-painted bench there better?

11.

I had never wanted a gun before, but when he left me I decided a shotgun wouldn't be half bad. For months I lay in our bed and caressed the dull pennies of blood his wounds had left on the white sheets. Sometimes I woke up early but stayed in bed and dozed until I heard the neighbor boy come home from school. He played the tuba and carried it back and forth each day for his music lessons. I always knew it was 3:30 when I heard his one-man parade.

Other days I lay sleeplessly for hours, stroking the sheets and tracing the largest spot of blood. I stared at the blood and imagined myself hiding in the bed of his pickup truck with a shotgun. In my mind, as he approached the truck, my whole body would swing from a lying down to a standing up position in one smooth movement, a moving silhouette at the target range. I could feel myself racking the gun quickly and assertively as I glided up. Ultimately, the gun recoiled but I did not.

13.

I have never imagined killing my mother.

14.

He's yelling at her and I know he's up in her face. "Bitch," he yells. I hear him all the way upstairs in my room. I don't know what the fight is about; I never know, and my mother says she never knows either. All I know is that I am afraid of him. When I was younger we would leave a lot and stay away for one week, two weeks, and then in 5th grade for the whole year. We stayed with my grandparents and even got our own apartment, but we always went back. She told me that it was about money; she couldn't support us on her own. I think she was lulled by his promises, but even though the space between the waves is calm, it doesn't mean that there aren't more waves in the ocean.

I hear noises downstairs—she is begging him to stop, but I don't know what he's doing. I don't hear slaps—I never hear hitting—I usually only hear yelling, hissing, rushing, whispering, doors slamming. The tone of this fight is different though, and I am scared in a different way. And I am older. My mother can't protect herself, but maybe I can protect her. I am only fifteen, maybe I can do it.

I go down stairs. They are in the kitchen. He is standing inches from my mother and he towers over her. He is big, 6' 3", and heavy, loose-limbed like a bear. His face is red and I see that his eyes are small and mean like a pig's. Her face is fierce and angry, green eyes blaze against white skin and black hair. She shakes her finger in his face and he grabs it and twists.

"Stop it," I scream. "Just stop it! I can't take it anymore."

"Shut up. Get out of here," he turns to me and drops her hand. She moves to the other side of the kitchen counter—away from him.

"Stop," I scream as long and loud as I can. Maybe one of them will hear me now.

I keep screaming for him to stop, and I move between my mother and the kitchen counter. I am between them now; he on one side of the counter, me on the other between him and my mother. I slide open the drawer and take out a big butcher knife. I hold the knife toward him. The edge gleams whitely under the

lights. "Leave her alone! I'll kill you! I'll do it! I'll fucking kill you." And I try to snap.

"Do it," he sneers, "go ahead, do it."

And I can't.

I am shaking, sick, frozen on the inside. He doesn't even glance at me. He looks over my head at my mother and says, "See? See how she talks to me?"

15. In New York State there are three degrees of murder. First degree murder involves special circumstances, torture or heinous actions, or lying in wait. Second degree murder is any premeditated murder or felony murder that does not involve special circumstances. Third degree murder is all other murder.

"Premeditated murder" means that the killer took the time to rationally plan the actions in order to succeed with the crime and to get away with it. In some cases of "premeditation" the courts have even considered the thoughts immediately preceding the murder as "premeditation."

The prosecution at the Menendez trial argued that Lyle and Eric premeditated their parents' deaths and that their motive was money. The defense argued that Lyle and Eric had killed their parents as the result of years of abuse. Eric claimed that his father had sexually abused him from the time he was six until the day before the murders.

I knew that my only hope was to be tried as a juvenile in family court, because they would be more sympathetic. Once I turned sixteen it would be too late.

16. My stepfather was a chemist and the department he worked for was in charge of keeping the assembly lines open for the circuit board manufacturing division. Circuit boards use gold to conduct the impulses that convey information. To get the gold onto the board, the whole thing, or certain portions depending on what is needed, is coated with gold, and then the gold is etched away in specific patterns by an acid bath. There is arsenic in this bath, and the amounts of arsenic and all the other chemicals have to be just right or the etch will be wrong, the board won't work and the gold will be wasted. When the manufacturing lines went down, my stepfather had to work long hours to get the bath back to its proper levels. This happened about once a year in the winter time.

I got the idea one night when we were sitting in the kitchen eating dinner. I looked across the table to the TV and the Menendez trial was on. The camera panned to Lyle and I studied his dark hair, sunken eyes set in hollows of purple-gray skin and jailhouse pallor. He was so clean cut he looked like he should be going to classes at Yale, not standing trial for murder.

Next to me, my stepfather was talking to my mother. He reached into his breast pocket and pulled a long thin spatula—it looked like something you'd ice a miniature cake with—and told my mother it was made of pure platinum.

"I use this to scoop arsenic out of a jar," he said. "Platinum is non-reactive so the arsenic won't eat it away." He smiled and slid the spatula back into his pocket.

"Does it have arsenic on it?" my mother asked.

"Oh, just a little," he said and winked. We were in a calm period at our house and I hadn't heard yelling for three days.

"It's perfectly safe," he said. "At work I keep a jar of arsenic in my desk drawer, and sometimes I accidentally pull it out instead of the bottle of aspirin I keep in there with it. Joe and I joke that sometime when I've been at work for too many hours I'll take arsenic instead of aspirin and that'll be the end of that."