

# Unlikely Partners

*What happened with  
Barbara, and with the help  
of a dedicated cop*

**Bobby Neel Adams**

## A San Francisco Tragedy

A sickly sweet smell flicked my nose. I was sitting in a drab green room at the Police Department on Bryant Street in San Francisco. Jesus embellishments adorned the walls, Christian books on the shelf.

“I’ve had many a confession in this room.”

I didn’t know how to respond to this statement or why he’d said it. Instead, I sat passively while he hooked up the bands around my chest, arms, and fingers, each step fueling my deep apprehension.

He began with simple questions—name, shirt color, day of the week.

“Now I am going to ask you three questions that only you will know the answer to and I want you to lie on one of these questions and try to beat the polygraph: Are your mother and father still married?”

“No,” I answered falsely.

“Do you have a pet?”

“Yes.”

“Did you vote in the last election?”

“No.”

Sgt. Doe rewound the polygraph paper and pointed to the first set of graph lines.

“See this? Here you are lying. See how the lines are more jagged than the other questions?”

My palms were sweating.

“Now I want to ask you a few questions before we start the polygraph to get a baseline. Just answer truthfully. Are you a homosexual?”

“No.”

“Are you sure? Many young boys experiment with other boys. Didn’t you experiment?”

“No.” At this point I wasn’t sure what the truth was.

“Was Barbara your girlfriend?”

“Yes. But we were apart for almost one year.”

“Yes or No.”

“Yes.”

“Did you ever do anything to hurt Barbara?”

“What do you mean by hurt? Did I ever physically hurt her?”

“Yes or no. Did you ever do anything to hurt Barbara?”

Of course I had hurt Barbara. I’d said things I’d regretted, but never physically harmed her. How could you go through seven years without hurting someone? I decided to answer the question regarding “hurt” as physical. My hands left a skein of water on the arms of the chair.

“Did you and Barbara have rough sex?”

“What? No!” I took in the Jesus odds and ends. Was this guy a Born Again? What was his definition of rough sex? Was anal sex rough? Biting? Scratching? My heart bucked like a bronco shot full of steroids.

“Now I am going to ask you some questions pertaining to Ms. Martz’s murder: Did you ever hurt Barbara Martz?”

“No,” I answered uncertainly.

“Did you do anything to end Barbara Martz’s life?”

“Never.”

“Yes or no. Did you do anything to end Barbara Martz’s life?”

“No.”

“Did you rape Barbara Martz?”

“No.”

“Did you have sex with Barbara Martz on either December third or fourth, 1985?”

“No.”

“Do you know who murdered Barbara Martz?”

“No.”

It was over. Everything I’d experienced—sweat, pounding heart, tremors—must prove I was lying. I hated this cop.

“Mr. Adams, one of us knows who told the truth in this room.”

“I think we both know.”

*Motherfucker*, I thought.

### **I met Barbara Martz at Goddard College in the mid-Seventies**

when she ran out of a burning wood-fired sauna with only a towel covering her. We stood and watched the sauna burn while the student fire department rolled out the hoses. I fell for her immediately but knew she was out of my league. She was trim, athletic and the tallest woman for miles. Her blonde hair and pale blue eyes were striking and her smile could blind a passing bird. We often ran into each other in the college darkroom and I soon learned that she had a boyfriend ten years older. That sealed it—I didn’t stand a chance. Barb soon left the school and that was that.

After I graduated from college in Vermont I returned to my hometown in Colorado with nothing but a car and a couple of cameras. My high school years had been stifling. I never truly belonged to any group. In my last semester, I took only two required classes and by ten a.m. would be on my bicycle, peddling into the isolation and beauty of the Rocky Mountains. Returning to my parents’ house after college, I hated it even more. For the next seven months I worked on a land-surveying crew, saving every penny I could, treading water until I could get out.

A couple of my college friends had moved to San Francisco and I was determined to join them in September. A week before I left, I saw a For Sale sign on a canary yellow 1955 Cadillac Coupe de Ville. I figured if I bought it I could sell it on the west coast for twice the money. So I handed the old man, the original owner, the \$800 he was asking and felt horrible when I saw him shed a tear as I backed out of his driveway.

A week later, I attached my 1953 Chevy Bel Aire to the Caddy with a tow bar. The Chevy was packed with my worldly possessions and my bicycle was on a rack on the trunk. I had two passengers: Guri, a friend from high school, and Jill, a pretty nurse who’d found

my posting on a ride board at the local college. In our connected convoy we looked like Okies fleeing the dust bowl.

We traveled north to Interstate 80 in Wyoming. I quickly learned how to under-steer to prevent the Chevy from fishtailing. Around Rock Springs I let Guri take the wheel but she was done in two miles and Jill lasted another fifteen. That left all of the driving to me. We dropped Guri in Lodi where I separated the two cars and Jill and I finally crossed the Bay Bridge at sunset after thirty hours of straight driving. Golden light banded off the downtown windows and it truly felt magical. I believed deeply in my heart that I had found my final destination.

**Another old friend of mine, Elliot, was attending the San Francisco Art Institute and informed me that he was Barbara Martz's roommate. Months later, we all met at a North Beach bar and, amazingly, Barb and I spent the entire evening talking non-stop. When the bar closed, she offered me a ride to my flat on the back of her motorcycle. On the way, I directed her to the Marlborough billboard that loomed above the Bay Bridge.**

She parked her bike on the empty street below and followed me into the high weeds. We pulled ourselves up the massive I-beams, reached the steel ladder and started straight up. At the top, there is a long four-foot wide platform below the Marlborough man smoking on his horse. We watched the traffic pour across the bridge and soon began kissing. Our tryst was interrupted five minutes later when a police car rolled up behind her motorcycle. The cop clearly thought the motorcycle was out of place. We watched him circle the bike and walk into the weeds. As we peeked between the boards, I feared we were in for a trespass violation and possibly a trip to the county jail.

"Maybe we should call down and give ourselves up," I whispered.

"No, let's wait," she said, squeezing my hand.

We lay prone on the wooden planks and watched the cop continue his search, writing down the bike's license number on his pad. Finally, he got back in his car but just sat there. After ten minutes,

the engine turned over and he slowly crept up the hill. When his taillights disappeared, we scrambled down the ladder as fast as we could.

That was the first night we spent together and I was spellbound. The following morning, with almost no sleep, Barb took me on her bike to the Angel Island Ferry. After disembarking, we walked up the hill.

“What’s that chattering?” I asked.

“Monkeys.”

“They got monkeys out here?”

Barbara began laughing and I realized I was so punch-drunk that I thought anything was possible.

That’s how it began, and it probably kept going because we were so different.

### **Many might have seen us as an odd couple and I guess in**

some ways we were. In physical stature, Barb was a giant among women and I was a runt among men. In elementary school Barbara was always the tallest kid in her class and didn’t stop growing. In her early teens her parents took her to the family physician for hormone shots to jump-start her period and stop her steady growth.

The first few years of our relationship were the best. We made a Super-8 film together. Went to movies, went camping, went to punk rock shows, explored hot springs, and spent the holidays with each other’s families. At night we rotated between each other’s places and sometimes slept alone.

I was rooming with Elliot in South Park, a one-block neighborhood south of Market. Our absentee landlord was Rudy Serra, brother of the famous sculptor Richard. A big underground punk and art scene was in full stride. You could do anything you wanted and cops never ventured into our predominately black neighborhood. Around 1980, Barbara and I, and Ira, a friend from school, decided to open—on a wing and a prayer—a photo studio in the area.

Barbara lived in a warehouse on Folsom Street two doors down from our little studio above a small metal shop. This part of Folsom

was light industry during the day and morphed into a Mecca for gay S&M at night. Bathhouses and sex clubs were more prevalent than churches and restaurants combined. Barb was completely happy there as she was invisible to the leather boys. I, however, was a walking piece of meat.

That is until the plague hit. And it hit like a tsunami. My bartender at the local Hotel Utah was at work one night and five days later he was dead and no one who frequented the bar had even an inkling he was sick.

**Early in our relationship, Barb and I planned a vacation to Mexico to visit her grandmother, Martha, in San Miguel Miguel de Allende.** Because of her schedule Barb went two days earlier than I and met me at the airport. Mexicana Airlines lost my bag and we had to spend an hour filling out paperwork. Finally we made our way to the super new subway to take a trip to our B&B. It being rush hour, more and more people crammed onto the already overcrowded train car and Barbara and I became separated. After several stops, a young Mexican kid pressed himself into Barbara front to front. I saw Barb trying to push her forearm between her breasts and his face. To my horror he began dry humping her, and my attempts to push through the crowd were nearly useless. Two four-foot-tall Indian sisters saw what was going on and began beating the young man off her with their purses while cursing at him in Spanish. Barb nodded towards the door and when it opened up we made it through the shifting crowd. We spent only two days in the city and on the third day went to the bus station for our trip to San Miguel.

My first night at Martha's house was horrible. I sweated my way through, spending most of my time on the toilet until I was shitting clear water. Barb mopped my forehead through the night and, the next day, Martha sent her maid to the pharmacy for medicine that cleared me up within twelve hours.

Several days later we borrowed Martha's car and got on the highway to Guanajuato. We rounded a corner and saw a strange

sight of about a hundred children in a field surrounding an elephant and a giraffe. I pulled the car to the side of the road and we joined the children with our cameras. After a bit I noticed that all of the small girls had separated from the group and were trailing after Barbara like a kite's tail.

Later we visited the Museo de las Momias de Guanajuato. The mummies were on display in tall antique cases and Barbara discovered that none were locked.

These mummies were not what they seemed. On closer inspection we could see that the men were wearing polyester suits.

My bag never showed. I wore blue jeans and my Toshiro Mifune Samurai T-shirt the entire time we were in Mexico.

**Barbara was very athletic. Her family skied, rode bikes, and sailed.** She missed being on the water and began scouring the local want ads looking for a sailboat. Finally she found a two-person catamaran with a trailer. We picked her up and backed her down the Mission Rock Road public ramp into the Bay. I was worthless as a crewmember and Barb got the sails up by herself. The tide was coming in and the winds were blowing out, but the boat was such a dud we got sucked south towards Hunter's Point, another sketchy neighborhood. At some point we gave into defeat and dragged the boat up the ruffraff near a defunct power plant. I didn't like the idea of leaving Barb out there alone but Barb didn't like the idea of leaving the boat unattended. So she decided to stay and I hiked back and got the car and trailer. It was a bad day for Barbara as she hated being beaten by anything life might present.

**Four years into our partnership, Barb announced that she was** going to Peru to help make a documentary in the Amazon jungle with another woman. She was gone for three months, and I only had one postcard from her written shortly after she arrived. During this time Braniff Airways, her carrier, went belly up.

I had no idea what was going on until I received a collect call.

She'd made it to Texas and wanted me to drive to SFO and pay for her flight on to San Francisco. When I picked her up at the airport she was two-sticks for legs, having lost twenty pounds. Barb seemed very happy with her super-thin figure, but seeing her hipbones bulging above her panties put me off.

Two nights later she was throwing up in bed. The next day she was throwing up water—water she couldn't keep down. She refused to let me take her to the hospital, claiming she had the flu. After three days she was delirious. I disregarded her protests, got her in the car and took her to the health clinic several blocks away. The doctor took one look at her and off we went to San Francisco General where Barbara became an instant celebrity as none of the interns had seen a malaria patient before.

**For four years, things had been great. There was no jealousy** and much support, but the tensions of running a business together while being romantic partners began to put a strain on our relationship. Little problems exploded into big ones. The pressure to make money and grow our business was constant. We both needed room to breathe and the oxygen in our small studio evaporated quickly.

Around this time another photographer, Cindy, asked us if we wanted to move into this massive studio on Sixth Street. The neighborhood was a shithole and dangerous. The residents, many homeless, were a mixture of the mentally ill, crackheads, and alcoholics and often all three. Next door was a 'Glory Hole' that placed a placard on the sidewalk advertising: *Rimming Wednesdays, Corn Hole Thursdays, and Fisting Fridays*. Since crystal meth and amyl nitrate were readily available on the premises, the place was subject to police raids. Sexual activity was not the issue.

Within a five-square-block area, there were more than ten bathhouses, a city VD clinic, and nearly every other bar catered to the S&M scene. It was like living in a Fellini movie, and we were very guarded in our movements going in and out and never told anyone what was behind our doors.

To escape the chaos on Memorial weekend, Barb and I drove to Orr Hot Springs in the mountains between Ukiah and Mendocino. It was obvious that Barbara was the most beautiful woman at the springs as I could see in the eyes of some of the men who wondered what the hell she was doing with me. I often had the same thoughts myself—‘why did she choose me?’ Still, it was a relaxing weekend and nature kept us from bickering, but the trip back was absolute hell. Twenty miles out of San Francisco, traffic was nearly at a standstill. With no a/c, the car was hot and I began shifting lane to lane whenever I saw a break. This drove Barb crazy, rightfully. When we crawled across the Golden Gate Bridge into more traffic through Fisherman’s Wharf, my frustration escalated as Barb harped at me. At a stoplight I jumped out of the driver’s side door, yelling, “you drive!” Barb scooted over the gearshift, locked the doors, then sped off when the light turned green.

It wasn’t a joke. She didn’t look back. The bad part was that she had all my keys and my wallet. It took me over an hour to walk to Folsom Street. When someone opened the side door to her building I scooted in. I pounded on her door. When she answered, I icily said, “Give me my fucking keys.”

Barbara was one of the most complicated women I have ever known—at times a complete contradiction. She was very generous and loving but could explode at the smallest perceived slight. I had a hard time tiptoeing around her because her temper could flair so unexpectedly.

After seeing a couples counselor for four months, we finally agreed it best to stop seeing each other as a couple and limit our relationship to the studio. This took some pressure off for me, but Barbara had a difficult time adjusting.

This arrangement continued for almost a year until my birthday rolled around and Barb threw a surprise party for me. We ended up spending the night together and Barbara proposed getting out of our business partnership to restart our relationship. We proceeded carefully, and Barbara began working as an assistant for other photographers.

One thing certainly changed: we began treating each other with much more respect and once again I enjoyed her company.

With her father's help, Barbara bought a house on the backside of Potrero Hill just below the Terrace, a massive public housing project. Her house was set back off the street with a huge hedge that blocked it from view. Between the house and hedge was a beautiful garden with a fountain in the middle. Barb asked me to move in, but I felt it was too soon to consider that. So Barb brought in a roommate, Mindy.

**The weekend before Barb's death we made our last trip to Orr Springs.** There were very few visitors and it was one of the most romantic weekends we ever spent together. Two days after our return, Barbara offered to make supper if I would come over and help her retille her bathroom. After work, I went home, called her number and got the machine. I asked her to let me know when she got home. I turned on the news and after a half-hour wondered why she hadn't called. I called again and this time got a busy signal. I cursed the fact that she refused to get call waiting.

After a third call, the busy signal convinced me she was home. I got on my motorcycle and pulled onto I-280. Arriving, I parked in the driveway and thought it strange that the gate was swinging on its hinges. Stranger still, the front door was wide open. Walking into a flood of TV static, I called Barb's name. That's when I saw her, naked on the floor in a pool of blood, and the phone off its cradle near her body.

Her eyes were open, staring at nothing. Her face was warm to my touch. It was confusing. I knew she was dead, but maybe . . . I put the receiver on the hook then lifted it to get a dial tone and called 911. After I hung up, I called Ira my business partner and told him Barb had been killed. Shaking, I knelt into a pool of blood, kissed her goodbye, and walked out of the house into a drizzle of rain.

I knocked on the door of the neighbor's house and asked the old man if he'd heard anything. He'd heard nothing. Ira and a friend arrived quickly—ten minutes before the first patrol car. I refused to let

Ira go into the house.

Cops appeared and each asked me the same questions over and over while camera flashes lit up the house. Finally two homicide detectives – Jeff Bosch and Ed Erdalatz—took me to the main police station on Bryant Street and the questions began all over, but with a tape recorder.

**I didn't know what survivor's guilt was until I got it. Why the fuck hadn't I gone straight to Barbara's house as soon as I got the busy signal? Would I have gotten there in time? Would I be dead as well? These thoughts took over my mind, skipping like stones over water until I was exhausted. The worst days, my mind drifted into a black movie where I imagined the horrible violence that took place: a vicious rape ending with a knife plunged multiple times into her naked body. Her screams filled my day and nighttime dreams. These images were horribly powerful and couldn't be turned off. Running water sent me into fits of tears.**

I would have traded places with Barbara in a minute. She deserved life so much more than I. But part of me was angry with her for leaving me with this poisonous black weight. And thinking these thoughts disgusted me. My life had been hijacked by utter chaos.

The first year after her death I was on autopilot. A couple of times while riding my motorcycle up the I-280 ramp high above the ground I would suddenly have the impulse to

let my bike drift into the right barrier to launch myself into oblivion. I could commit suicide and it would be labeled an accidental death.

**On December 16, 1985, a week and a half after Barbara's murder,** I impulsively walked into the Second Street Gun Shop. I had never personally experienced extreme violence in my life and my innocence was now shattered.

I stared into the glass case.

“Can I help you?”

“I’d like to buy a gun.”

“What kind?”

“A pistol.”

“Revolver?”

“I’m not sure.”

“Well you have two choices, either a revolver or a semi-auto. A semi needs to be maintained, a spring feeds the shell into the chamber. If you are not using the gun often, the spring can become weak and cause the gun to jam. A revolver can misfire but it won’t jam.”

“Show me a revolver.”

“What caliber?”

“Something bigger than a .22 but nothing huge.”

“Do you want a gun that will fit in your pocket?”

“Um ... yea.”

“This is a Smith and Wesson Snub-nose .38, it has a two-and-one-half-inch barrel. Fairly accurate if you are sharing an elevator with a bad guy.”

I held the gun in my hand. It was flat black with a matching grip and looked exactly like every pistol I’d ever seen in a 1950s gangster movie.

I made a vow to myself that if anyone ever attempted to assault one of my friends and the gun was handy, I’d shoot the aggressor in the kneecap or the head, depending on the circumstance.

**I suppose that I had some mild form of PTSD that first year. I**

had a head of cotton and remember very little of it. Thankfully, I had excellent friends who kept close. And maybe not so strangely I had so-called friends that couldn’t deal with it and avoided contact. One day I ran into my neighbor, Bruce, on Third Street and he asked if the cops had a suspect. When I replied that they didn’t, he said that if they figured out who murdered Barb he would help me ‘kill the bastard.’ This was one of the most truthful acts of kindness that happened because I knew Bruce meant it.

One day the phone at the studio rang and the caller asked for

Barbara Martz. These types of calls happened semi-frequently during the first few months after her death and they were terribly uncomfortable.

“She’s no longer here,” I told the man.

“Do you have a forwarding phone number?”

“Who’s calling?”

He stated his name and that he was from the California Victims of Violent Crimes unit. Six months before, Barbara had been robbed and assaulted in the alleyway next to our studio. Barbara hit the thief and broke several bones in her hand. The police put her in touch with the Victim’s Program to help pay her medical bills. I told the caller she was dead—murdered.

There was a long silence. “Oh, my God,” he replied. Eventually, I told him she was my girlfriend and business partner and that I had discovered her body. He asked if I had been seeing a therapist? When I said I couldn’t afford one, he told me that I would be eligible for the Victim’s Program and he would mail me the paperwork.

I found a therapist and asked the agent from the program to call her and confirm that they would pay for my visits. After three months of weekly visits, the agent called to inform me that my claim was denied because I was not at the scene during the commission of the crime. At this point I owed the therapist \$1000 and didn’t have a cent in my account. I started to freak out, and the agent tried to calm me and said that we could appeal the decision and that I should continue therapy. The nearest hearing date in San Francisco was four months away but if I made the trip to Sacramento, I could attend a hearing in one month. I opted for the latter.

The day of the hearing I headed north on my motorcycle. Half-way there I realized I was running late, so I started speeding and was soon pulled over and ticketed by the police, making me twenty minutes late.

I sat at the rear of the room and watched as other cases were heard, all with some type of counsel. My case was called last. The panel of doctors and health professionals asked if I had my representative

present. I told them I didn't. They conferred and I slowly realized that my agent must have been terminated. With no questioning, I was told for the second time that they would not pay for my therapy because I had not been at the scene during the commission of the crime.

I stuttered, "Your employee made a contract with both my therapist and myself by confirming that the Victims of Violent Crime Program would pay for therapy, and now you've broken this contract. It's that simple. Whether I met the requirements or not is irrelevant."

"We're sorry, sir, we don't have the power to alter these requirements."

Realizing this was a losing battle and that I was about to burst into tears, I let them have it: "I found my girlfriend naked and dead in a pool of blood, you fucking bastards. Go fuck yourselves!" Then I spun and ran out of the room. I was officially a victim of the Victims of Violent Crime Program.

After that I decided to stop therapy because I usually felt shittier than I did before I went in. My Aikido class was more therapeutic and provided the few moments where my mind was relieved from the constant static of death.

Apparently, some of the panel members were upset about the decision because they reversed themselves at the next meeting and paid off my therapist.

**Barbara would sometimes come to me in my dreams. Like most** dreams they did not follow a rational arc. In an early dream we were together and she looked absolutely fine. I told her I was sorry for not being with her and I also asked who had raped and killed her. She showed me the guy. He was suddenly there; I could see him. It wasn't necessarily a bad dream although when I left my flat in the morning his was the first face I saw and it scared the shit out of me. It spooked me so much I went straight over to the homicide department and told the cops Bosch and Erdalatz about my dream. By the looks on their faces, I knew they didn't know how to respond and immediately I felt embarrassed. I was officially losing it. And then, to dig my hole

deeper, I asked them if they ever worked with a psychic. They were kind enough to humor me and answered no. What was happening to me? I didn't believe in psychics. I felt like someone had shoved me off the Golden Gate Bridge and after bursting into the bay, I had no idea where up was. Most days I just treaded water.

Another dream that reoccurred over the last thirty years went like this: I would see Barbara from a distance, and I would track her down. When we finally met face to face she would have a very strained smile that kept me at a distance. I had to work hard to pry out of her what had happened. She always looked exactly as I knew her at twenty seven years old. Finally, she would let me know that she had been revived at the hospital and then her parents took her away to recover and made sure that she never returned or contacted me because they blamed me for what happened. It was obvious that Barb was a different person and had no feeling for me. In several of these dreams, I broke through after much persistence and we became a couple again. Some of these dreams ended with lovemaking. It would be devastating when I woke up and discovered it was only a dream and I was alone. I could never flush this dream away; it had power and kept me connected to her.

### **A Cold Hit, and Pigeon Shit**

In August 2003, I received a voicemail asking me to call Inspector Jim Spillane at a number with a 415 area code. Apprehensive, I called back the next day.

“Detective Spillane,” said a quick, dry voice.

“Bobby Adams returning your call.”

“Mr. Adams did you ever live in San Francisco?” he asked in a monotone.

“Yes, until 1996.”

“And did you have a relationship with Barbara Martz.”

“Yes ... what's going on?”

“Sir, we have a Cold Hit. DNA evidence taken from Ms. Martz's

rape kit has been matched to an incarcerated individual.”

“Good God, that’s a miracle. Who?”

“Sorry, I’m not at liberty to give you any details until he is charged and we are working hard to do just that. Mr. Adams, we would like to fly you to San Francisco for an interview. Would you be willing to do this?”

**When I arrived in San Francisco, I met Lt. Jim Spillane who was slightly taller than my 5’6”.** He had short black hair neatly parted on the side and the prescribed cop’s mustache. Wearing a suit, he looked more like a car salesman than a cop. He led me to the exact room where I had been interviewed eighteen years before and asked me to go through the days prior to Barbara’s death and my subsequent arrival at her house. The interview lasted two hours and the questions took me back to that first interview. When Lt. Spillane asked me to take a polygraph. My stomach dropped.

“I took a polygraph a month after the murder,” I sputtered.

“What’s going on? Don’t you have it? Wait ... you’re not looking at me?”

“This is something that the DA’s office requested. They want to make sure that you are not connected to Barbara’s murder.”

This did not quiet my fears. “The day I took a polygraph was the second worst day of my life. The examiner asked me very personal questions that had nothing to do with the case.”

Lt. Spillane was unreadable. I had no idea where his sympathies fell. Was he friend or foe? I submitted reluctantly and, fortunately, the officer sent down from Sacramento to give me the polygraph was a decent guy.

“I overheard your conversation with the detectives and understand you had problems with some of the questioning during the first polygraph. Can you tell me what bothered you about the questions?”

“While I was hooked up to the machine the cop asked me very personal questions. Did Barbara and I have rough sex? Was I gay? And ambiguous questions like, did I ever hurt Barbara.”

“Got it. I will ask you a handful of yes/no questions and they

will be limited to this case only. I want to apologize. I was surprised they popped this polygraph request on you three minutes ago. I assumed you knew before coming to California that this was on the table. Don't worry. If anything comes up that bothers you I will turn off the machine and we'll discuss it."

"O.K. hook me up. I want to get out of here."

At one point, when I answered *definitely not*, he reminded me to say yes or no. I assume I passed the polygraph, although no one ever told me the results of either test.

**The cold hit would never have happened if it weren't for Tom Buckley and James Spillane.** Tom was the officer in charge of the evidence room. In the early 2000s, the San Francisco Police Department finished construction of its new crime lab. Tom's job was to help design the lab and develop methods for transferring and storing evidence without tainting or losing any. In appreciation for his hard work, Tom was asked to pick the first two cold cases with DNA evidence to run through the lab. He consulted with his friend, Jim, now working in Homicide, and although neither of them had worked on Barbara's case, they both remembered it. They knew that she was a twenty-seven-year-old woman on Potrero Hill, and that her death was brutal and unsolved. This evidence went to the lab.

When the Crime Lab matched DNA to the evidence in Barbara's file, San Francisco had its first cold hit.

**I returned to New York, barely noticing as time inched forward.** Months later, the *San Francisco Chronicle* broke the news that DNA evidence linked a John Davis to the murder of Barbara Martz. My phone rang.

"Bobby, this is Assistant District Attorney James Hammer, I will be working for the City of San Francisco to try John Davis."

"Hammer? Spillane? What's up with the names?"

He laughed, then arranged for me to fly to San Francisco again.

The day after I arrived, Lt. Spillane and I met to have lunch. At

11:30 a.m. I hopped in the front seat of a SFPD cruiser.

“Would you mind if I drove by Barbara’s house before we have lunch?”

“Oh God. I haven’t been there in years.”

We drove in through the Potrero Terrace projects and down the hill on 25th Street. Lt. Spillane walked me into a building under construction above Barbara’s house, flashing his badge at several laborers. We continued through the labyrinth of open framing to the rear of the building.

“That’s Barbara’s back yard. I think it’s possible the perp came in through a window at the rear of the house.” Lt. Spillane pointed.

Several weeks before she was killed, Barb had called me, worried that someone was in her back yard. It was unlike Barb to get spooked by anything so I drove up and spent the night.

We left the neighborhood and drove to Bernal Heights, the next hill west. For the first time, Jim (as I now called him) and I began talking about our lives, not the murder case.

Jim’s dad, after serving in the navy, became a San Francisco police officer in 1948. His uncle was an inspector for the department’s juvenile division. Both had shot and killed gun-wielding suspects in the line of duty. Jim entered the police academy appreciating the reality of police work, believing that the good he could do would offset the possibility of taking a human life. Although he spent over twenty years policing tough areas and had pulled his gun on several occasions, he never fired it.

**The Grand Jury convened in an open room unlike a courtroom.**

The jury occupied chairs scattered about the room. I sat facing them. ADA Jim Hammer asked me to describe my relationship to Barbara. Next, he asked me questions about the evening I found Barbara dead. When I said that she had been stabbed to death, Hammer stopped me saying, “strike that,” and asked me to describe Barbara as I found her. I told the jurors that she was nude, in a fetal position, surrounded by a pool of blood, and that a number of bloody holes

covered her neck and torso.

Later that day the jury voted to indict Davis on three counts: burglary, rape and murder.

**I know so little about John Davis. I know that he was eighteen** years old when Barbara was raped and murdered and, decades later, the semen he left behind finally caught up to him. In the public records at the San Francisco courthouse, I did find one mention of a John Davis convicted of a felony assault and burglary on Potrero Hill.

The *San Francisco Chronicle* reported: “Davis already is doing time for a string of crimes, including a 1993 robbery in San Francisco and an attack in prison in 2001 that landed him in Pelican Bay, one of the state’s highest-security lock-ups. Before being charged with Martz’s killing, he had been scheduled to get out of prison by 2008.”

John Davis lived only blocks from Barbara’s house with his mother and half-brothers. Barbara’s purse and credit cards had been found in a project basement, halfway between Davis’ residence and Barbara’s home.

I had always suspected that Barb’s murderer was a person she did not know—a predator who acted after weeks of observing a single woman, an easy target, before some huge malfunction in his brain caused him to snap and pounce.

**The case wouldn’t come to trial for two years. During that time,** Gabriel Bassan, John Davis’ attorney, made motion after motion to delay and was successful. Kamala Harris became the new DA, Hammer left the department, and the case was assigned to Claudia Phillips, an attorney drafted from Sex Crimes. This was her first murder trial.

Bassan saw his opening and asked the court for a speedy trial. Davis had to be tried within sixty days, giving Phillips very little time to prepare.

Jim had called periodically to update me as the case crawled toward trial. In all those phone calls, I’d developed great respect for this uncommon cop.

**Twenty-two years after Barbara's murder, I took a hiatus from** my artist residency in New Hampshire and boarded an airplane for San Francisco. Upon landing, my cell phone came on ringing.

"Bobby, it's Jim, are you on the ground?"

"What are you, psychic? I'm on the tarmac."

"Where are you staying?"

"My friend Christine's house on Potrero Hill"

"What's the address, I'll meet you there in two hours."

I picked up a rental car and drove to Potrero Hill. Christine met me at the door with a hug and a kiss. I told her that Lt. Spillane was coming soon to meet me. Christine was concerned when he showed up in his blues. What would the neighbors think?

"What's with the uniform, Jim?" I asked. He mumbled something about a funeral.

As the fog rolled in, we sat on the porch overlooking San Francisco Bay. Two fifty-something guys watching Oakland turn into a mountain of cotton.

"Are you ready?"

"Yes and no. For many years, I gave into the fact that it would take a miraculous confession for this day to come. Then I stopped believing in miracles until you came along and fucked it all up. I feel blessed this scumbag will finally have his day in court. But I'm not looking forward to testifying. I can't open my mouth with more than three people in the room unless I've known them for over twenty years."

"I have a similar problem so I took a public speaking class just to be able to testify in court. There are tricks. Just focus your eyes right above the jurors' heads. Or, if you want, look at Claudia. Remember she's got your back. That's her job."

"I'll try."

"Listen, I've got to get home for dinner, but tomorrow I'm taking you to La Cumbre for lunch. You can't possibly be eating real Mexican food in New York."

"Right."

**Jim showed up the next day in a white sedan, wearing jeans**

and an untucked plaid shirt that partially hid his gun.

“Where’d you get this piece of junk?” I asked him.

“It’s from the motor pool. Probably some confiscated, low-level dealer’s heap.”

We drove to La Cumbre, a staple in the Mission District. After circling the block, Jim parked in a No-Parking zone on 16th Street. We ordered burritos and made our way to a booth.

“My life is changing buddy; my kids are nearly adults and leaving for college. Soon, it’s going to be just Paula and me. I’m not sure if I can adapt to all the silence.”

“Maybe you’re the last in a line of cops.”

“Could be. I’ll never do another homicide case. Homicide moves like molasses. It’s tedious. I’m quitting after Barb’s case. Moving back to the streets.”

“What? Why?”

“Every day is a new day on the streets. You never know what’s going to happen. You find a bad guy, catch him, book him, and get back to the streets and do it again. Look how long this has taken. That S.O.B. prosecutor threw brick after brick onto the road. It’s not for me. I just don’t feel productive.”

“Well, I guess I’m lucky I got you before you moved on.”

“Even if I leave homicide, this is my case. I’m not gone until Davis is locked up for life.”

I handed him a napkin. “You’ve got sour cream on your mustache.”

“That’s what it’s for.”

“Let me ask you something. Why do ninety percent of you cops have mustaches?”

“Well . . . I guess because only ten percent of the force is women.”

We returned to a car covered in pigeon shit, under phone lines on which a festival of pigeons stood shoulder to shoulder.

“Is this the fine for parking a cop car illegally?”

“If it is, I’ve not seen it in my book.”

On our way to the City Hall, Jim spotted a by-hand car wash

that two women were running in a gas station parking lot to raise money for an Aids organization.

“Sorry about the car, girls.”

“It’s okay. We’ve got gloves.”

“Bobby, see that bar across the street? That’s where I caught my first homicide. Two drunks got into an argument and took it out to the street. One guy pulls a gun and attempts to shoot the other one. He misses but manages to hit an eighteen-year-old boy between the eyes while he was filling up his car. Poor guy was on the way to his birthday party.”

“That’s horrible.”

The day was overcast and drizzly. Something softly plopped on my head. I put my hand on my hair, drawing it away when I realized.

“Shit, Jim, I’ve been shit on.” Turning to the girls, “can I borrow your hose?”

I bowed my head to douse it with water.

“Give it to me,” said Jim, taking the hose from my hand.

*Good God, I’ve got a cop washing my hair.* I didn’t know anyone else who could make this claim, possibly no one in the whole wide world. When Jim finished, I gave the hose back and the girls rinsed the soapy shit off the sedan.

“Shall we dry it?” they asked.

“No need, you’ve done plenty. Thanks, girls,” Jim said, passing them a twenty for a ten-dollar wash.

As Jim turned right on 14th Street, we confronted a fat pigeon waddling across the road. He swerved at the last second to miss the bird.

“Missed him, Jim. Your aim’s off.”

“Naw, I just granted him a reprieve. He probably wasn’t even connected to those 16th street gangsters.” His mind drifted, then came back in focus.

“Hey, Bobby, back in the ’80s when I was a beat cop, there was a liquor store on the corner of Divisadero and Fillmore Street on the ground floor of an empty purple Victorian. Some guys broke into the second story and cut a hole in the floor to the liquor store below.

They walked out with as many bottles as they could carry. At our nightshift briefing, the Captain asked us to keep an eye on the place in case the thieves returned.

“My partner and I were on patrol when the dispatcher sent us to the address. When we got there, I asked my partner to wait on the street. The top floors had no electricity so I pulled my flashlight, leaving it unlit, and tiptoed up the stairs.”

“You didn’t fall down the hole?”

“No, I had a plan. I knew where the hole was and I waited until I got to it before lighting it up. I wanted the element of surprise.”

“What happened?”

“I found the hole, turned on my Mag-light and a flock of startled pigeons flew out spewing diarrhea. I was covered.”

“Oh Jesus, man. Did you catch the thieves?”

“Hell no! I drove home and took a shower.”

Jim dropped me at the Bryant Street Court House and told me to call him after my meeting with ADA Claudia Phillips.

Claudia outlined how she thought the trial would go and we went through some of the questions I might be asked. I was very nervous, having never even attended a trial. Claudia advised me to be honest and straightforward.

**Jim was waiting for me on the courthouse steps. He flashed his badge at security and we bypassed the metal detector. My fantasy of getting a gun into the courtroom could have been realized with his free pass. In the hall outside the court, Jim showed me a bench where I could wait until the bailiff called. Instead, I paced and took trip after trip to the toilet. The longer I spent waiting, the more nervous I became. After an hour, my name was called.**

Entering the courtroom, I saw John Davis in the flesh. He was huge. The back of his head shone like a polished bowling ball stacked on top of a white turtleneck sweater. My heart broke to realize that this motherfucker was the beast that gave Barbara her send off.

I was sworn in and Claudia asked me questions. Halfway into

my testimony, Jim started motioning to me to be broader. I was blowing it. It was theater and I was no actor.

Davis sat like a desert tortoise, rarely looking up from his chair and never at the jury. He'd been well coached.

Claudia introduced the crime scene photos, asking me to describe each one. I'd seen most of these photos but evidently not all of them. The last one was so gruesome it cut me to the bone. I choked, trying to describe it. Sensing my implosion, the Judge interrupted, "It is now 11:30 a.m. I suggest we break for lunch."

Claudia stayed at the courthouse to work on her presentation while Jim, Elsa – Barbara's mother—and I walked to the Flower Market for lunch.

"Jim, I'm blowing it, aren't I?"

"Nothing's been said that shouldn't have been said, but you need to expand your answers. Paint a picture. Let the jury know what you saw and how you felt when you saw it."

When we returned to court, the Public Defender, Gabriel Bas-san, had his turn with me.

"In 1985 you said this when interviewed by Inspectors Bausch and Erdalatz. Please read to the court the underlined section."

"I arrived at Barbara's house around 8:30 p.m."

"And then your 2003 statement: please read this section."

"I arrived at Barbara's house around 7:30."

"This is a one hour gap. Which statement is true? The one from 1985 or the one from 2003?"

"Most likely 1985. Why don't you check the Police Report?" I saw a tiny smile cross Jim's face.

**Before I left San Francisco for the final time, I met Jim and his daughter Allison at The Ramp, a restaurant overlooking the Bay. There was one table left on the deck. We ordered our food and began talking about the trial. Ten minutes later, I looked over Jim's shoulder and saw the letters RUB on a sailboat and then leaned to the left and saw a Y.**

“Jim, you’re not going to believe this but that sailboat, behind you, the *Ruby*, is the boat that took us out to scatter Barbara’s ashes into the bay.”

I jumped up and walked down the ramp, Jim and Alison trailing behind me. There was a man on board with white hair.

“Did you own this boat in 1985?” I asked.

“I built this boat thirty-five years ago.”

“In 1985 you took myself, friends, and family out underneath the Golden Gate Bridge to scatter my girlfriend Barbara Martz’s ashes.”

“I remember her. She lived on 25th Street.”

“Right.”

“She had a studio on Sixth Street, right?”

“Yes, she was my partner.”

“I remember you. If I remember correctly, she also planned a surprise birthday for you on the *Ruby*.”

“Wow, you have a great memory. Bobby,” I said extending my hand.

“Josh,” he replied.

I glanced back at Jim and he was shaking his head in wonder.

“You are not going to believe this but we’ve been attending the trial of the guy accused of murdering Barbara.”

“I thought that was long ago cold.”

“This is Lt. Jim Spillane, the cop that busted the case in 2002,” I said, putting my hand on Jim’s shoulder.

I began to experience a strange tingling on the back of my neck so decided to leave them to talk. “I’m going back up.”

When he got back to the table Jim stated, “This is an omen. I declare this an omen.”

“I hope you’re right.”

“It’s an omen, there is no question about it. Barbara just sent us a message.”

**My testimony complete, I returned to New Hampshire where I could work without the outside world marching in. Several days**

later, Jim called to tell me that the jury had been sent out to deliberate. The days ticked by while I waited to receive the verdict call. To survive, I immersed myself in my work. After five of the longest days of my life, I rode my motorcycle to a rental lab in Boston. I worked all that day and into the next, printing, before heading back to Peterborough. With forty miles to go, my gas warning light came on, so I pulled into a filling station. Seconds later my phone rang. Jim's name appeared on my screen.

"HE'S GUILTY, BOBBY! HE'S GUILTY. GUILTY. GUILTY. HE'LL BE GONE FOR LIFE." No "Hello"—just "*He's guilty.*"

"Jim, I was super worried the verdict was taking way too long and tried to convince myself that this was normal."

"It was taking too long! Claudia thought they would come back in a few hours but after two days we knew there was a problem."

"What happened?"

"The foreman told us that there was one holdout, a single woman who would be

Barbara's age if she were still alive."

"You're kidding me, the one juror that had the most in common with Barb held out? That's bizarre."

"It's a strange phenomenon. Statistically, middle-aged women have trouble making big decisions they believe will alter a person's life forever. They don't want that responsibility hanging on their backs."

"But what about Barb's life? Couldn't the juror see that Davis was the animal that altered her life permanently?"

"I hear you ... The real world doesn't always work the way we think it should. Luckily, the foreman was on point. He methodically called for transcripts and evidence to be brought into the jury room to show her that she'd either misunderstood or simply had it wrong. Finally, he won her over."

"Amazing. Thank God for that foreman."

"Bobby, I didn't want to tell you this until after the trial, but in some cultures, being shit on the head by a bird, specifically a pigeon, is a good luck omen."

“No man. Good luck is meeting a cop willing to wash the shit out of your hair! I love you, Jim. Without you, I would have gone to my deathbed never knowing.”

“I love you, too Bobby. Be well my friend.”

***It was over. The worst part of the ordeal was the years of*** waiting for the trial to occur. I thought about it constantly with gnawing anticipation. But once the trial ended and John Davis was sent away for life I felt nothing. Of course, I hated the man for brutally killing someone I loved but all I had left when the trial ended was the gaping hole of nothingness, something I'd lived with for over twenty-one years. The trial changed nothing. John Davis denied everything. He is a shell of nothingness. I wished that he could face up to his crimes and explain to me and Barb's family why he chose to take the life of someone he didn't know, who'd never harmed him or anyone else for that matter.

The one brilliant thing this experience gave me was a beautiful friendship with a man that put in years of his life bringing this cold, cold case to what *he* calls *justice*. On multiple occasions, Jim has told me that he would meet Barbara up in heaven. I never had the heart to tell him I didn't think that was possible.

These days we end our conversations with: 'I love you, Jim' and 'I love you, Bobby.'

*I love you, Barbara.*