

[Transcript] Morbid / Episode 489: Rainbow Family Murders

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Mike Williams set off on a hunting trip into the swamps of North Florida where it was thought he met a gruesome fate in the jaws of hungry alligators, except that's not what happened at all.

And after the uncovering of a secret love triangle, the truth would finally be revealed.

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Hey, weirdos, I'm Alina.

I'm Ash.

And this is Morbid.

You were jaunty about that, hey?

I know I was.

Maybe it's the eyeshadow of it all.

It's the eyeshadow.

You look great.

You never looked better.

One of my daughters, while we were getting them ready for dance, decided to give me a makeover.

Yeah.

Because while you're waiting, you know.

But as well.

And she grabbed a Halloween palette.

Yep.

A Halloween palette that I have.

And I actually kept that palette, haven't used it because I wanted to wait for Halloween.

And I figured they could use that palette because I'm sure they're going to want to be something fun and fancy and, you know, all that fun stuff.

But boy, did they use it.

So there is pumpkin orange glitter and glitter glitter in this palette.

Like drag queen glitter.

Like so glitter.

So glitter.

Yeah.

So glitter.

And she said, mom, close your eyes.

And I said, okay.

She did it.

She lipstick you too, but that went away.

She lipstick me too, but that went away.

But the eyeshadow remains and might remain until the day I die because it's really, it's really embedded in there.

But I feel spooky and you look great.

You know what?

She gave me a gift.

She gave you her all.

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She did.

They were like, what did they say?

Oh, the other one wanted to do mine.

And I was like, I already have makeup on and Elena goes, you can never have too much.

And I was like, nope, you can.

Less is more.

Bye.

So here I am.

I am sitting with my fancy eyeballs.

Okay.

I'm sorry.

You feel inadequate.

I don't.

I don't.

I feel safe over here.

You feel safe because of this disco ball, you know, when Facebook, when people are like, I've been marked safe from like the horrible safe from glitter.

I was.

It was I.

It was I.

It wasn't marked safe.

My at the bottom of my hair is so crusty.

Wow.

Okay.

Like dry.

What's so funny over there?

Glitter head.

That made a sound weird.

The fact that you had to like, like clarify what you meant, you were like, like dry.

Dry.

Like not just crusty.

Like these crusty crusts I got on the bottom of my hair for Glozella was her lips for me.

It's my ends.

There you go.

That speaks to someone.

I'm sorry about that.

Summer's almost over everybody.

So don't worry about it.

Yay.

Because spooky season is coming is upon us.

It's here as far as I'm concerned.

Yeah.

And I have a hair appointment tomorrow.

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So party.

Oh my God.

I saw.

I was really trying to connect that really like, what does that have to do with spooky season?

But it started with hair.

I was still on my hair.

I see.

It's called being self-centered.

Look it up.

Um, so I guess just no better way to go into no case than that.

Yeah.

What better way?

Um, this, I have like a bumper one today, obviously, um, and it's, it's interesting.

I was reading like articles to try to find my next couple of cases and I saw a book pop up and I was like, whoa, that looks interesting.

And that's how I discovered the rainbow family.

I don't think I've ever heard of this one.

Nor had I.

Yeah.

So it all starts with a girl named Nancy.

Okay.

And from a very early age, Nancy Santamaro knew whatever she ended up doing for her career.

She wanted it to be something that helped people and I think that automatically is just really fucking sweet.

Yeah.

Her mother Jean told reporters in 2000, she had such promise, such a free spirit.

She wanted to be a forest ranger.

It was the end of the 1970s and she was non-materialistic.

She just wanted to improve society on Nancy.

It was almost like Nancy was born a couple years too late in the late 70s.

Her love of nature and her deep feelings of empathy and compassion for others reminded most people of the hippie subculture that had recently kind of been left behind.

Now most people were going on to a period that was maybe a bit more self-centered and definitely a whole lot more materialistic.

But Nancy's family always encouraged her interests and respected the kind of hippie-esque culture that she felt so close to.

That's a good family.

It is.

They just supported her and loved her through who she was and she had a lot to offer.

Her mother later said, I didn't even worry when she was hitchhiking because her family and her mother included knew she had a close knit group of girlfriends and just friends in general who could very much hold their own in a potential conflict.

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I love that she was like, I wasn't worried.

Like they're boss bitches.

Yeah.

I'm not worried about them at all.

No, she's like, they got this.

That's awesome.

Now one of those girls was 26-year-old Vicky Durian.

Vicky was known to her friends as Bright Star.

Stop it.

Like immediately I was like, I love Vicky.

I was just going to say this is like, I just want to be around these people, right?

And so Vicky being also known as Bright Star, you can see why she and Nancy hit it off immediately.

They both had very free spirits.

They were open people, friendly people.

Vicky was born and raised in actually a very rural area, Wellman, Iowa.

It was a town where there were only about a thousand people.

Whoa.

Yeah.

But like Nancy, Vicky had a strong sense of empathy and compassion.

She really liked helping people.

What a duo.

After high school, she became a licensed practical nurse, so she was also like a multifaceted chica there.

Oh yeah.

And it seemed like a natural fit for somebody with her skills and personality.

Now even though she had a well-established career and she was very much professionally trained, Vicky still identified it seemed even more so as like a free-spirited person who wanted to get out and experience the world.

Yes.

I love it.

It starts off so beautifully.

Ugh.

When Vicky and Nancy's friend, Liz John-Drow, told reporters, Bright Star was a loving person.

She was real open to everybody, even if they weren't like her.

Oh, I love that.

Yeah.

That's like the kind of people.

That's how everybody should be.

Yeah.

It's the kind of people you want to surround yourself with.

Yeah.

Just be open to people.

Yeah.

So Liz actually had met Vicky outside of a food co-op in Tucson in the late 70s.

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And the two of them became really fast friends because Vicky let then-teenage Liz stay at her apartment when she had nowhere else to go.

Now it was through Vicky that Liz eventually met Nancy, and then the three girls bonded together over their increasingly uncommon interest of the hippie lifestyle, which is crazy that even at the end of the 70s, it was pretty much done.

Yeah, like that.

It changed over so quick, it seems, like it was just all of a sudden like, nope, that's not okay.

Yeah.

We're on to new things.

On to material items.

But now look, the hippie look at least, like aesthetic is still, it's constantly in style, I feel like.

100% ways.

Yeah.

And I think there's like a lot more music festivals now that kind of try to borrow from the ones back in the day.

Yeah.

But yeah, so there were a couple of hippies and they loved hitchhiking.

Okay.

It was just a good way to get around.

Now as we all know, it was obviously wildly popular in the 70s to hitchhike in the early 70s.

But by the end of the decade, most of the general public kind of realized how dangerous it could be, except like accepting a ride from a stranger.

It's so sad.

Which I think the reason a lot of people started to realize it is because the news and the press started covering more serial killers and more instances of violent crimes from hitchhiking.

Yeah.

You're never hearing about like, like I'm a, like I would never hitchhike just because I'm scared of everybody, but now it's so different.

But like you also back then were not hearing about the millions of successful hitchhikings that happened every single day where somebody was brought to the place they were looking to go and had a nice conversation and met somebody kind and great and was better for the experience.

Like you didn't hear about any of that.

You only, it's like a plane crash.

Exactly.

You only hear about the bad ones.

You're not hearing about the thousands that take off a day that successfully get where they need to go.

Precisely.

Look at you.

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You get it.

Yeah.

Girls that get it get it.

That's me.

No, but listen, even with that awareness, there were still people who felt like the benefits like we were just saying, outweighed the risks and they were comfortable taking rides from strangers.

Liz would later tell reporters, hitchhiking is a cheap, easy, free way to travel.

We could get off anywhere we wanted.

No worries about gas or cars.

You meet people who are just interested in hearing about your travels.

We were no strings attached people.

And wouldn't it be nice if that's all it was?

That'd be great.

You just meet people, get a little different perspective on stuff.

Hear about their fun trip they're taking and then be like, bye.

And like you said, maybe even leave better for it.

Yeah.

Like, oh, what a cool guy.

What a cool guy.

Wouldn't that be nice if that was just the way it was and we could be that way as a species?

It would be so sick.

It would be, but we're one of the most terrifying species ever.

Yeah, sure are.

So in June of 1980, Vicki traveled from Wisconsin where she had recently moved for work to her family home in Wellman because she was attending her brother's graduation.

And Nancy planned to meet Vicki at Vicki's parents' house in Iowa after the grad party was over.

Okay.

And together with Liz, the three of them were going to hitchhike their way to the Rainbow family's fourth of July celebration in Marlinton, West Virginia, otherwise known as a rainbow gathering.

This sounds adorable.

Oh, it's just so pure.

Okay.

I could see myself wanting to go to this if I lived back then.

You would have been all over this.

100%.

The Rainbow family was started in 1971.

It's like very interesting reading about it because you're like, who exactly started this?

What happened?

There's a couple people that started it, but they're like, we're pretty informally led.

So they were started by an informally connected group of mostly young people with pretty

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progressive
ideals.

And they're known for organizing really large gatherings that are just supposed to celebrate the spirit of the counterculture movement from the 70s.

That's fun.

Hippies.

I don't really have any specific agenda.

There's not really any organizing principles.

They're mostly understood by the public as a well intended group who, quote, are out to seek a little earnest spiritual fulfillment, learn a thing or two, and have a good time in the process.

That seems wonderful.

Like who the fuck doesn't want to go to that?

Yeah.

Now their annual gatherings were pretty free form.

They included events and activities that drew from spirituality, like New Age spirituality and the back to nature movement.

And they also incorporated cultural elements of the 1960s, like music and sexual freedom.

Oh, lots of stuff going on.

It's fucking awesome.

Yeah.

It's like very wood stock, it sounds like.

Yeah.

You know?

We loved it.

We loved it.

As the Washington Post described it, it was as if the rainbow people had slipped through a time warp, a slice of the 60s suddenly wedged into the 80s.

That's interesting.

Sign me up.

Yeah.

Let's do the time warp again.

Yeah.

I mean, I'll watch from far away.

Yeah.

I'll make sure you have like popcorn.

I'll support you.

Okay.

I'll write you a postcard from there.

Cool.

Now, while the attendees of the rainbow family gatherings may have been mostly well intended, it seems, their annual convergence on very, very rural locations had a tendency to worry local law enforcement over what they referred to as, quote, the high potential for user conflict.

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Yeah.

Initially, they were worried about the largely progressive counterculture attendees coming up against the largely conservative locals, Eek, who really resented public nudity, like flagrant drug use, and what they felt was a general disregard for authority.

Okay.

Just two different sides of a coin coming together.

Very opposite ends of the spectrum here.

Luckily, the troublemakers seemed to be pretty few and far between, and most attendees overall were like Vicki, Nancy, and Liz, just free spirited people trying to keep up the ideals of hippie culture alive in a very different world.

But still, in the weeks before this gathering was set to begin in Marlinton, West Virginia, the secretary of state, James Manchin, excuse me, A. James Manchin, actually filed a suit against the group in an attempt to stop this gathering from happening altogether.

He told reporters, West Virginia didn't need this bunch of derelict misfits.

I mean, that was a choice having it in West Virginia.

I will say that.

It was a choice.

I'm not saying it was a bad choice.

I'm not saying it was a good choice.

It was just a choice.

It's simply a choice.

It was an interesting choice.

Derelict misfits.

I mean, I think they're just trying to vibe.

That's what I think.

It sounds like they're not doing anything.

Like, let them hang.

Let them why?

Let them hang.

Let them just do their thing.

Yeah.

It'll end.

And then they go home.

That's it.

Who cares?

Now, his suit was unsuccessful at keeping the Rainbow family from coming to West Virginia.

I figured.

But that specific instance definitely highlights the tensions that we're building over before the event had even begun.

You can see that it was clearly like an issue.

And people in town were not excited about it.

In a big issue.

This isn't like a bunch of people just being like, oh, this is annoying.

It's like the secretary of state is trying to see them.

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That's a lot.

That's pretty big.

Now, when Liz, Nancy, and Vicki left from the Durian's house on June 20th, their plan was to hitchhike to the gathering, which was going to be held, and I looked this up, so I'm going to do my best, West Virginia's Manongahila Forest National Forest.

Wow.

Yeah.

Impressive.

Very cool.

You're talking about my pronunciation, right?

Yes.

Thank you.

Very impressive.

So that was the plan.

They were going to hitchhike there.

And then when they got there, they were going to meet up with Nancy's sister, Kathy, who was also going to be going to the festival.

Okay.

Kathy's plan was to drive herself down a few days later.

Okay.

Their plan changed just a few days later when they reached Richmond, Virginia, on the 24th of June.

The day before, the three friends were picked up in South Carolina by the driver of a commercial bus, and Liz later told reporters, it was raining, and as I stared out the window, something told me not to go to the rainbow gathering.

Ooh.

She just had like a premonition.

Ooh, always listening to your gut, man.

And she did.

So many times I have not listened to my gut, and I regret it every time.

Yeah.

She said it was just something like telling her not to go.

Wow.

So instead, she placed a call to her father in Connecticut, and she arranged for transportation to get back home.

Wow.

She really listened.

Mm-hmm.

She's a spiritual girl.

Yeah.

Of course she did.

And actually, her dad was going to be getting married the next weekend.

So going home seemed like the right thing to do anyways, even despite her feeling.

Yeah.

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Seems like there was a lot of convergence of signs there that she was like, you know what? Yeah.

That's the thing.

Yeah.

And I wonder if she just kind of like kept the feeling to herself and was like, it's about me, like, not about them kind of thing.

So the three of them made plans to get together in Vermont later that summer, and they totally understood that Liz didn't want to go anymore.

And the last thing Vicki and Nancy said to Liz was, be careful.

And then they proceeded on their way to West Virginia to the Rainbow Gathering.

Oh boy.

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Guys, this is absolutely terrifying.

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Simply Safe's professional monitoring agents can now warn intruders that they are being

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That'd be awkward.

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Now around 9pm on June 25th, so just one day after Vicki and Nancy parted ways with Liz, a student walking back to his lean to and briary knob near Droop Mountain Park discovered two bodies lying face down in the woods, both dead from a parent gunshot wounds.

Now they were nearly 40 miles from the rainbow family gathering, but police immediately believed that these two women had attended the gathering due to one of them wearing a shirt with a rainbow motif similar to emblems used by participants of the gathering.

Now other than that, neither woman had any identification or other clues about their identities.

So the news of the two murders, excuse me, came as a shock to some, but not all attendees at the rainbow family gathering.

One of the organizers of the gathering, Tony Crow, told reporters about an unrelated instance. He said, quote, there were 11 shots fired into the site.

It looks like some of the locals have gone a little gun crazy.

So basically people were targeting this event and like the site where the gathering was actually taking place.

That's what had happened.

People shot into it.

But like I said, unrelated instance or incident, excuse me, that's scary.

But despite the deaths, the event continued without a second thought.

One attendee told reporters, it's a really bad thing that it should happen.

But I know that those two sister who have passed on to another realm would be very unhappy if they saw that it affected the energy of this gathering.

No comment.

I'm just going to stay here.

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I don't know how they would feel.

I have no idea.

Yeah, we'll leave it at that.

But since the deaths did not affect the gathering, the identities of the victims were still unknown. And Nancy's sister, Kathy, had no reason to change her plans.

So at the end of, excuse me, at the end of June, she and some friends traveled to West Virginia to meet up with her sister.

Oh, years later, Kathy told reporters, when I arrived, no one knew where Nancy was.

That week I heard two girls were killed in the country, but there were no photos.

I was a little worried, but someone said the victims were American Indians.

Now, when Kathy still hadn't been able to locate her sister after several days, she just figured that Nancy had found something that interested her more, so she left the area.

She said that would have been pretty typical of her, because again, like very free-spirited people.

I was going to say, that's the thing.

And I mean, this is like in your wildest nightmares, you couldn't imagine that this happened to your sister.

No, of course not.

And nothing in your brain wants you, wants to believe.

Exactly.

To tell you, no way, there's no way.

Right.

So Kathy and her friends drove back to New York on July 5th, but when she got home, some friends had received a copy of the Pocahontas Times and showed Kathy the pictures of the two young women who had been killed.

Now, at first, Kathy wasn't sure the girl in the photo was her sister.

There definitely was a resemblance, but she couldn't be sure.

So she drove back down to West Virginia to see if the girl in the photo really was her sister.

I wonder if it's one of those things where she was pretty sure, but again, her brain didn't want to be like, no, that's definitely her.

So as she made her way back to West Virginia, investigators continued to struggle to make any kind of headway in this case.

And like I said a minute ago, neither girl that was found had any identification, and the only personal items found with them were a Swiss army knife and a pocket comb.

And then the post-mortem exams were just as unhelpful.

The cause of death was gunshots.

This is horrible.

Vicky had been shot twice in the chest.

Nancy had also been shot twice in the chest, but also once in the head with what the technician believed was a high-powered rifle.

Wow.

Now, although they hadn't identified the bodies yet, local authorities felt confident

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that the killer was local quote because of the rural area in which the bodies were found. And they were also pretty certain that the girls had been killed in one location and then dumped where they'd been found because there was no blood pooling around the exit wounds.

Okay.

Now, Kathy reached Pocahontas County on July 8th and immediately went to the local police who took her to see the bodies.

She later recalled quote, my girlfriend knew right away, but I could not believe it was Nancy.

Then I saw that she was wearing the silver bracelet I had given her.

Oh, that ran awful way.

I can't imagine having to identify a family member, let alone like your sister.

So after identifying the bodies, Kathy was able to help the investigators get in touch with Vicki's family.

And then she got in her car and drove back to New York to deliver the news to her mom in person.

She said, I didn't want to have to tell her about Nancy on the telephone.

Wow.

That's, yeah.

Can you imagine just having to, like it's just you.

And you're driving knowing what you have to do.

After just seeing what you saw, like that's your sister and her friend who you probably knew.

And you're showing up at your mom's house.

She's probably going to answer the door being like, Oh my God, hey girl.

You know, like so happy to see you like, la, la, la, like mom stuff.

And this is what you have to, oh.

And to think too that like you were at the gathering and you, like you had no idea.

Yeah.

It's awful.

Oh.

So a couple of days after Nancy and Vicki were identified, the state police held a conference, a press conference to announce the identification.

Other information about the investigation was still really scarce.

They just didn't believe that the motive was robbery.

And actually sometime later, Nancy's backpack was found about 50 miles from where the two bodies were discovered.

And this is strange.

Nothing appeared to be missing, but strangely a Confederate flag was found among the possessions. And like neither one of them would have had that Vicki or Nancy.

That's strange.

And when Liz was asked about it, she said she didn't remember Vicki or Nancy being in possession of one.

And she elaborated that it would have been very odd given who they were and what they

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believed.

Yeah.

That seems to go against.

So it seems like whoever did this to them left that there as like a fuck you.

Wow.

Now, as far as motives went though, there was no evidence that either had been sexually assaulted.

So that was ruled out as well.

In fact, aside from the murders, there had actually been no reports of violence in the area.

So investigators had no suspects.

Like nothing.

Now, the biggest and most unexpected information revealed during the press conference was that in addition to the murders, Vicki and Nancy's friend Liz, who had been traveling with them, was still missing because obviously nobody knew that like only Vicki and Nancy knew what had happened.

But she had gone off.

So it took nearly a week before West Virginia authorities were actually able to track Liz down.

She was in Vermont vacationing with her family and had no idea how close she was to becoming the third victim.

Wow.

Now, unfortunately, while Liz was able to fill in the timeline between when they left Iowa and got to Richmond, there really wasn't much else she could do or provide beyond hitchhiking from one destination to the other.

Now when reporters asked her whether she would continue hitchhiking, she said, right now, I don't think I'll do it again.

It's kind of scary.

I guess not all the good rides make up for the one bad one.

Exactly.

Which like, what a haunting statement.

I know.

For the one bad one.

Like, oh, it gives me like chills because usually that's all you get is one bad one.

Yep.

Oh, so local authorities investigated the case for two years, but they kept hitting dead end after dead end after dead end.

They weren't able to turn up any leads, any additional evidence, nothing.

Of course, they had some theories due to the remote location in which the bodies were found.

I think I said this earlier.

They definitely suspected that a local was responsible, but who and why completely?

Yeah.

And then their investigation was further hindered by the fact that most local residents were pretty tight lipped when it came to talking to law enforcement, and especially when the

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crime was committed against two quote unquote outsiders.

Yeah.

They don't want to get involved.

They're not going to concern themselves.

Which is really fucked up because it's like, these are two young girls, two people.

No one in this town had like teenage sisters, teenage daughters, teenage cousins like Jesus Christ.

The first break in the case finally came in July of 1982, when Vicki's family reported that they had received several anonymous calls from a man who seemed to know something about Vicki's murder.

Whoever was calling refused to identify himself, but claimed the local police, police, excuse me, quote, were not doing their job when it came to the investigation.

And this caller said, as somebody who had a daughter himself, he was really sympathetic to the family's suffering.

But it was odd.

Yeah.

They were turned off by these phone calls.

So later that month, the police put a tap on Vicki's family's phone, and that led them to 36 year old West Virginia tractor salesman and farmer and father, Jacob Beard.

Hmm.

Now, in 1982, Jacob Beard, he was actually already pretty well known to the police due to a few charges of animal cruelty he was facing at the time.

And he was facing those charges at the time that he was making the calls to Vicki's family.

Trigger warning here.

I'm just going to quickly tell you what those charges were about.

So if you want to skip forward, I would do that now.

According to the charges, he had killed his former girlfriend's cat and left it in her bed for her to find.

And he had also been accused of trying to kill her dog, but luckily the dog was able to be saved.

He also did this on Christmas Eve.

What?

Mm-hmm.

Well, because the charges were still pending, the county prosecutor actually offered to dismiss those animal cruelty charges in exchange for Jacob Beard's cooperation in the case.

Holy shit.

And they also offered to grant him immunity for any after the fact involvement that he may have had in Vicki and Nancy's deaths.

Damn.

Crazy.

I know.

They were desperate to get this solved.

Yeah.

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Now, but if it was found that he was directly responsible for the deaths, immunity would be off the table.

Wow.

Okay.

Yeah.

So according to Jacob Beard, he had left for work about 5.15 that night, the night that Vicki and Nancy were killed.

Then he said he went home to eat something for dinner and then headed off to a school board meeting with his wife.

He told authorities that he and his wife were returning from that meeting around 9 p.m. that night when they saw three local residents, Christine Cook, Palmer Adkinson, and William McCoy entering into the woods near Drute Mountain Park with two women he said resembled Vicki and Nancy.

Oh.

Now, he also claimed that there was actually a third victim from the rainbow family killed by Palmer Adkinson and he knew that because Palmer and another local resident, Arnold Cutlip, had brought the body back to his own property, Jacob's property, and disposed of the body by putting it into his corn chopper.

What?

So this is like a very fantastical tale if this is all true.

Oof.

Yeah.

So the police arrested the men that Jacob claimed were responsible for the murders, but after two months of investigation, they determined his story was a hoax.

What?

And all three men were released from custody.

So he just came up with this entire story and named random people involved?

Supposedly.

Wow.

Maybe.

It gets hairy.

Oh.

Just right.

Okay.

So the shift in focus away from those suspects coincided with suspicions following on two new suspects, 42-year-old Gerald Lee Brown and 20-year-old Bobby Lee Morrison.

Now, according to Morrison, he had been out driving around with Gerald Lee Brown, excuse me, on the night of June 24th and he said they picked up Nancy and Vicki who were hitchhiking.

And then he claimed the four of them spent some time drinking.

He passed out and Gerald Brown's van.

And when he woke up, Morrison claimed he witnessed Brown shoot both women.

And then he said he helped Brown move the bodies out to briary knob before returning to town.

Why are so many people admitting to having some kind of part in this?

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Oh, so many people.

You're barely at the tip of the iceberg right now.

What the fuck?

It's what?

This case is one of the craziest ones when it comes to the investigation, I think that I have ever personally researched.

Wow.

Now, both men were arrested in April 1983.

Bale was set at \$100,000 for Brown and \$50,000 for Morrison.

And in a press conference, prosecutor Jay Stephen Hunter told reporters he, quote, in all probability would try to seek Morrison as an adult, or excuse me, would seek to try Morrison as an adult, even though he was a juvenile at the time of the murders.

So this is public now.

Wow.

Now, while the arrest of Morrison and Brown seemed like a pretty positive turn of events in the case, a lot of people in town were pretty confused or weary about how investigators actually became suspicious of those two in the first place.

Prosecutor Hunter told reporters, quote, at the time he, meaning Morrison, wasn't a suspect.

It just happened that this turned out to be the lead that led to an arrest.

But he would never say what the lead was that led them to Morrison and Brown.

Because there wasn't one.

In all reality, Morrison himself went to the police out of nowhere to report himself and Brown as the men responsible for Vicki and Nancy's murders.

What?

So strange.

Okay.

But a few weeks later, during the, I can never say this, preliminary hearing, Morrison recanted his initial confession and told the judge and prosecutor that Jacob Beard had manipulated him into confessing in order to take the heat off of himself.

So Jacob Beard is back?

Back again?

The fuck?

Morrison claimed that Beard told him, quote, something would happen to his family if he didn't make the statement.

Jesus.

And that was the only reason he made up the story about picking up the hitchhikers in the first place.

Wow.

So under those circumstances, the prosecutor had to drop those charges against Morrison and Brown, and the case went cold again.

This is a whirlwind, and this is barely even the beginning.

Geez.

Hi there, Morbid listeners.

It's Ash and Alina.

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As you all know, on our show, we share a passion for all things spooky, the paranormal, and of course, some mind blowing true crime cases.

There's another podcast that we think you will all enjoy called Suspect, Five Shots in the Dark.

The latest season looks at a case with two victims, one murdered in cold blood and one imprisoned for a crime he didn't commit.

It follows Leon Benson's story, a man who spent more than half of his life, a total of 24 years, in an Indiana State prison for the murder of Casey Shane, a man he never met.

There was no physical evidence, no known motive, and no one coming forward with information. He was sentenced to 60 years in prison, all because one person swore they saw something.

But what if she was wrong?

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It didn't take long before investigators had a new suspect, though.

On March 1st, 1984, while being interviewed by a special agent from the Wisconsin Department of Justice for unrelated crimes, I feel like they should shorten their name.

Maybe.

Convicted serial killer Joseph Paul Franklin confessed to murdering two white female hitchhikers near Drute Mountain Forest, and he even provided a crudely drawn map of the location where he left the bodies.

What?

Now, I just want to give a trigger warning probably, I would say for racism here because this guy is a racist piece of shit, so skip forward if you don't want to hear about him.

I feel like his name is familiar.

Yeah, you probably know about him.

He's a monster.

So Joseph Paul Franklin had actually been born James Clayton Von Jr., but changed his name to honor Benjamin Franklin and a Nazi leader named Paul Joseph Goebbels.

I think is how you say it.

Sounds right to me.

He's pretty terrible, so I don't actually care how to pronounce his name.

Franklin himself was a fucking deplorable monster.

He was a member of the American Nazi Party, a member of the KKK, and a vowed white supremacist and a serial killer.

Oh, he checks all the really bad guy boxes.

All the deplorable boxes.

At the time of his confession, he was already serving multiple life sentences for murder.

He mainly targeted black men and interracial couples, and he would eventually be convicted of killing eight people, but suspected of killing more than 20.

Wow.

He confessed to over 20 murders, but they were never able to completely pin them down.

Wow.

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So this would be out of his victim profile?

It would be, but when you hear his quote unquote motive or what at least what he says it is, not necessarily.

So according to his confession, he picked Vicki and Nancy up in West Virginia, and the three had been just engaging in small talk, and the subject of interracial dating came up.

I'm sure he was the one to bring that up.

And he was disgusted when neither woman objected to the idea of dating a black man. There it is.

He said one of them said she had, and the other said if the opportunity arose, said she would.

Yeah.

Now it was then he claimed that he decided to quote, waste both of them right there.

Jeez.

He's a disgusting human.

My gosh.

In a prison interview, he said, it only took one shot for the first one.

Then I just turned real quick over the seat and shot the other one.

Okay.

Later.

That's awful.

And just like to think that it one question and then that's it.

But later he said he regretted killing Nancy because according to him, it was Vicki.

That was the one who had an interracial relationship before.

And he said when he asked Nancy if she would consider it, she said she would.

But he said he still wished he didn't kill her.

What the fuck?

I don't even know if he did this.

I don't really know what my opinion is because it gets so convoluted along the way.

But I'm like, either way, like you're a fucking asshole.

Yeah, you're disgusting.

So Franklin's confession would seem to have brought the mystery to an end, but there were more than a few unanswered questions.

And a lot of people suspected he wasn't telling the truth because after his initial confession, he refused to discuss the murders with law enforcement again.

And while he may have confessed to these murders, he actually seemed to have very few details about the crime.

And some of them.

He has stuff wrong.

Right.

For one thing, you probably noticed, he said he only shot each girl one time before dragging their bodies out to the woods when, like I said earlier, the technician who had performed the examinations, the post-mortem examinations, was clear that Vicki had been shot twice and Nancy had been shot three times.

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And then in addition to that, it was believed that a high-powered rifle was the murder weapon. That's what I didn't get.

A gun like that would be very awkward to use in the close confines of a car.

And it just didn't make a lot of sense.

None of it lines up.

So finally, there was also the fact that he had a history of making supposedly false confessions.

There you go.

So they were like, I don't know about this.

What?

You...

I'm like, you monstrous, like truly.

Monstrous.

To try to take credit for this kind of stuff, it's like, my goodness.

And by the time he was executed by lethal injection in 2013, like not that long ago, he had confessed to more than 20 murders across the country, including the shooting of Hustler magazine founder Larry Flynn in 1978 and Urban League president Vernon Johnson in 1980.

Oh, so he was just like taking credit for everything.

They were never able, I guess, to prove that he didn't do either of those shootings, but they weren't able to prove he did either.

Correct, exactly.

Correct.

Correct.

I always sound very condescending when I say that.

Correct.

Now, given the questionable validity of his claims, authorities in West Virginia declined to prosecute, saying that the confession, quote, lacked the requisite guarantees of trustworthiness.

Yeah, it doesn't line up for me.

No.

Now, in the context of West Virginia law, the confession fell into the category, I thought this was interesting, of what's known as a statement against interest or a statement that is so contrary to the declarant's interests that it's unlikely to be true.

Huh.

Yeah.

Now, because they're mostly determined to be false, a statement against interest is typically not admissible in court.

Oh, okay.

And without any more corroborating evidence, West Virginia prosecutors were like, yeah, he's not a viable suspect.

This would be a supreme waste of time.

That's basically how they felt.

Now, I don't know.

I'm not sure what I think about it, because when you think about the fact that a Confederate

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flag was left with their belongings.

Oh, yeah.

But I mean, he's not the only.

And that's what I was just going to say.

That seems like something he probably would have done.

But again, he's not the only person that would do that.

To me, just from hearing that, I would say no.

Yeah.

The fact that he didn't know how many times each was shot, and I guess-

And that it was a high-powered rifle that would be very difficult to do in a car.

In a car, right.

And the map he drew was not, it was like, all right, but they were like, I don't know.

You could have got that from reading different sources about this case.

Nope.

Don't buy it.

Yeah.

Well, you're not the only one.

And law enforcement officials were not the only ones who considered this confession self-serving wildly and consistent with the details, all of the above.

A lot of people, including actually Nancy's own family, found these claims hard to believe.

And like many investigators, Nancy's sister, Kathy, believes Franklin had picked up a few details from magazines or news reports, which would account for the lack of specificity in his claims.

Because he gave no details.

That would be something only the killer would know.

Exactly.

And if you can't give me that, then you weren't there.

Exactly.

That's the thing.

If you can read it in a magazine or a newspaper, I don't, I don't trust it.

That's the thing.

And actually, at the time he was arrested, he supposedly, I couldn't like totally pin this down, but I read in a couple sources that he was said to have a magazine in his possession that laid out a couple of the key details from the case.

And those were the ones he pointed to.

There you go.

So authorities in West Virginia, they shared Kathy's theory.

An anonymous source from the prosecutor's office told reporters, his story has evolved over the years.

When he began this scenario, he really knew none of the details.

He did not know how many times the women had been shot.

He did not know what areas of the body the wounds were sustained.

And he could not accurately describe his root before and after the murders.

Yeah.

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Now, after the quick collapse of his confession, the investigation into Vicki and Nancy's murders went inactive yet again, getting, you know, the occasional review every so often, but other than that remaining mostly cold.

And it wasn't until late 1991, when a new group of investigators decided to give the case a second look.

Now in that review, this is so interesting, detectives, or at least to me, detectives found a note from 1985 regarding a local woman named Alice Roberts, who had contacted them and they had never followed up with her initial like reaching out to them.

What?

So when detectives got in touch with Alice, these new detectives, she redirected them to her daughter, Pam Wilson, saying that she actually knew her daughter thought or she believed that her daughter knew something about the murders.

Oh, wow.

So they just ignored her the first time around.

Wow.

Just never got back to her.

Right.

So according to Pam Wilson, she had been in town on the day that the murders occurred and she said she saw two quote unquote hippie type women get into a blue van belonging to a man named Richie Fowler.

And she said, Richie Fowler wasn't alone that afternoon.

He was in the company of two other local men, Winters Pee Wee Walton and William McCoy.

William McCoy had previously been arrested.

I was just going to say that brings a belt.

Yeah.

And that he was arrested alongside Jacob Beard.

So the tip was definitely of interest.

Yeah.

So around the same time, investigators were also contacted by an inmate named Keith Culliner, I believe, so I say his last name.

He was serving a 10 year prison sentence for forgery.

And he said that he was willing to trade information about the murders in exchange for better prison conditions.

I'm just going to pause there.

Better prison conditions.

Just saying.

If you got something again, I don't know.

Yeah, I don't know.

But he claimed that he had actually been at Gerald Brown's home several months after the murders.

And while he was there, he overheard Gerald Brown confess that he, Richie Fowler and two other men had been responsible for the murders and that quote, everyone should just keep their mouth shut.

Whoa.

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So that's pretty interesting.

Geez.

This is like set of people number four.

The amount, it got so confusing at the end because there's going to be even more players and a bunch of them have the same last name or like one has a last name.

That's somebody else's first name.

I was getting really confused.

But after investigating Pam's tips as well as Keith's, investigators learned of more eyewitness accounts who had spotted a group of men, including Pee Wee Walton, William McCoy and Richie Fowler together on the day of the murder.

Now one tipper claimed they actually saw three of the men hosing out the back of the van on the same night.

That's chilling.

Now based on the, and remember they had said they didn't believe that they had been killed there.

They believed that they had been killed elsewhere and dumped there.

So that's interesting that they maybe were hosing the van out allegedly.

Now based on the tips, arrest warrants were actually issued for a man named Richard Lewis who also eventually was brought into the equation, Gerald Brown, Pee Wee Walton and Arnold Cutlip.

All of them denied any involvement, but still obviously they were not like, yeah, your words the best.

Yeah, they're like, oh, sounds good.

Oh, okay.

Never mind, you're free to go.

So they were held on \$100,000 bond, all of them.

Now in his statement to the press, prosecutor Walt Wayford refused to speculate on any kind of motive, but he said, the arrest to date are the result of an intensive investigation conducted by Sheriff Jerry Dale and Sergeant Robert A. Alkire.

They worked a lot of long and hard hours.

Now Sheriff Dale was also pretty vague about what led investigators to these four men who had been arrested.

And all he really said to the public was, people got older and became less intimidated and frightened about the subjects who were responsible for the murders.

Okay.

Which like, sure.

Okay.

Yeah.

He declined to add any additional details.

But to me, it sounds like they probably should have listened to the original tip from six years ago.

Yeah.

You know, but like, okay.

Maybe just call her back.

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Just call her back.

Just call her back.

She reached out for a reason.

And it looks like she had some bad information.

You've just arrested how many people?

So within a few days, actually additional charges were brought against three other men believed to have been involved in the crime, Johnny Lewis, Jacob Beard, yet again, and William McCoy.

Now all three of them had been suspected of some involvement at some point, as we all know at this point in the previous decade.

How many men were involved in this?

Geez.

I think seven total.

Wow.

One resident told reporters, a couple of those are very surprising.

And then there's a couple of people that's not so surprising.

Now within a few weeks of the arrest, people in town were talking and they had their own theories about the motive of the killers.

Most people agreed that it was anger surrounding this supposed hippie invasion of the Rainbow family.

But the prosecutor's office had yet to make any formal statement as to what they believed was the motive.

Gerald Brown's defense attorney, Paul Dutch, was suspicious, though, when it came to the evidence that led to the arrests.

And he told reporters, it's a bunch of police officers who are on a witch hunt.

They've got people held on paperwork that wouldn't hold an assault in battery case.

Well, so it was shaky grounds here that they were holding them on.

And Arnold Cutlip's lawyer, Martin Safer, agreed, saying, they're going to have to flesh out the allegations of the warrant if they can.

Eek. So he was like, I don't know.

Now, Dutch Safer and many others in town actually suspected that the prosecutor's office didn't really have any new information about the case, but they just wanted to clear the notorious cold case to make it seem like they were getting shit done.

I mean, and that does happen.

Of course it does.

And the county prosecutor on the case, Walt Wayford, wasn't doing much to stifle those suspicions.

He wasn't talking a lot.

He, which you can look at two ways.

One, he's not talking because he barely has anything or he has a shit ton and he's keeping it close to the chest.

Exactly.

It's about how many times.

All he would say to the public was that the evidence would be presented at the grand jury

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hearing.

But other than that, nothing.

OK.

So by the time the case did reach the grand jury, things did not appear to be going smoothly for the prosecutor's office.

The charges against Pee Wee Walton had been dropped for lack of evidence.

William McCoy was already serving a sentence in Nevada for an unrelated crime.

Jacob Beard was living in Florida at this point and fighting extradition.

And the two others who were involved were invoking their Fifth Amendment rights and refusing to cooperate.

Cool.

In fact, by May 1992, only two cases, Arnold Cutlip and Gerald Browns, were bound for trial.

Wow.

Two months later, the cases against the seven men charged with these two murders had pretty much fallen apart.

Wow.

Prosecutor Walt Wayford had no choice but to drop the charges.

What?

He told reporters, I'm sitting here with a case that's been torpedoed.

Now what he was referring to was some new information that had come to light about investigation procedures.

Uh-oh.

According to the prosecutor's office, trooper Michael Jordan of the state's Bureau of Criminal Investigations had used improper investigation procedures and quote unquote, seriously compromise

the case.

Oh no.

Howard said he still planned to present the case to a grand jury in August of 1992, but he wasn't hopeful that it would go anywhere.

Oh man.

Now, he was right to be discouraged.

By the time the grand jury did review the evidence and considered the accusations of police misconduct, all the charges were dropped.

Oh man.

And in the weeks that followed, they kept on trying.

New indictments were issued against Jacob Beard, Richard Fowler, William McCoy and Arnold Cutlip, but of all of those new indictments, only Jacob Beard would end up going to trial.

Wow.

I mean, he's been a consistent name in all of this for sure.

He has.

Now his trial started in late May of 1993, and he was facing first degree murder charges for obviously the murders of Vicki and Nancy.

From the moment the trial began, the prosecution's case seemed pretty flimsy.

They relied on hearsay testimony from some of the men that had previously been charged

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alongside Jacob Beard.

And they alleged the prosecution that after picking up Vicki and Nancy, Jacob Beard attempted to convince one or both of them to have sex with him.

And when they turned down his advances, he shot them both and dumped their bodies in the woods.

Okay.

That was their theory.

Their quote unquote evidence against him included one statement from that previous inmate that we talked about, Keith, and Pam Wilson, which placed him at Gerald Brown's house on the night that the men were heard confessing.

Okay.

Two, a statement from a man who claimed he saw Beard quote, driving at a high rate of speed away from Drute Mountain, which was where the bodies were found on the night of the murders.

And three, statements from Johnny Lewis and Pee Wee Walton that implicated Jacob Beard as the killer.

It should be noted that these two men had actually been beaten by investigators previously, and that's why they had confessed previously.

That's what I meant earlier by improper investigative procedures.

Oh, yeah.

That would be improper.

And actually one investigator previously stated that Johnny Lewis quote, could be talked into saying anything.

Wow.

Lewis only, this is like sad that they went after him if he had nothing to do with this.

He only had an education up to the third grade and he didn't even know who the president was at the time he was being interrogated.

Oh man.

That gives me Jesse Miskelley vibes.

That is immediately what I thought of and I knew you would too.

And the same investigator?

If he didn't have something to do with this, of course.

The same investigator, I don't know if I think he did, the same investigator said Lewis only gave the confession because he was scared and he had previously been hit.

He actually, I think the direct quote was that he was so scared he felt like he was going to pee, which is like heartbreaking again if he had nothing to do with this.

But both of those men had been beaten previously into confessing.

So yeah, I don't really know how we're going to believe their testimony.

Not great.

Now, Jacob Beard's defense attorney, Stephen Framer, of course, claimed his client's innocence, but he noted that the cases, excuse me, the state's case relied almost entirely on testimony from known liars and accusations from two men who had only recently been given immunity in exchange for their testimony against Jacob Beard.

Again, not great.

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Not great.

The defense also made several motions to introduce evidence that maybe wouldn't necessarily prove innocence, but at the very least would have cast doubt on these charges against Jacob Beard.

And that evidence included Joseph, I guess, Paul Franklin's confessions from years earlier, but the trial judge refused to admit any of the defense's evidence, calling it hearsay and unreliable.

It's like, I think it's hearsay that all these other people who were previously accused and unreliable that we would believe them, too.

This is a mess.

Like, I'm not saying that Jacob Beard didn't have anything to do with it because I don't know one way or the other, but I mean, this is who we have testifying against him.

Yeah.

I mean, this is what's really sad about this whole thing is that Vicki and Nancy are just at the center of this chaos.

But got like completely lost in this whole shit trial.

We don't even know anything about what happened to them.

And it sounds like, in my opinion, it sounds like the investigators didn't even really care to find out what happened to them.

They just wanted to close the case.

That's the thing.

That's what it kind of feels like.

It became less about, let's get justice for these two young girls who were just going to a music festival, like some little get together, like a rainbow gathering.

Instead of really focusing on that part of it, they're really just focusing on clearing their books.

And they're not even doing it properly, like beating people to confess.

You really feel good about that.

And really it like West Memphis three vibes because in that case, it's the same thing.

They grabbed the three kids who they could pin this on because they needed to clear this off the books.

And it's like, that never works, man.

Like nobody wants you to just bullshit everybody into thinking it's been solved.

Right.

Cause eventually we're going to find out that people are going to find out.

No, it wasn't.

And they're going to find out that one, you didn't care about the actual victims and two, that you put everybody in danger by letting the real people get away with it.

Exactly.

It's really, honestly, this is like a tragedy in so many different ways.

I mean, I can tell you right now, I have no fucking clue who is innocent here and who isn't.

I have no idea.

I have no opinion on it because I, it's all lost.

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By the end of this, I had read so many different things to try to convince myself whoever did it.

Yeah.

I did, but I'm still at a loss.

I have no idea.

So far I have no opinion.

I just think it's a mess.

So in his closing statement, Stephen Framer reminded the jury of the unlikely scenario presented by the prosecutor and he told them, if the state is right, Jacob Beard would have had to kill two girls in front of a group of people he mostly did not know.

That's true.

It's pretty weird.

Framer also reminded the jury that his client actually had an alibi that contradicted the statements made by the men formerly accused alongside him.

And this included evidence showing that Jacob was almost certainly at work the night, like that night and around the time that the murders were committed.

However, that's interesting.

I did read that his time card was handwritten.

Okay.

All right.

Yeah.

And I just will say that.

Now, in his closing arguments, prosecutor Walt Wafford told the jury, quote, the only person who has testified here who can tell you where Jake Beard was between the hours of 3.15 and 8.00 p.m. that day is Jake Beard, implying that the accused can't be trusted, which is fair.

Even though most of his key witnesses had actually been the accused at one point or the other.

Legitimately, no one can be trusted here.

None.

In June 4, 1993, the jury deliberated for six hours before returning with a guilty verdict on both counts of first degree murder.

And Jacob Beard was sentenced to life in prison without the possibility of parole, otherwise known as life without mercy.

Damn.

Yeah.

Now, we're not done because what should have been a moment of relief or, you know, I know you can't necessarily get closure, but some kind of closure for Nancy and Vicki's friends and family was instead completely suspicious.

And most people were still skeptical about all the details involved.

Nancy's own mother, Jean, spoke to reporters about the conviction later saying, you should have heard the testimony.

I didn't think there was enough evidence and I wasn't convinced he was the one.

Wow.

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So like that tells you something.

One of the victims own mothers is like, I, this evidence was wild and the testimony was insane and I don't think he did it because I wasn't convinced he did it as a loved one of somebody who this happened to, like you would want to be convinced that they have the guy who did it to your child or your loved one.

Like you don't want to just go, okay, I guess, like you want to, you want to walk out of there being like, yes, they convinced me.

That is him.

Right.

Cause that's the thing.

If you're not convinced, then the question on your mind is like, well, is this another life lost?

Yes.

Like is, is this it?

Or like, are there more that we don't know about?

Like, yeah.

You know, there's just a lot here.

I feel really bad for the family members here because they did not get that moment of at least for a minute justice being served.

And unfortunately, I don't think they ever did.

I think that this family was left with more questions than they probably had even in the beginning of the tragedy that happened to them.

And again, I have no idea if this man did it or not.

I don't really feel confident saying either way, nor do I.

So in January of 1995, this is where things get a little bit complicated.

There's a lot of legal jargon here, but I did my best to kind of, I looked into it myself and I was like, I am not quite sure what that means.

So then I kept looking into it and I broke it down in a Nash way for you.

Cool.

So in January 1995, Jacob Beard appealed his conviction to the Supreme Court of Appeals of West Virginia.

Among other things, the appeal cited the refusal to admit key pieces of the defense's case like Franklin's confession, the result of Beard's polygraph test, the fact that he had actually been granted immunity from prosecution in 1983, and the fact that 11 years had passed between his arrest and his conviction.

Wow.

Now, the appeals also cited numerous errors supposedly committed during the trial.

Those errors were allegations of police misconduct to what was considered credible evidence, everything in between.

Now, regarding the claim of immunity, Beard's attorney acknowledged that the 1983 deal didn't necessarily protect him if he was the principal actor.

That's true.

However, his role in the crime was supposed to be determined in what's known as a castigar hearing.

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Well, and that never occurred.

Now a castigar hearing is based, excuse me, a hearing based on a 1972 Supreme Court case, and essentially it states that a witness who was compelled to testify after they've been given immunity, but then is later prosecuted, has a right to this hearing where the state has, quote, the heavy burden of proving that all evidence it proposes to use was derived from legitimate independent sources.

Okay.

That makes sense.

Right.

I thought so.

In their decision, the justices wrote, the state argues that the failure to grant a castigar hearing is harmless, where it is otherwise evident that any immunized evidence admitted at trial did not prejudice the accused, and that's where things get hairier because in order to invoke this harmless error rule, there would have had to have been a castigar hearing.

So it all goes back to the castigar hearing.

Right.

Yeah.

So after reviewing the evidence and the trial transcripts, the justices upheld the lower courts conviction, but they did remand the case for a review in the lower courts, quote, to determine whether any prosecution evidence had been developed from leads Beard provided after being granted limited immunity.

Okay.

If he provided those leads that like led to him, it would fuck things up from my understanding. It wouldn't necessarily be derived purely.

That makes sense.

Right.

Yeah.

It's very convoluted, but you made it easier to understand.

Okay.

I hope so.

Thank you for that.

You're welcome.

So Jacob Beard finally did get his castigar hearing, which was held in early September 1996 in the circuit court of Greenbrier County.

The judge in that case ruled that the evidence was properly obtained.

He wrote that quote, the state had not violated, excuse me, violated the use of immunity agreement and entered to with Beard.

Okay.

But undeterred, Jacob Beard and his attorney appealed the lower courts decision again in 1998, but again, the Supreme Court of Appeals upheld the lower courts conviction.

Okay.

Now, with no additional errors to claim in the trial, Beards lawyer, lawyer filed a petition for a writ of habeas corpus.

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Now that is the fundamental instrument for safeguarding individual freedom against arbitrary and lawless state action.

Okay.

So the argument there was that certain evidence, mainly the sworn deposition from Yosef Paul Franklin's confessions was barred at Jake Beard's original trial.

Now the petition also included the earlier testimony from Arnold Cutlip, which had also been barred from evidence at trial in which he admitted he had actually been with Richard Lewis on the day of the murders.

And contrary to what he said at trial, the two men actually had not seen Beard that day.

That previously wasn't allowed in court.

So in layman's terms, Beard's defense attorney, Stephen Framer was arguing that this was crucial evidence that should never have been withheld from the jury and that with this evidence, his client could likely be proven innocent.

Yeah.

That makes sense.

Basically saying, I have evidence here and it wasn't allowed and that's why we should retry this.

Yeah.

Cool.

So in a statement to the press, Stephen Framer indicated his intent to request a retrial saying Franklin certainly has the resume to have done what he says he's done.

So talking about that original confession, the serial killer's confession that we weren't so sure about.

Yeah, I don't know about that one.

But again, that all I have to go on is very little information.

And it's valid to bring up in that trial.

Of course it is.

I would say because it's a valid argument to be like, well, multiple people have confessed to this.

So look at these people also doing the same.

Yeah.

And he also talked about the seriously questionable sources that the prosecutors used as evidence for their conviction, specifically Peewee Walton, who like I said earlier, only accused Jacob Beard after he had been wildly intimidated, which is a new legal term that I made.

Look it up.

Framer told the press, quote, he didn't remember anything about this until he was beaten by state police talking about Arnold Cutlet.

Now in January of 1999, the writ of habeas corpus was granted and Beard's conviction was vacated with orders for yet another new trial.

Wow.

Now Jacob Beard's new trial began in May 2000, this time in Braxton County, because there had been so much press coverage and public awareness in Pocahontas County that he was never going to get a fair trial there.

Yeah.

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Now in this trial, he actually testified on his own behalf admitting he couldn't remember his actions the night of June 25th, 1980, but he maintained that he had never met and definitely did not kill Vicki and Nancy.

Yeah, which I think is a fair thing to say who the hell would remember what they were doing on June 25th, 1980, but you can definitely remember if you killed someone.

A hundred percent.

Yeah.

Fair statement to me.

Yeah.

So in his defense, remember a man previously testified against him was Arnold Cutlet.

Oh, shit.

He told the jury he had lied in his earlier testimony and that he in fact had not seen Beard on the day of the murders.

Instead, Stephen Framer told the jury it was Paul Yosef Franklin who had committed the murders and this time his confession was entered into evidence.

Okay.

Well, Nancy's mother Jean actually also wrote a letter for the defense stating she believed Jacob Beard was innocent.

Wow.

Yeah.

Now, when it came time for the prosecution's case, the most damning evidence they still had were the two calls that Jacob Beard had placed to the Durian home, Vicki's family home two years after the murders.

I actually forgot that that was him.

I don't blame you.

Glad you brought that back.

Been a lot of care.

Yes.

Now, that had actually gone a long way in his original trial to convince the jury that he was guilty.

Yeah.

But he didn't say and it's weird that he called them in my opinion, but wasn't he just saying I have a daughter and it bothers me that you are not getting the information that you should be getting?

Yeah.

He was sympathizing.

Which again, I understand why the family members were like, this is strange and freaking me out.

Definitely.

But it sounds like if you look at it just purely from what it is, it's like, okay, it doesn't look like if he's innocent, then it looks like he just didn't have any malicious intent and literally was just trying to share information or sympathize.

That's the thing because I can't tell.

I think I would feel differently if he had been calling them and heavy breathing on the

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other line or hanging up like a creep.

Exactly.

Like harassing them.

I mean, he did refuse to identify himself, which was strange.

But maybe it was like him just being freaked out because he was under those animal cruelty charges.

Charges at the time.

Exactly.

So not great.

Which that's not a good thing.

He maintains he didn't do anything to do with that and those charges were dropped.

So we don't necessarily know what we're going to say if he maintains he didn't do it and the charges were dropped, then we'll negate that.

And the charges were dropped again because of these new charges where he was granted immunity.

But it makes sense not to even go there at this point because let's just look at the information we have.

And then you think he was criticizing the police in this case.

Yeah, he sure was.

And that's just a statement.

That's just a statement that he was.

And yeah.

And I mean, I'm just, the fact that Nancy's mother Jean wrote a letter for the defense stating she believed he's innocent, that compels me to stand more on her side.

Right.

Not only that, but even when he had been previously convicted of this crime, she spoke to the press and was like, yeah, I wasn't convinced and the evidence and testimony at that trial was insane.

And now she, I mean, if she's willing to have this guy out, that tells you a lot.

She really doesn't believe that he did it.

No, like there's no way you're going to want somebody who killed your daughter in such a callous and awful way.

Just walking around.

Yeah.

If you don't truly believe in your heart that he didn't do it.

Exactly.

This is very interesting.

I will say that Nancy's sister Kathy wasn't so sure.

Okay.

It doesn't seem like she thought Jacob did it, but I don't think she thought that he didn't do it.

She wasn't convinced either way.

She was like us.

Yeah, I was going to say.

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I have no idea what happened here.

Yeah.

And it's a tragedy either way.

This is awful for these families.

It's horrible.

Because I'm frustrated right now.

I can't even begin to fathom how they feel.

Exactly.

Now, again, just going back to the prosecution's main case here again was those two phone calls that he made to the Durian family.

In his defense, Beard said he read an article in 1982 about how the murders remained unsolved and as a father himself, he was sympathetic.

He told the jury, I was sorry the police hadn't followed up the way many people in the area thought they should.

Okay.

You know?

When you hear that, you're like, okay, that makes sense.

Yeah.

I don't know if you necessarily need to like call a grieving family.

No, I do not agree with your methods here, sir, but.

But okay.

If you're saying it's pure.

I'm hoping the thought was pure behind it.

Correct.

Correct.

Correct.

The jury deliberated for less than three hours this time and came back and acquitted Jacob Beard on all charges on May 31st.

A year later, Jacob Beard filed a wrongful conviction lawsuit against the Pocahontas County Police Department and in January 2003, the county agreed to settle the case, awarding him \$2 million.

Wow.

Yeah.

I will say I saw \$2 million in some sources and \$1.3 million in other sources.

Still a lot of money.

Either way, he got millions.

A lot of money.

Yes.

I think he said he bought a new tractor, but he wasn't about to buy like a bunch of other shit.

Okay.

Because that's what he said.

All right.

No.

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I don't, I don't know.

I just don't know how to feel about any of this.

So.

Neither do I.

I'm just going to say, okay.

I know that Kathy Nancy's sister didn't love that he was awarded that money because again, she still wasn't convinced that he was innocent or that he was guilty.

Okay.

And in her mind, if he was guilty, he just got awarded millions of dollars.

Absolutely.

That's why I'm going to stay over here.

And then I think Jean was just like, good for him.

Like I, I can't like whatever, which is awful.

So the rainbow family continues to hold annual gatherings around the United States.

Actually incidents of violent crime remain low at the gatherings, but murders continue to occasionally take place at the events with the last murder as recent as 2021.

I'm going to look into some of those and potentially update if it's gone enough for a full case.

Wow.

Interesting.

Very interesting.

And sadly, as of today, the murders of Vicki Durian and Nancy Santamaro remain unsolved.

That's awful.

That's honestly the biggest thing in this case is I can't believe that just they got lost in it.

And I blame the investigators in this case.

You can't intimidate people into confessing because it muddies the waters.

You've lost all your credibility at that point.

Any trust, any kind of anything, professionalism, whatever you have going in, it's taken all out.

And you fucked up the case.

And it's like, if you do your job, then you, and you are good at your job, then you will convince somebody to give you information or you will have evidence to keep them.

Exactly.

Like you don't need to beat it out of them.

I really hope that like someday there's some form of, you know, DNA that gets found or I think they would have found it at this point, you, I guess you would assume, but

I just hope somebody talks.

I want someone to talk, somebody to make a real confession, like you just said, actual meat.

Right.

Like somebody can sit there and go, this is what I saw.

This is who I saw there.

And they can put the pieces together.

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But now there's so much information out about the case.

Exactly.

It's so muddled.

But I just feel bad for their families, like their brothers and sisters, just not having any idea what happened and like their parents and to be like conflicted on whether this guy is really innocent or not or guilty or not.

It's like, that's really hard.

It is.

You know?

You don't know.

And for him, it's like, if he's guilty walking around with that much money, it's like, Jesus fucking Christ.

Yeah.

But if he's innocent, then like, and he got lamby like that, yeah, then he lost like, you know, years of his life and everything.

Really?

Yeah.

It's it's really tragic all around.

It is.

Again, if he's innocent to think that he spent that much time in prison, holy shit.

Yeah.

So that is a very unfortunate case.

That's a sad one.

It is.

I mean, they're all sad, but that one's just like, you don't get that sense of like, at least we know who did it.

Yeah.

No justice and just a very layered case, layered with tragedy.

Yeah.

But we hope you keep listening.

And we hope you keep it weird.

Not so weird.

Not so weird.

Not that weird.

Don't keep it that weird.

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