

EXCLUSIVE

ST. PAUL'S SEX ASSAULT DEFENDANT OWEN LABRIE  
BREAKS HIS SILENCE

**Newsweek**

01.01.2016 - 01.08.2016

**WHY ARE  
WHITE  
AMERICANS**



THE PAINFUL TRUTH

**DYING  
YOUNGER?**

# Newsweek

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# Newsweek

01.08.2015 / VOL. 166 / NO. 01



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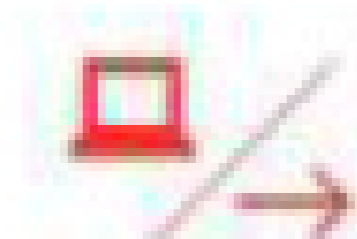
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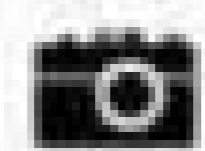


## BIG SHOTS

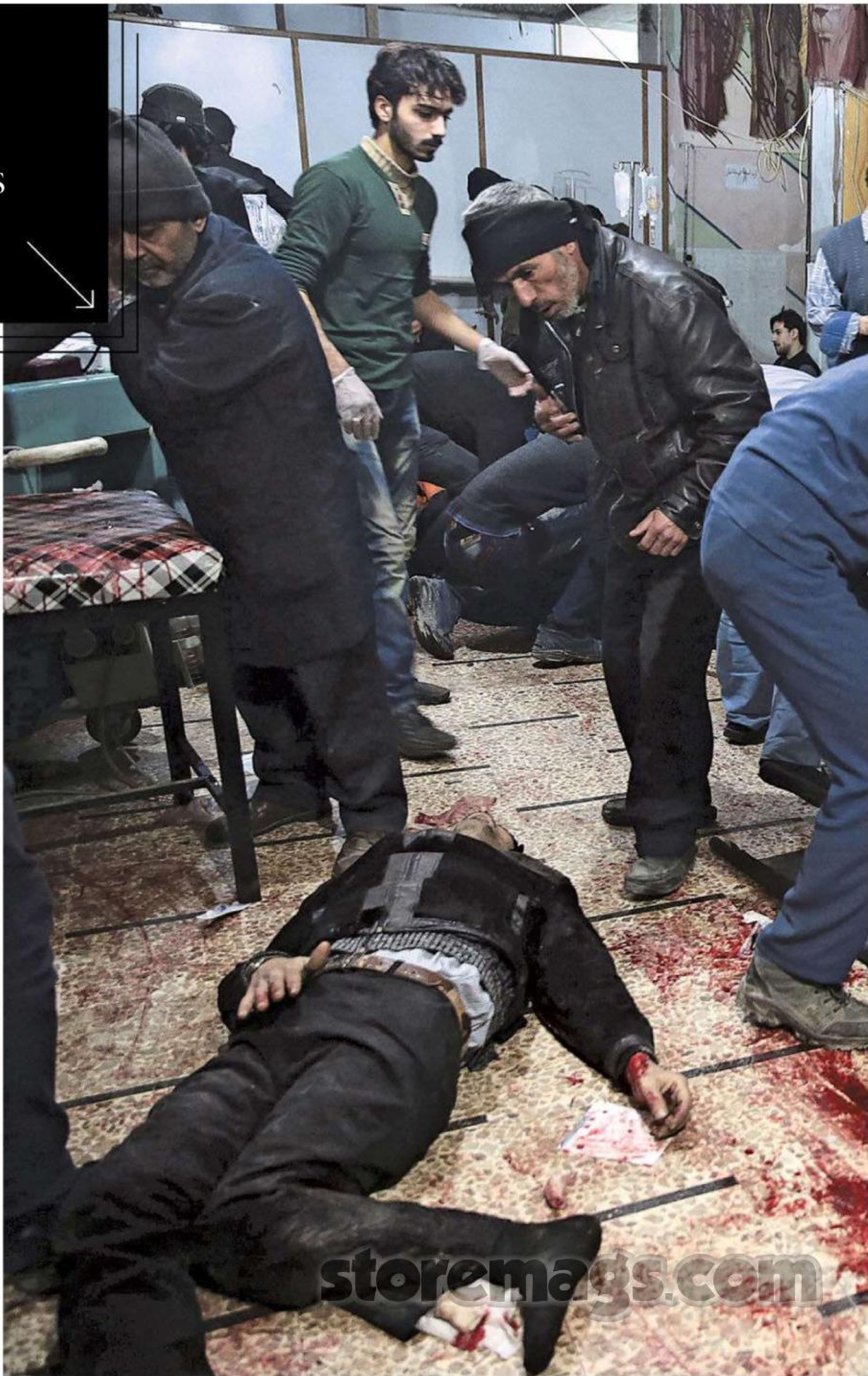
SYRIA

### Blood Talks

Damascus, Syria—Medics treat the wounded in a field hospital in this city's Douma neighborhood on December 13, after unidentified warplanes and surface-to-surface missiles fired by the Syrian army pummeled the neighborhood, the Syrian Observatory for Human Rights said. Douma is controlled by rebel groups battling the regime of President Bashar al-Assad. World leaders recently met in New York to discuss a peace plan that includes a two-year road map for ending the Syrian war, but differences remain, notably over whether Assad should step down.



BASSAM KHABIEH



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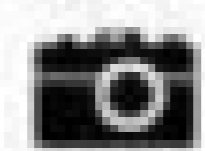




U.S.A.

## Mistrial

Baltimore—Protesters gather on December 16 after a jury failed to reach a verdict in the trial of one of the six police officers charged in the killing of Freddie Gray. William Porter, 26, faced charges of involuntary manslaughter, reckless endangerment and assault in the death of Gray, a 25-year-old African-American who died after being arrested and transported in a police van. Porter and the other defendants have pleaded not guilty.

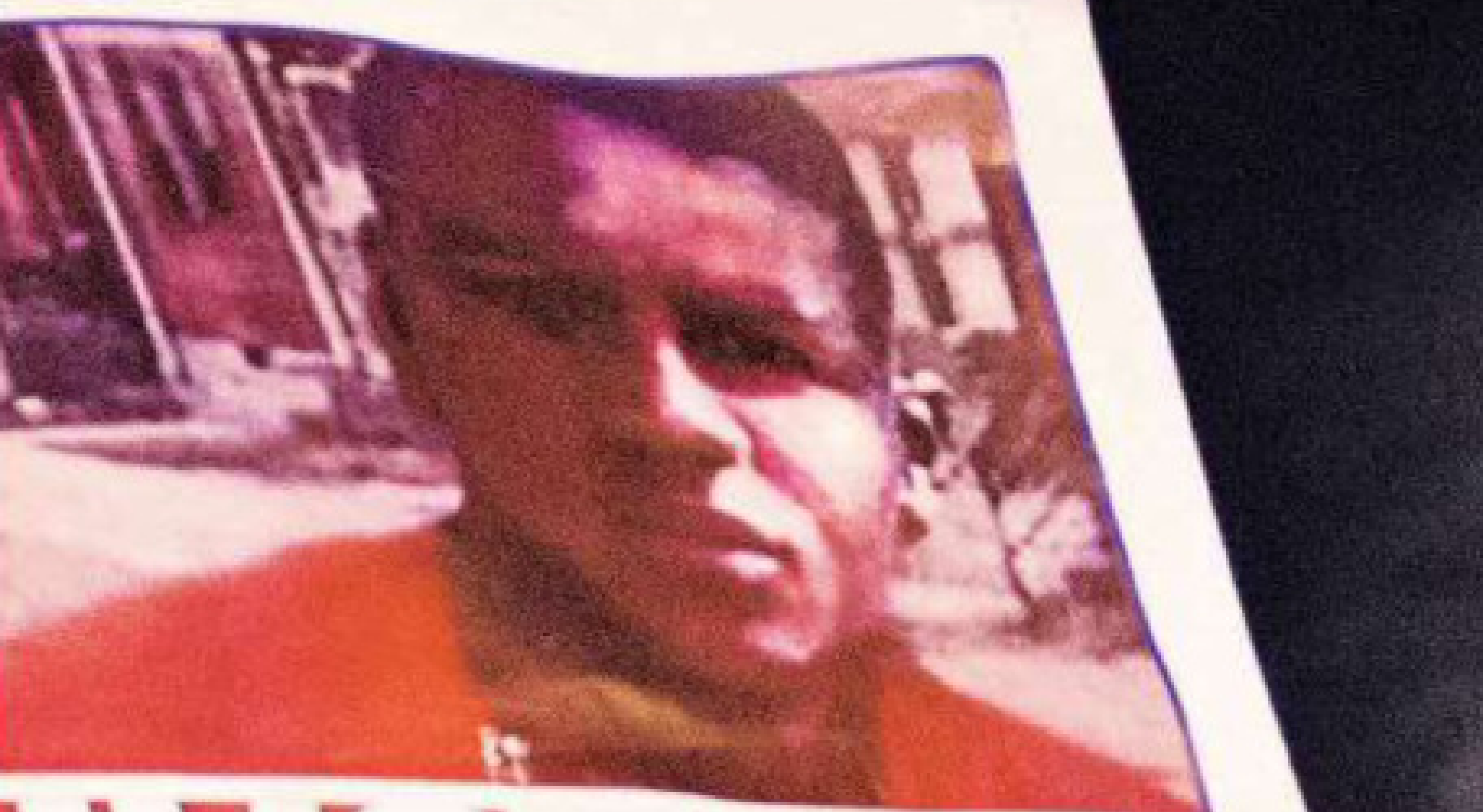


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SHAWN THEW/EPA





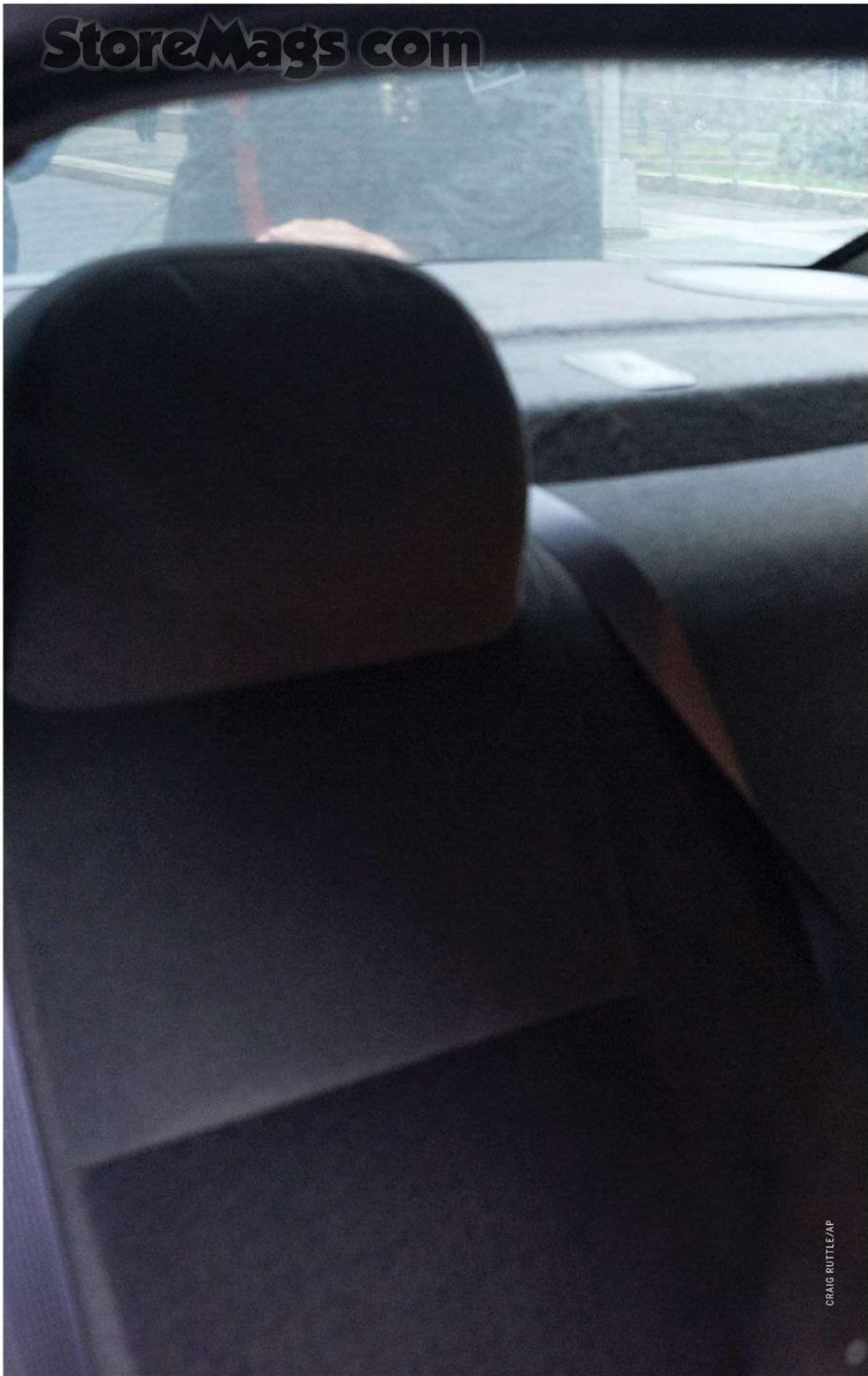
**JUSTICE**  
**FOR**  
**FREDDIE GREY**

Peoples Power Assembly 443.221.3775

EST. 06  
**PARISH**  
NATION  
★★★★



BIG SHOTS

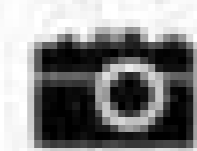


**U.S.A.**

## How You Like This Rap?

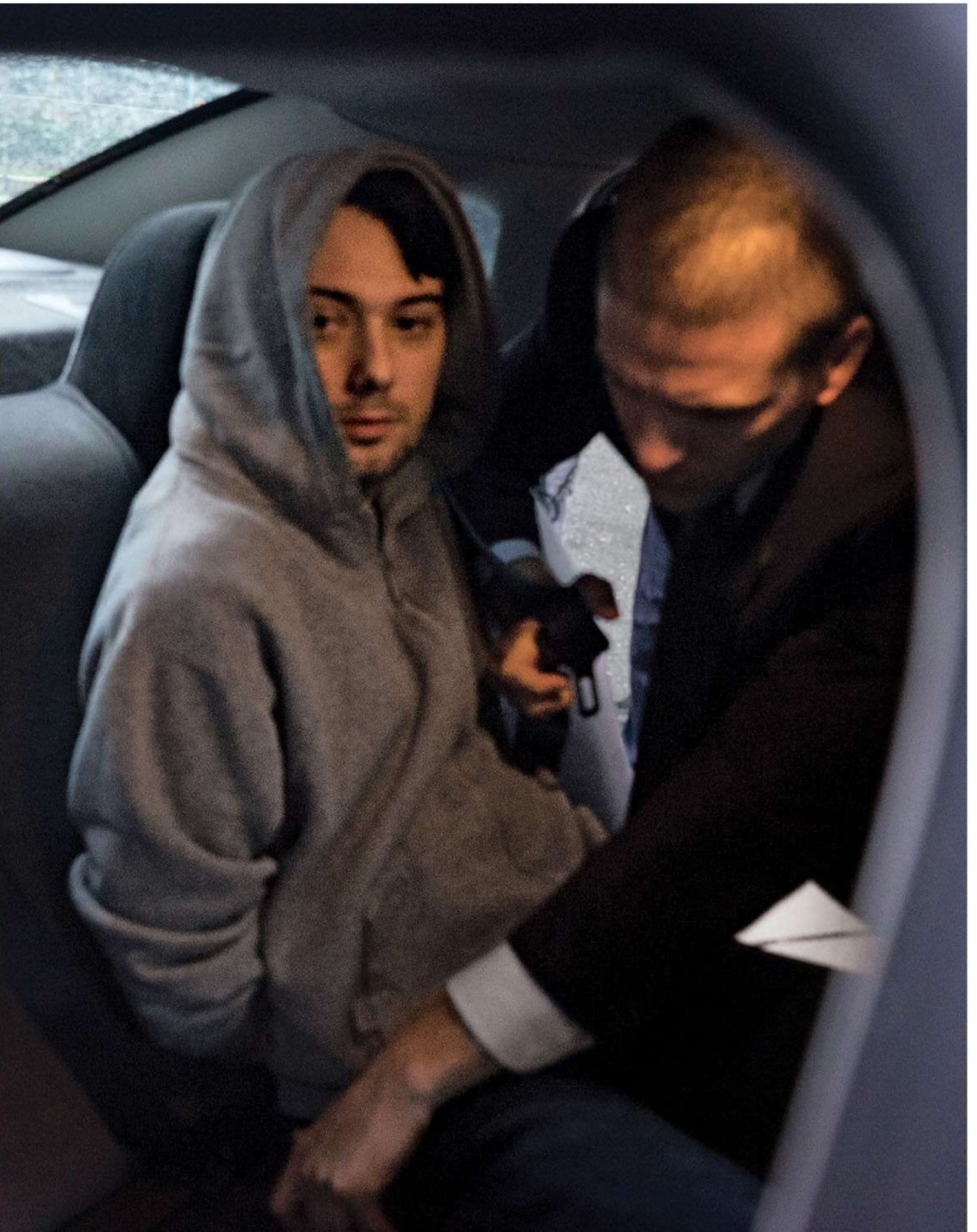
New York—Martin Shkreli, the former hedge fund manager who bought a pharmaceutical company and was widely criticized for ratcheting up the price of a decades-old lifesaving drug by 5,000 percent, is taken into custody December 17 in connection with a securities probe.

Shkreli has been vilified for his business practices and his penchant for parading his wealth, most recently with the \$2 million purchase of the sole copy of Wu-Tang Clan's latest album.

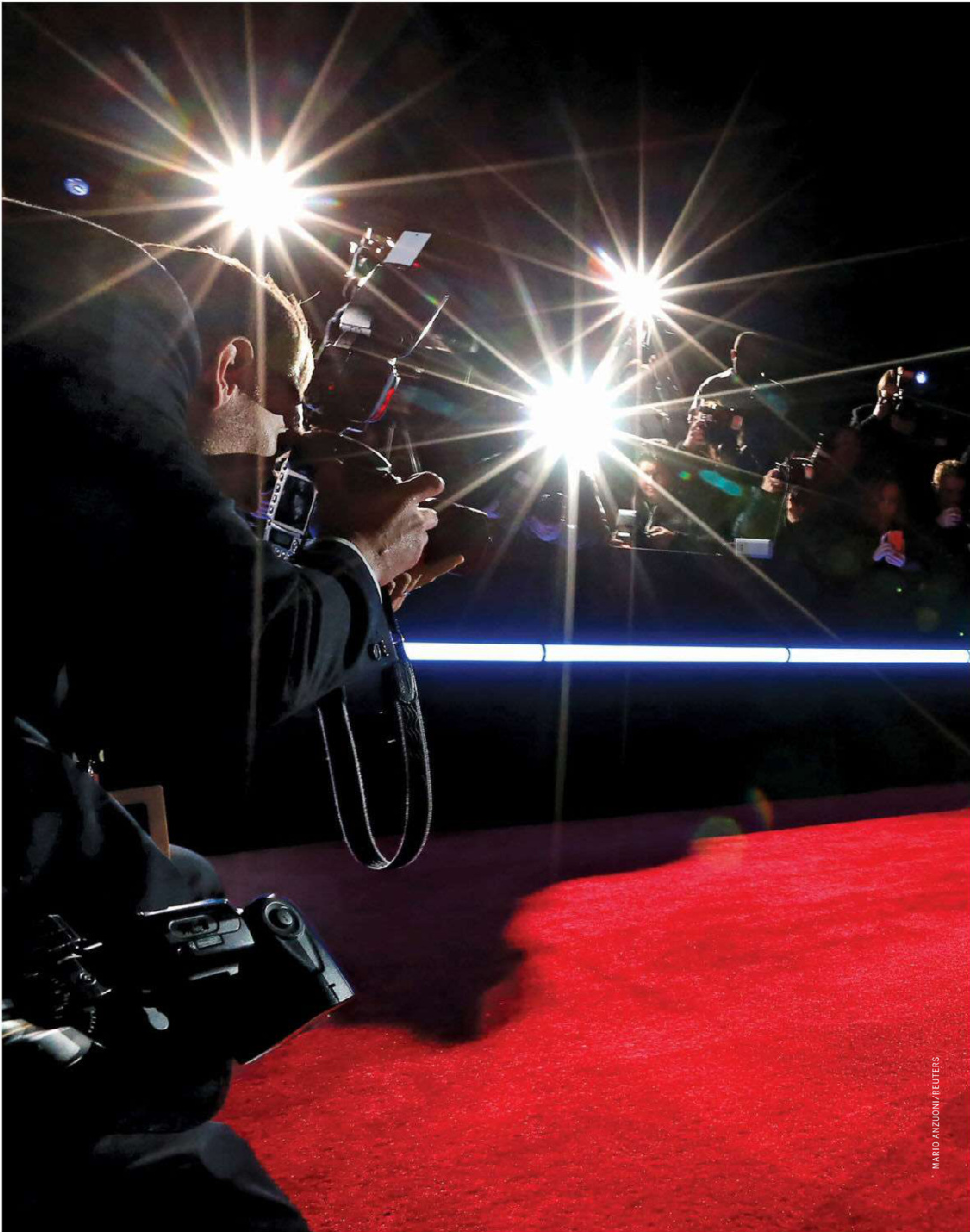


CRAIG RUTTLE

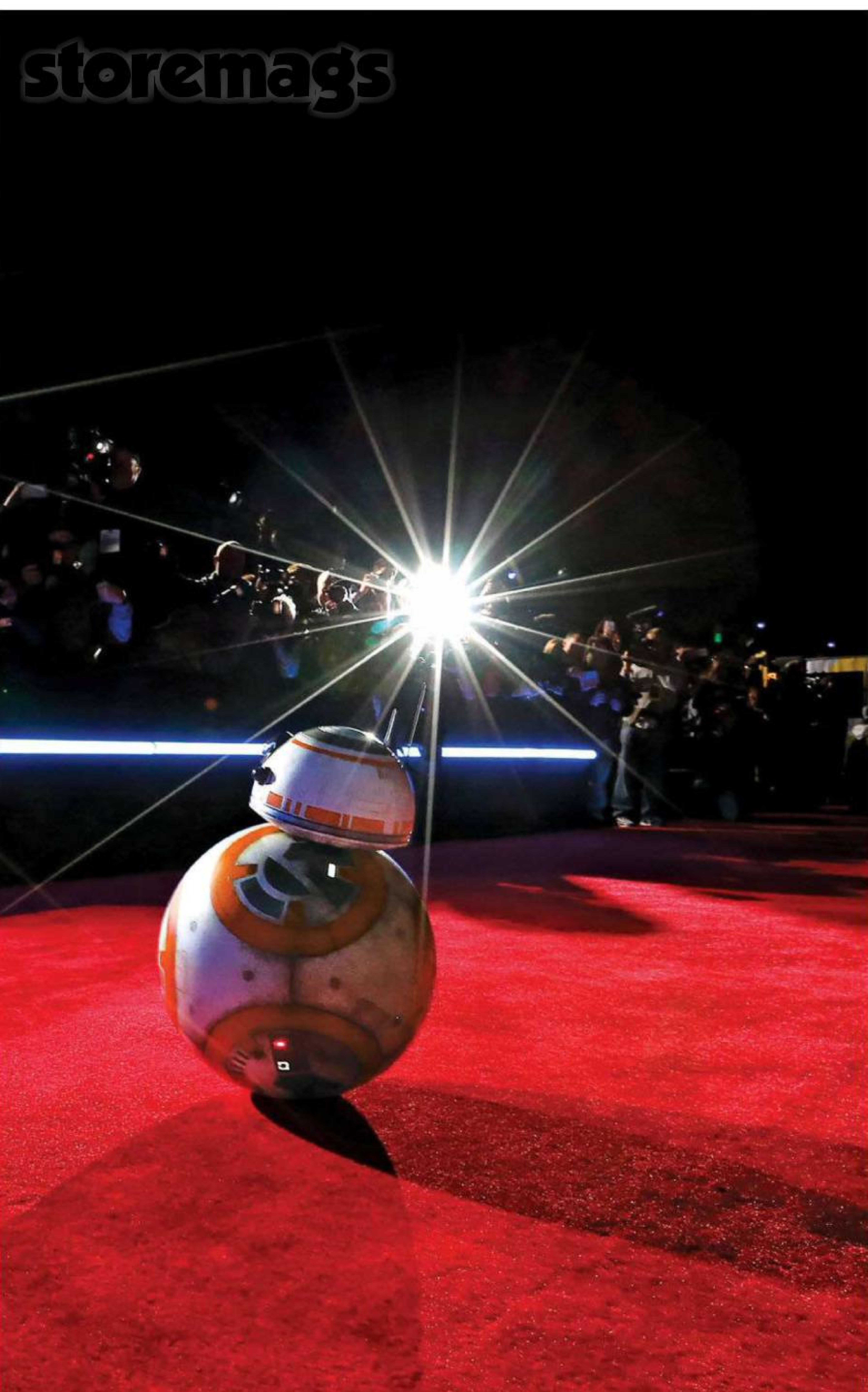








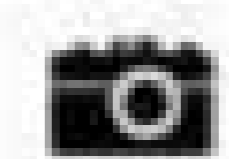




**U.S.A.**

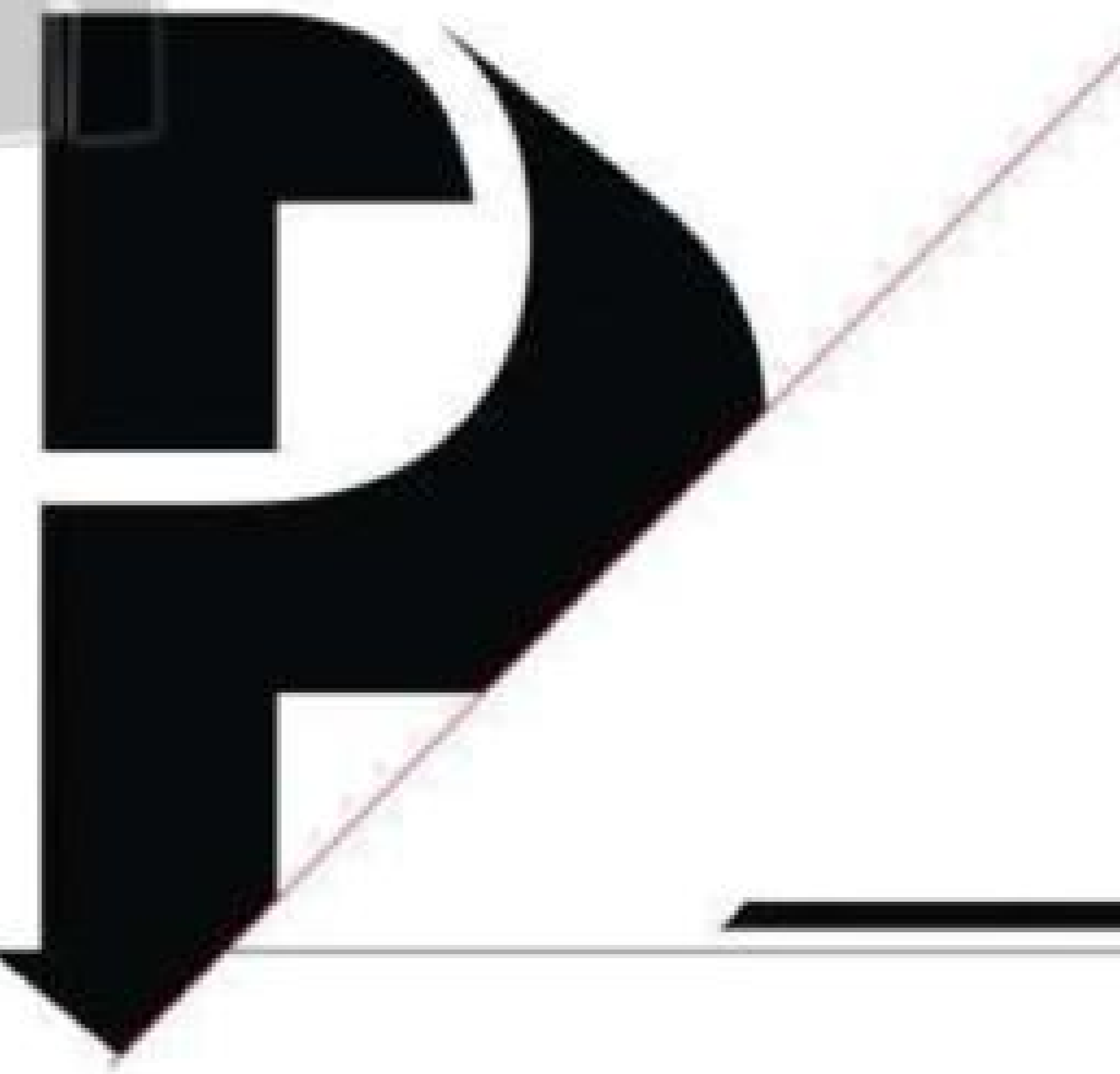
## Impending Droid

Los Angeles—BB-8, the newest robot star in the *Star Wars* series, arrives at the world premiere of *Star Wars: The Force Awakens* on December 14. The seventh installment has excited fans around the world and introduced a new generation to George Lucas's fictional universe. The premiere, one of the biggest events Hollywood has seen in years, took place at three theaters and required a veritable empire of security guards, off-duty cops and at least one bomb-sniffing dog.



MARIO ANZUONI





## PARIS IS JUST A WAY STATION

# The lesson of COP21: we can't wait for COP22 to solve the climate crisis

ON NOVEMBER 29, over 1 million people in 175 nations took to the streets in the largest protest in history, demanding immediate action on climate change. Among them were 10,000 people in Paris forming a mass human chain, despite a ban on protests enforced by police with batons, tear gas, concussion grenades who would go on to make arrests. The next day, 150 heads of state—the largest such gathering ever—came together in Paris to work on a legally binding global accord on climate change. Thirteen days later, they succeeded.

Climate change is a global problem that demands global solutions. Today, in a period of multinational war, terrorism and widespread partisan politics, perhaps the most extraordinary accomplishment of the United Nations's 21st Conference of the Parties (COP21) climate talks that concluded in Paris on December 12 was that representatives of 196 nations sat around a table and politely hashed out extreme differences on how to spend their money, build their economies, use their natural resources, treat their citizens and engage with their neighbors. It was, according to U.S. Secretary of State John Kerry,

“a victory for all of the planet and for future generations...a remarkable global commitment.”

The final Paris Agreement asserts that “climate change represents an urgent and potentially irreversible threat to human societies and the planet and thus requires the widest possible cooperation by all countries, and their participation in an effective and appropriate international response, with a view to accelerating the reduction of global greenhouse gas emissions.” It also says “deep reductions in global emissions will be required.”

Portions of the agreement are legally binding. The most significant is the commitment of each nation to submit—and review every five years—plans to reduce greenhouse gas emissions, as well as wealthy nations' pledge to provide by 2020 \$100 billion to help poorer countries transition to alternative energy economies. (An additional \$100 billion will be provided every year thereafter until at least 2025.) The agreement also requires a new level of transparency in governments, which must now not only report national greenhouse gas emissions but also detail the source (such as a coal

BY  
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STEPHANE MAHE/REUTERS

**BRIGHTER DAY:** U.N. Secretary-General Ban Ki-moon, left, French Foreign Affairs Minister Laurent Fabius and French President François Hollande celebrate the Paris Agreement.



plant or automobiles) and be subject to a technical review of their plans by the U.N.

The agreement is good but not perfect. There are no consequences if commitments are not met (in comparison to, for example, the Convention on International Trade in Endangered Species, which is enforced through trade sanctions). The Paris Agreement also acknowledges that even if the individual country climate plans are fully and perfectly implemented, they would be insufficient, potentially resulting in temperature increases of nearly double the internationally agreed upon limit of 2 degrees Celsius above preindustrial levels.

We've already hit 1 degree C of warming, and the U.N. estimates that 26 million people are displaced every year due to natural disasters. Seventy-five percent of those catastrophes "are now climate-related, with the overwhelming majority of lives lost in developing countries," according to U.K.-based anti-poverty organization Oxfam International. And the Paris Agreement is likely to only mitigate, not solve, the problem; Helen Szoke, Oxfam Australia's executive director, calls the agreement "a frayed lifeline to the world's poor." Bridget Burns of the Women's Environment & Development Organization says it "fundamentally does not address the needs of the most vulnerable countries, communities and people of the world. It fails to address the structures of injustice and inequality which have caused the climate crisis."

There are several obvious failures in the Paris Agreement's approach to helping those most vulnerable to the devastations of climate change. For example, while the promise of \$600 billion through 2025 is significant, it is not enough to address either the myriad challenges of adapting to climate change or the extreme loss and damage suffered when disaster strikes. Economic damage to developing countries from climate change, in the form of droughts, floods, hurricanes, agriculture loss and more, is estimated to reach \$1.7 trillion a year by 2050.

That financial pledge is also, at best, poorly defined. Nowhere does the Paris Agreement detail which country is going to pay how much, when, where, for what or from what source (public or private). Foggy accounting by donors has led to a great deal of debate as to how much money has already been put up by nations, with estimates ranging from \$5 billion to \$60 billion. At the behest of the U.S., the agreement includes an exemption, explaining that it "does not involve or provide a basis for any liability or compensation." In other words, developing countries cannot ask (or sue) wealthy ones to compensate for the loss



and damage suffered as a consequence of the latter's past or current greenhouse gas emissions.

Then there's the concern highlighted by a 300-foot-long, bright red and white banner laid out at the foot of the Eiffel Tower on December 12 by 15,000 climate justice protesters. It read: "It's Up to Us to Keep It in the Ground." In 2014, the U.N. Intergovernmental Panel on Climate Change concluded that in order to limit the world to 2 degrees C of warming, three-quarters of fossil fuel reserves need to stay in the ground. Yet the words *fossil fuels*, *oil*, *natural gas* and *coal* appear nowhere in the Paris Agreement. The agreement ignores production and focuses exclusively on emissions, allowing, for example, Saudi Arabia to continue and even increase production of oil for exportation as long as it reduces domestic emissions.

**+**  
**BLURRED VISION:**  
It will be tough for countries to meet the agreed upon goals for cutting CO<sub>2</sub> emissions, and critics say those targets may be inadequate.





The agreement's lack of action on extraction could have catastrophic effects for many at-risk communities around the world, says Alberto Saldamando, legal counsel for the Indigenous Environmental Network and a veteran of six years of COP negotiations. The agreement relies on carbon markets and the Reducing Emissions From Deforestation and Forest Degradation (REDD) mechanism, which allow for continued emissions through trading or offsets, such as the planting or maintaining of forests or other carbon sinks. But this approach allows the toxic environmental, cultural and human health effects of fossil fuel production and transport to continue, and in some cases, facilitates the expulsion of indigenous peoples from their lands.

For example, a 2011 report found that REDD policies and programs in the Peruvian Amazon enable logging, mining, oil production and agribusiness entities to continue production while indigenous small farmers are removed from their forest communities. The indigenous Amazonians call it "carbon piracy" and argue that the wrong people are being forced out of the forest: "For thousands of years indigenous peoples have looked after a living planet, and in only one hundred years industrialization has caused it to overheat," the report says.

Moreover, a key paragraph written to ensure that the Paris Agreement would have to maintain the rights of indigenous peoples, women, workers and others fell under heavy opposition from Saudi Arabia and other nations' governments. It was moved from the operating text to the preamble, which means it is not legally binding.

Back in the U.S.—where 78 percent of respondents said in January they want the federal government to limit the amount of greenhouse gases that businesses put out—the Paris Agreement could help break the stranglehold that industry has on Congress. For example, it undermines a key argument of many Republicans against taking global action on the climate: that America cannot act alone. It also serves to further marginalize climate change deniers, such as presidential candidate (and Iowa polls front-runner) Senator Ted Cruz, R-Texas, who in an interview last month with NPR said, "Climate change is the perfect pseudoscientific theory for a big-government politician who wants more power."

Cruz and his ilk are increasingly in the minority in government leadership, but, says Kassie Siegel, director of the Climate Law Institute at the Center for Biological Diversity, it's still up to "grass-roots activists to create the pressure on governments around the world as quickly as possible" to ensure that countries ratchet up and



meet their climate commitments. That's been the case for a while now. "Nearly 200 nations were compelled to act on climate because there's a global movement that has made action a political imperative," says Lindsey Allen, executive director of the Rainforest Action Network. "Look at the elections in Alberta and nationally in Canada"—in which oil industry favorites were ousted by candidates supporting clean energy—"if you want evidence of the movement's capacity to bring about political change."

The Paris Agreement has mobilized and galvanized the climate justice movement even further, which, from the onset, planned for "the

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## THE AGREEMENT IS "A FRAYED LIFELINE TO THE WORLD'S POOR."

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road *through* Paris," seeing these negotiations as a way station, not a stopping point. On December 16, a coalition made up of partners in 12 countries, including 350.org, Greenpeace International, WoMin-African Gender and Extractives Alliance, Oilwatch, Coalizão Não Fracking Brasil and the Philippine Movement for Climate Justice, launched "a global wave of resistance to keep coal, oil and gas in the ground." It is a "global escalation against the fossil fuel industry" involving "coordinated actions of thousands of people on iconic fossil fuel projects and companies across the globe." They'll build off of the successful organizing that, many argue, has led in recent years to mass divestments from fossil fuels, stopped the Keystone oil pipeline, pushed Shell out of the Arctic, shut down hundreds of coal-fired power plants and banned a great deal of fracking. The goal now, though, is even more ambitious: end the fossil fuel economy and begin the era of 100 percent global renewable energy. **N**

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**ANTONIA JUHASZ**, the author of several books on oil, is writing from Paris on COP21 for *Newsweek*.





## DYING TO TELL THE TRUTH

Caught between drug cartels and corrupt officials, Mexican journalists are being threatened, blackmailed and murdered

“THEY ATTACKED my home but stole nothing,” says Anabel Hernández, describing a break-in at her Mexico City home in November. “There was money lying on the table, but they didn’t take a cent. They were after my files. It was an act of intimidation.”

Hernández, author of the best-selling book *Narcoland*, is one of Mexico’s most prominent investigative journalists. The November intrusion was just the latest in a long line of death threats and assaults she has faced for her work exposing the links between Mexico’s drug cartels and corrupt government officials.

Hernández is now pursuing two major investigations: the disappearance in August 2014 of 43 students from Ayotzinapa in the southern state of Guerrero and the escape this past July of Joaquín “El Chapo” Guzmán, one of Mexico’s most powerful drug lords, from a maximum-security prison. “They’re investigations that have made the government very uncomfortable,” she says. And they have also made her a target yet again.

The break-in at Hernández’s home in November was one of several assaults on high-profile Mexican journalists that month. On November 20, someone raided the apartment of Gloria Muñoz Ramírez, director of the news website Desinformémonos. It happened a week after hackers attacked the Desinformémonos server.

A few days later, Maite Azuela, a columnist for *El Universal*, one of Mexico’s most prominent newspapers, received a letter in the mail. It contained a picture of Azuela with her eyes blacked out and a chilling message scrawled below: “I know where you live, and I’m going to kill you.”

Journalists have long faced violence and intimidation in Mexico from cartels on one side and corrupt government authorities on the other. But according to Article 19, an international human rights group defending freedom of expression, there has been a sharp rise in attacks in recent years.

During the presidency of Felipe Calderón, from 2006 to 2012, there was an average of one incident against journalists every two days. Under current President Enrique Peña Nieto, that’s gone up to one every 22 hours. Since 2000, 16 journalists in the country have been reported missing and 88 have been killed—seven have been murdered in 2015 alone. According to the Inter-American Commission on Human Rights, Mexico is the most dangerous place to be a journalist in the Americas, with about a third of the documented murders of journalists since 2010 having occurred in the country.

“It’s a national emergency,” says Darío Ramírez, from Article 19 in Mexico. “There are black holes of information across the country

BY  
**OSCAR LOPEZ**  
@oscarlopezgib





**WAR OF WORDS:**  
The Inter-American Commission on Human Rights says Mexico is the most dangerous place in the Americas to be a journalist.

where no one knows what's going on."

For Hernández and many others, what angers them most is the impunity. Despite the dozens of murders and attacks on journalists, there have been few arrests and fewer convictions: "The penal system is abysmal," says Carlos Lauría from the Committee to Protect Journalists. "There's no sense of punishment."

There have been token measures. In 2012, Peña Nieto's administration created the Mechanism for the Protection of Human Rights Defenders and Journalists, which last year determined that Hernández's situation was of "extraordinary risk." But without a commitment to investigate and prosecute offenders, Hernández says such authorities are completely ineffective. "There's been no investigation of the assault on my home," she says. "This kind of impunity demonstrates that these institutions just aren't working."

There was an international outcry when

photojournalist Rubén Espinosa was assassinated in Mexico City in July. The incident sent shockwaves across the country because while attacks against reporters have become common in many states wracked by the country's long-running drug war, the brutal killing of a well-known journalist in the nation's capital was unheard of. "I cried for three weeks," says reporter Thalía Güido. "We all thought Mexico City was a bubble,

**"I KNOW WHERE YOU LIVE, AND I'M GOING TO KILL YOU."**

but when Rubén was killed, everything was broken. We realized the bubble isn't untouchable, and they'll break it whenever they want."

At 26, Güido is just starting her career, but she understands all too well the danger she faces. "I've had my email account hacked. I know I'm being watched," she says. "Not because of who I am but because of who I've worked with." Güido was mentored by Marcela Turati, another highly respected investigative journalist, who created *Periodistas de a Pie*, or Journalists on Foot, an organization that aims to improve the quality of Mexican journalism through training and collaboration.

Turati too has received death threats, but she says Espinosa's murder still came as a huge shock: "He gave TV interviews weeks before he was killed saying he felt threatened. He sought protection from human rights groups and government agencies. And he worked for national media companies. But his death showed us all that nothing works—not visibility, not major outlets, not the government. Nothing can keep you safe."

Following mass protests in Mexico City over Espinosa's murder, President Peña Nieto was forced to speak out. He said at a press conference, "Attorneys and prosecutors are committed to redouble their efforts and provide timely attention to the investigation and arrest of those responsible for assaults, killings and attacks against journalists."

Despite such promises, even the high-profile case of Espinosa was marred by well-documented mismanagement and obfuscation





of evidence by the city's justice department. "We're in the same dark lagoon as we were the day this happened," says Turati.

Espinosa worked in the Mexican state of Veracruz and was a well-known critic of its governor, Javier Duarte. Veracruz under Duarte has become the most lethal place in the country to practice journalism: Espinosa was the 14th journalist who reported from Veracruz to be killed under Duarte's tenure.

"The state is a poisonous broth," says Jorge Morales, who works at the Veracruz Commission for Attention and Protection of Journalists. Prior to joining the commission, Morales was a journalist for 15 years and experienced intimidation and violence numerous times. He also worked with Espinosa and many other journalists killed in the state. "Everything here is being held together by pins," he says. "The government is trying to suffocate us."

Veracruz is not the only state with a problem. According to Article 19, about 80 percent of attacks against journalists occur outside of Mexico City. Tamaulipas, Michoacán, Guerrero and Oaxaca have all seen a sharp increase in attacks against journalists in the last 12 months. Many of these states are embroiled in drug violence. But even calmer states aren't immune: Quintana Roo, home of tourist hot spots like Cancún and the Riviera Maya, has seen the second-highest rate of attacks against journalists in the country.

Lydia Cacho is another of Mexico's most recognized and influential investigative journalists. She has long reported on violence and sexual abuse against women and children. Since 1986, she's lived in Cancún—except when death threats have forced her to flee the country.

Cacho's most recent investigation for *Newsweek en Español*, "Tulum, Land of Ambition," in September, exposed an ongoing war between corrupt politicians and ambitious businessmen, with local landowners caught in the middle. After the article was published, Cacho began receiving a new round of death threats. Then came the online attacks.

While reporter Javier Solórzano was interviewing Cacho on September 8, the website where the exchange was being live-streamed was hacked and shut down. This too, says Cacho, is becoming increasingly common. "They're finding ever more sophisticated ways to attack and humiliate you online," she says. "After the death threats, the paid ads on Facebook against me, the murders across the state, my security advisers told me not to be in Quintana Roo."

Cacho says the stress and trauma of the job under such conditions is often underestimated. "Most of my friends who have been killed doing this job were so emotionally exhausted," says Cacho. "They started to get careless, using apps and online tools that were easily traceable. 'They're going to find me anyway,' they'd say."

Not all assaults against journalists come in the form of violence or online attacks—often they're blackmail or bribes, known colloquially as *chayote*. Cacho says she's been offered numerous bribes, including \$3,000 recently to

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**"THERE ARE BLACK HOLES OF INFORMATION ACROSS THE COUNTRY WHERE NO ONE KNOWS WHAT'S GOING ON."**

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write a favorable column about a politician she declined to name. When she refused, the briber listed a number of other journalists who had accepted the "donation."

"It's the same old techniques of silver and lead," says John Ackerman, an author and professor at the Institute of Legal Research of the National Autonomous University of Mexico. "They buy loyalties on the one hand, and fire, intimidate and murder on the other."

As a result, the population at large fundamentally mistrusts the media, particularly mainstream outlets. "People see the press as sold out," says Turati. "They see it as their enemy." The consequence, says Ackerman, is "an authoritarian state where public discussion and debate are shut down. Mexico is no longer a democracy."

This, for many, is the crux of the problem. "These attacks against journalists are above all attacks against the fundamental human right of freedom of expression," says Hernández, the investigative journalist. "The ultimate victim is a society that no longer has access to the truth." ■



# 12 Numbers

THE HIGHS AND LOWS OF 2015

BY STAV ZIV [@stavziv](#) AND JACK MOORE [@JFXM](#)



148

People killed in **ISLAMIST MILITANT ATTACKS** in France in January, June and November.



61.86°

**AVERAGE GLOBAL TEMPERATURE**, in Fahrenheit, in July, the hottest month ever on record. At Paris climate conference, the world committed to limiting any additional rise to below 3.6 degrees (2 degrees Celsius) above pre-industrial levels.

3,462

Days it took for spacecraft **NEW HORIZONS** to reach Pluto, from its launch in 2006 to the historic flyby on July 14.



2  
Maximum number of **CHILDREN A MARRIED COUPLE IN CHINA CAN HAVE** after Beijing ended its one-child policy in October.



57%

Percentage of U.S. public in favor of **SAME-SEX MARRIAGE** shortly before a U.S. Supreme Court ruling legalized it in July.

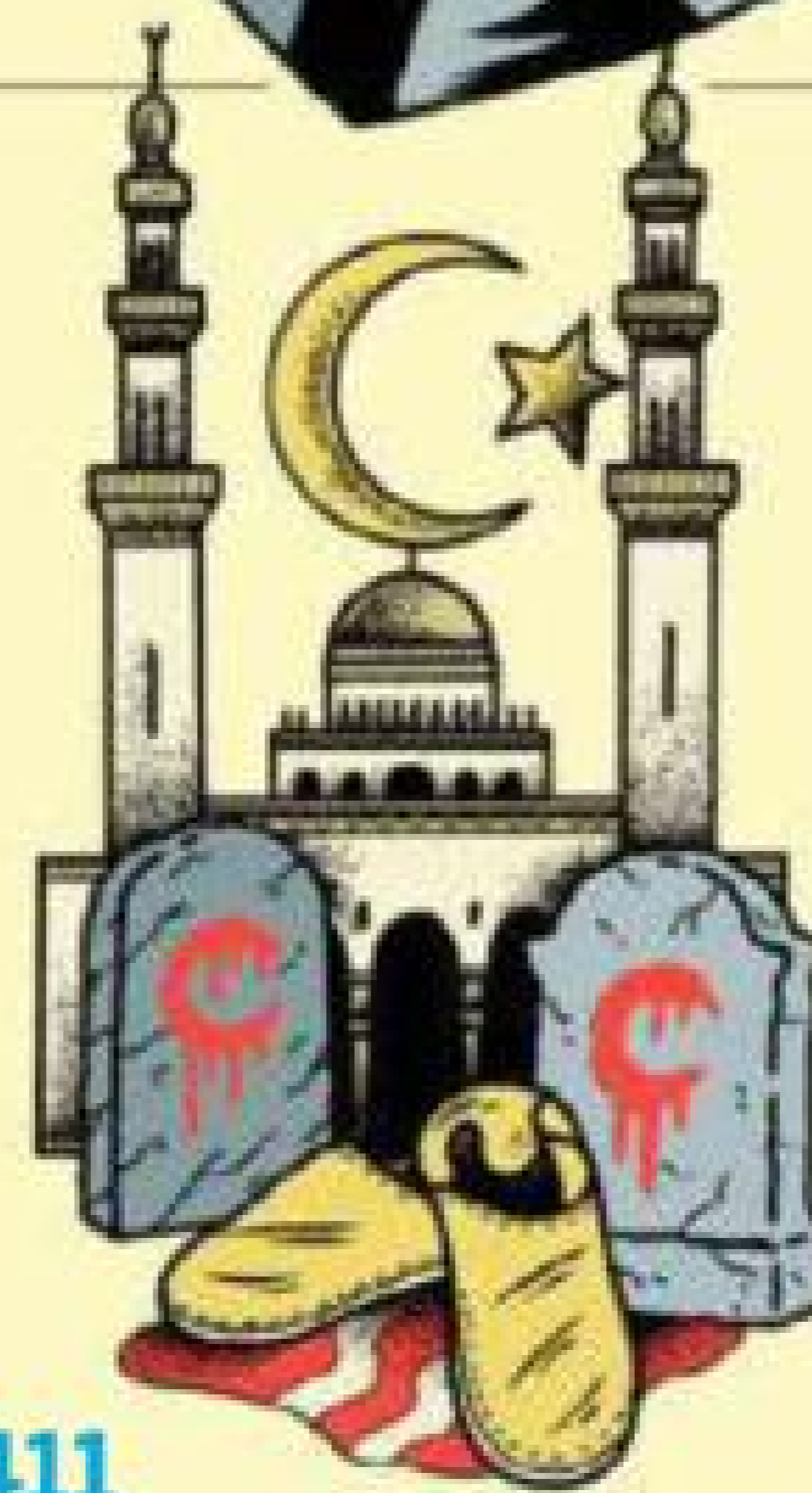
\$179,365,000

Price paid in May for **PABLO PICASSO'S LES FEMMES D'ALGER**, the most expensive painting ever sold at auction.



14

**FIFA OFFICIALS** and sports executives arrested in Zurich in May in a U.S. corruption probe. FIFA President Sepp Blatter, who was not among them, later resigned.



2,411

People killed in the **HAJJ CRUSH** in September, according to the Associated Press, more than three times the official Saudi estimate.



317

**MASS SHOOTINGS** in the U.S. this year (as of December 17), counting incidents in which four or more people were killed.

34

**AGE OF SERENA WILLIAMS**, the oldest woman to be ranked No. 1 in tennis, after winning three major titles this year.



954,481

**ASYLUM SEEKERS** arrived in Europe via the Mediterranean Sea route in 2015 (by December 17), four times more than 2014. At least 3,600 died on the way.



16

**BULLETS** that hit 17-year-old Laquan McDonald, shot by a Chicago police officer charged with murder a year later in the most recent test case for #BlackLivesMatter.





## AMERICAN SCHIZO

# Inside the tortured mind of the man who killed “American Sniper” Chris Kyle

**FORMONTHS,** Jodi Routh would come home from work afraid she'd stumble upon the dead body of her son. A 25-year-old former Marine, Eddie Routh had moved back to her home in Lancaster, Texas, a small, middle-class suburb just south of Dallas. It was early 2013, and he'd recently taken a job at a local cabinet shop but was struggling with what doctors said was post-traumatic stress disorder. His anxiety was so severe he couldn't drive on his own, and he believed his colleagues were cannibals who planned to eat him.

Jodi would drop off her son in the morning on her way to work, and the shop's owner would bring him home. Because Jodi worked later, Routh was alone for a few hours each afternoon. “When I'd start back to the house,” Jodi recalls, “I'd be like, Please don't let me find him dead. I was so afraid he was going to kill himself. Because that's what he wanted.” Late at night, he would often climb into bed with her. “This was a 6-foot-2 Marine,” she says. “A tough man calling for his mama.”

BY  
**MIKE SPIES**  
@mikespiesnyc



+  
**ETERNAL BATTLE:**  
Routh, who was  
sentenced to life  
in prison for killing  
Kyle and another  
man, told a Texas  
Ranger he believed  
Kyle was going to  
take his soul.

Routh had become concerned about the state of his soul, and when he and his mother arrived at the cabinet shop on the morning of February 1, 2013, he asked if they could pray together. In the parking lot, Jodi held her son's hand. Wiry since boyhood, he had a narrow face and a beak nose, with nervous eyes and an unkempt beard. Before he left the car, he asked the Lord to watch over his mom and dad.

Jodi was headed out of town that afternoon to spend the weekend with her husband, Raymond. She took comfort in knowing that Routh's girlfriend would be staying at the house and that his uncle would check on him.

But Routh had plans for an excursion his mother didn't know about. The following day, on February 2, Chris Kyle, the most prolific sniper in American military history, arrived with a friend, Chad Littlefield, to take Routh to a shooting range. Jodi's concerns, it turned out, had been misplaced. Her son did not commit suicide. He did something much worse: He killed the two men.

#### 'YOU KILLED A TEXAS HERO'

Kyle's death generated an outpouring of grief in Texas, where thousands piled into Texas Stadium, the home of the Dallas Cowboys, for his memorial service. It also resonated with gun enthusiasts across the country, who had embraced Kyle as a modern Wyatt Earp. His legacy was enhanced by his books, especially *American Sniper*, which chronicled his exploits as a Navy SEAL in Iraq, where he logged 160 kills, a U.S. military record.

The film adaptation of his story, starring Bradley Cooper, was already in theaters in Stephenville when Routh's murder trial began there on February 11, 2014. Outside the courthouse, local vendors sold Chris Kyle baseball caps. A week earlier, Governor Greg Abbott declared February 2, the anniversary of the murders, Chris Kyle Day.

Routh pleaded innocent by reason of insanity, though the medical expert hired by the defense, a forensic psychiatrist, disagreed with the PTSD diagnosis the Marine had received at the Dallas Veterans Affairs hospital. The expert believed Routh was schizophrenic and suggested he suffered from paranoid delusions. In a videotaped confession to a Texas Ranger after the killings, Routh said, in reference to Kyle, "I knew if I did not take his soul, he was going to take mine."

The prosecution, however, said Routh was a psychopath who had calculated his odd statements to keep himself out of jail. After deliberating for less than two hours, the jury agreed, and he was sentenced to life in prison without parole.



Many applauded the verdict. Marcus Luttrell, the former Navy SEAL whose autobiography was the basis for the film *Lone Survivor*, tweeted, "Justice served for Chris and the Littlefield family." To Routh, he continued: Just wait until the correctional officers "find out you killed a Texas hero."

But the truth about Routh is far more complicated. Recently, Jodi and Raymond shared hundreds of pages of confidential medical records with me. The documents, which went largely unused during the trial, show that in the two years leading up to Kyle's murder, Routh suffered a series of psychotic breaks and may have been misdiagnosed. "The VA should have been more careful," says Dr. Amam Saleh, a forensic psychiatrist who reviewed Routh's medical records at my request. "Something was missed."

#### THE LAND OF CORPSES

Across the country, thousands of Americans have come home scarred by the wars in Iraq and Afghanistan. In September 2007, Routh was deployed to a forward operating base about 60 miles north of Baghdad, where he repaired weapons and worked as prison guard for six months. It was his only war-related experience, though in January 2010 the Marines sent him to

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**"WHEN I'D START BACK TO THE HOUSE...I WAS SO AFRAID HE WAS GOING TO KILL HIMSELF."**

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Haiti on a humanitarian mission, after an earthquake devastated the country. He told his parents he was responsible for clearing the land of corpses, including dead babies. There is no documented evidence to confirm Routh's account, but when he returned to the U.S., Jodi recalls, "he was just so messed up."

In late July 2011, a little more than a year after he received an honorable discharge from the



military, Routh appeared at the Dallas VA, complaining that a tapeworm (which did not exist) was eating away at his insides. This is when the VA first diagnosed him as having PTSD, according to his medical records. Doctors prescribed him risperidone, an antipsychotic, as well as other medications to treat depression.

Several days later, Routh threatened to kill himself with the .357 Magnum his father kept in his car. Again, his family took him to the Dallas VA, where he remained for nearly two weeks. The clinical notes from August 3 say Routh was “psychotic.” At one point, he told the staff, “You are all in this game. I can see the smoke in the mirror. We are all actors.”

Over the next year, through 2012, Routh’s symptoms worsened. He was convinced the government was spying on him, and he reported having auditory hallucinations, like hearing music that appeared to be “picked up [from] a radio station.” He again threatened to kill himself, which prompted his parents to remove all of their guns from the house. Routh blamed the incident on booze. Records from around this time note that the VA offered him inpatient treatment for alcohol abuse, which the clinicians seemed to think was the trigger for his psychotic episodes. Routh declined. He also stopped taking his medication, saying that the drugs made him feel like a “fucking zombie.”

In early January 2013, Jodi met Chris Kyle, who’d been out of the military since 2009 and took a keen interest in working with veterans suffering from PTSD. He had his own difficulties with life after the war and, like many former soldiers, saw therapeutic value in exercise and going to the shooting range.

Kyle’s children attended the school where Jodi worked as a teacher’s aide. She had heard about Kyle’s work with veterans, and one day she approached him in the parking lot and asked if he might be able to help her son. Kyle was sympathetic. He took Routh’s phone number and promised to call. Less than two weeks later, Jodi bumped into Kyle again. He said he was planning to take Routh shooting soon.

“At that moment, I thought it was fine,” Jodi says.

It’s understandable why she reached this conclusion. Each time the VA released Routh, his doctors said he didn’t pose a threat to himself or others. But on January 19, shortly after Jodi saw Kyle, Routh suffered his most severe psychotic break yet. When it happened, he was at the apartment of his new girlfriend, Jennifer Weed. Brandishing a knife, he barricaded the front door, holding Weed and her roommate hostage.

According to his medical records, Routh believed he was protecting them from the “evils of the world.” The roommate called the police, who took Routh to Green Oaks Hospital in Dallas.

The doctors there believed Routh was suicidal and homicidal. He cried intermittently and made a series of strange statements. “I’ve been losing my fucking mind,” he said. “Your mind is the only one you’ve got, you know?” At one point, he asked a doctor, “You got any idea how long they been recording this? You know—this Mickey Mouse bullshit going on all across America?”

After Routh cornered a female technician, a doctor noted that in addition to suffering from PTSD, the former Marine appeared to be in the throes of “first-break schizophrenia.” He said Routh was “paranoid and impulsively violent” and that he needed to be hospitalized in a psy-

**GUN CLUB:** Kyle understood from his own experiences, how difficult it was for some vets to adjust to civilian life, which is why he offered to take Routh shooting.

BRANDON THIBODEAUX/THE NEW YORK TIMES/REDUX







chiatric ward for five to 10 days. The doctors gave him several medications, including Haldol, Paxil and Seroquel.

On January 21, he was transferred to the care of the Dallas VA. Just three days after Routh arrived there, the VA prepared to discharge him, even though it had received the clinical notes from Green Oaks. Jodi believed he was not ready—he still had crying spells and seemed unstable. She requested her son remain at the facility until he could be admitted to a residential treatment program for PTSD in Waco. But a social worker denied her request, saying Routh would have to go through the application process like everyone else. Jodi then begged to no avail. “I advised her that [Routh] will be discharged tomorrow,” the social worker explained, as noted in the medical records, “as his paranoia symptoms are no longer present, he is not S/I [suicidal] and not H/I [homicidal].”

Unlike Green Oaks, the VA never considered that Routh might have schizophrenia, an illness that generally surfaces in early adulthood. The disorder is marked by the sort of delusions and paranoia Routh had experienced. Left untreated, it can lead to violent behavior, which is only compounded by alcohol. Saleh, the forensic psychiatrist, says large facilities like VA centers often treat patients based on doctors’ previous conclusions, which can blind them to other possible diagnoses.

Green Oaks had the benefit of examining Routh without preconceptions. The VA did not. A spokesman for the hospital says the knife episode was triggered by a “recent binge on alcohol and marijuana and being off his psychiatric medications”—issues the VA had previously blamed for Routh’s psychotic behavior. Green Oaks’s records, however, state that he was not intoxicated when he arrived at the facility. A psychotic break caused by substance abuse, not schizophrenia, may require a less aggressive medication regimen and a shorter period of hospitalization, according to Saleh.

Five days after his discharge, Routh exhibited no signs of hallucinations or delusions. It was an encouraging snapshot, but it captured Routh’s state of mind only on that particular day. The doctor did increase the dosages of Routh’s medications, but the new prescriptions, the records state, weren’t sent out until “on or about” February 2, 2013, the day Routh went to the shooting range with Kyle.

#### ‘THIS DUDE IS STRAIGHT-UP NUTS’

The night before he met Kyle, Routh proposed to Weed without a ring. The next morning, accord-

ing to news reports, the two got into an argument and she left the house. Later, Routh’s uncle, James Watson, stopped by to check on him. They smoked marijuana, and Routh drank whiskey.

That afternoon, Kyle and Littlefield pulled up to the house in the sniper’s black Ford F-350. Routh hadn’t told anyone they were coming to get him, and he hopped into the truck without saying goodbye to his uncle.

As Kyle steered them onto the highway, he could tell there was something off about Routh,


## ROUTH BELIEVED HIS COLLEAGUES WERE CANNIBALS WHO PLANNED TO EAT HIM.

who sat in the back of the truck. Kyle texted Littlefield, who rode beside him in the passenger seat.

“This dude is straight-up nuts,” he wrote.

Littlefield replied, “He’s right behind me, watch my six.”

Around 3 p.m., the group pulled up at Rough Creek Lodge, a luxury resort 90 miles southwest of Lancaster. The property is 11,000 acres, with large tracts of land set aside for hunting and golf. The range, which Kyle helped design, is down a dirt road that extends for several miles. Before the three men mounted an elevated deck and began to shoot, they raised a red Bravo flag, signaling others to stay away.

Two hours later, an employee drove onto the range and discovered two bodies. Kyle was facedown in front of the deck. He had been shot six times with a .45-caliber pistol. Littlefield had been shot seven times with a 9 mm Sig Sauer handgun. It was engraved with the familiar Navy anchor insignia. Routh had used Kyle’s weapons to kill them. 

A version of this story first appeared on The Trace, an independent, nonprofit news organization website dedicated to expanding coverage of guns in the U.S.





## 'I WANTED TO SEE THE BASTARDS'

Family members of the fallen fly to Gitmo to attend a hearing for 9/11 mastermind Khalid Sheikh Mohammed and four of his alleged co-conspirators

ON SEPTEMBER 11, 2001, shortly after the second hijacked plane hit Manhattan's World Trade Center, a woman fleeing the building discovered a hastily written note someone had dropped: "84th floor, West Office," it read; "12 people trapped." She handed the note to the nearest person in uniform—a security guard at the Federal Reserve Bank of New York. He hurried to alert first responders, but a few minutes later the building collapsed. Among the nearly 3,000 people who died that day was Randolph Scott, a trader at Euro Brokers Inc. and the author of that note.

Fourteen years later, his daughters, Jessica and Rebecca, arrived at the U.S. military base at Guantánamo Bay, Cuba. They, along with six other family members of 9/11 victims, had come to witness pretrial hearings for alleged 9/11 mastermind Khalid Sheikh Mohammed (KSM) and his four alleged co-conspirators. A military commission is expected to eventually put the five on trial. But for years, the defense has filed motions, delaying the inevitable, as the two sides argued over the detainees' right to wear military attire in court and the microphones that the FBI had hidden in legal meeting rooms, among other things.

On December 7, the presiding military judge, Colonel James Pohl, held a closed session to discuss classified evidence with the prosecution and defense. But the following morning, the

families of victims, along with a limited group of spectators, made their way through the various check-ins and metal detectors before arriving at a small observation room in the back of the rectangular court. They took their seats, standing behind soundproof glass—the only barrier between them and the men who allegedly murdered their loved ones.

As the tech crew tested the microphones, the families watched as the hearing began. The audio, however, streamed into the room on a 40-second delay: If anyone in court slips and reveals classified information, U.S. officials can bleep it out, like swearwords on an episode of *Bad Girls Club*. Experiencing this severe mismatch of audio and visuals is surreal, like watching a poorly synced movie—except this one lasted for days.

In the front of the courtroom, opposite the 9/11 families, the judge spoke to the defendants, who lined the far left wall. Most wore camouflage-patterned clothing and keffiyehs. KSM, sporting a long red beard, sat closest to the judge, then Walid bin Attash, Ramzi bin al-Shibh and Ammar al-Baluchi. The fifth defendant, Mustafa Ahmad al-Hawsawi, placed an extra pillow on his chair—the result of rectal abuse he suffered while in CIA custody, his lawyers say. (A CIA spokesman declined to comment due to pending litigation involving Hawsawi.) As the hearing continued,

BY  
LAUREN WALKER  
[@laserlauren](#)





**HEARING, IMPAIRED:** At one hearing, observers of the Gitmo hearings sit behind soundproof glass, and the audio is on a 40-second delay so officials can bleep out any classified information.

the defendants fumbled through documents and scanned their court-issued laptops. Their interpreters and lawyers sat beside them, helping them translate and understand the proceedings.

Later, during a recess, KSM and the other detainees placed small prayer rugs on the courtroom floor and bowed toward Mecca. Many in the small, tense gallery pressed against the glass to get a closer look. “I wanted to see the bastards, up front and in person,” Alfred Bucca says. His brother Ronald—the first fire marshal to be killed in the line of duty in the history of the New York City Fire Department—died trying to save people trapped in the south tower before it collapsed.

When the break ended, Bucca and the others listened to the detainees’ objection to being handled by female guards. “I don’t get warm and

“THESE GUYS, AS HORRIBLE AS THEY ARE, ARE ENTITLED TO A ZEALOUS DEFENSE.”

fuzzy,” says John Eric Olson, a 9/11 widower, about all the time and resources spent dealing with the complaints of the detainees. But he isn’t frustrated with the slow-moving process. “These guys, as horrible as they are, are entitled to a zealous defense,” he says. “And from everything I’ve seen [here], they’re getting it.”

Phyllis Rodriguez, who lost her son Gregory in the World Trade Center attacks, agrees. “If we forgo some of the rights of these guys in order to have a speedy trial and a speedy resolution, whatever the verdict is, then who is next?” She



says she was appalled by what she learned from the summary of the Senate Intelligence Committee's report on the CIA's secret rendition program. Released a year ago, it publicly confirmed that the agency used harsh interrogation techniques such as waterboarding and rectal rehydration on prisoners.

"[Torture] is traumatic," says Rodriguez. "How many years will it take me to get over the death of my son? Would I be driven to say or do something based on the trauma of that? I am very rational at the moment, but I wasn't always so rational."

Of the hearings, Rodriguez says, "It's very emotional. Every once in a while, I think, Wait a minute, how did this happen? Why am I coming here? And then I remember Greg. And that's why."

#### 'I HAD TO RELIVE THE ENTIRE THING'

In December 2008, the Office of Military Commissions created a lottery for victims' families to attend the court sessions. For every round of hearings, the commission randomly chooses five

people, who are each allowed to bring a supporter. Defense Department spokesman Commander Gary Ross estimates that 400 victims' relatives have signed up. Nearly 100 have attended so far.

"It is such a privilege to witness this process as an American citizen," says Julia Rodriguez, Phyllis's daughter. "I wish more people could see it." Her mother agrees, adding that the hearings should be more accessible to the American public—either by broadcasting them on TV or moving them to federal courts. Bucca, however, would like the detainees to stay on the island. "Keep it open," he says of Gitmo. "Keep [the prisoners] far away."

The 9/11 families' politics vary, but they share the uniquely painful experience of witnessing the men accused of killing their relatives standing in front of them in court. Many are determined to follow the hearings and the trial, which may be years away. Among those who may return if permitted: Randolph Scott's daughter Rebecca. In July 2011, Scott's note wound up at the New York medical examiner's office. After testing it, the examiner identified the blood on the paper's edge and called Scott's wife in to confirm the handwriting. "Instantly, we were like, [That's] Dad's," his daughter says. "I had to relive the entire thing."

Whether watching the hearing at Gitmo or back at home, the 9/11 families are still living with their loss to this day. "I don't believe in closure," says Phyllis Rodriguez. "There's no such thing." **N**



**SILENT WITNESSES:** Denise Scott, whose husband died in the attacks of 9/11, attended Gitmo hearings in 2011; two of her daughters made the trip in 2015.

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**MOB JUSTICE:** Police officer Inabeze Medikintos was dragged through the streets after being accused of shooting a protester.

## Burundi on the Brink

DIPLOMATS FEAR THE AFRICAN NATION COULD BE EDGING TOWARD CIVIL WAR

**INABEZE MEDIKINTOS** felt sure she was about to die. A mob had seized her, and she was separated from her colleagues in the Burundian police force. “Leave her for us!” an angry civilian shouted at the backs of Medikintos’s retreating colleagues.

Medikintos screamed as her attackers hurled rocks and blunt objects at her head and jostled to stab her with a kitchen knife. Police had just opened fire on protesters in the capital, Bujumbura, killing one in the mid-May scuffle. But the protesters, who were angry at the government, had picked up sticks and stones and were using them in pitched battles. The police had turned and fled. The group surrounding Medikintos accused her of shooting a female protester. “They could

have killed me,” recalls Medikintos, a former fighter in the rebel group that brought the country’s president to power. She escaped after a civilian calmed the mob down.

Now the skirmishes between forces loyal to the president and his opponents flare almost every day. Opposition supporters have mounted attacks on police, sometimes with grenades, and in mid-December they staged coordinated attacks on army bases. In retaliation, police hit squads executed dozens of civilians, residents of affected neighborhoods say. At least 400 people have died in the violence, and more than 220,000 people have fled to neighboring countries.

On December 17, the U.N. high commissioner for human rights, Zeid

Ra’ad al-Hussein, said Burundi was on the “very cusp” of civil war. That same day, the African Union met and vowed that Africa would not “allow another genocide to take place on its soil.” The AU’s peace and security council has proposed the deployment of a peacekeeping force in Burundi to protect civilians.

The violence began in April after President Pierre Nkurunziza declared his intention to run for a third term, which opponents say is illegal. Western powers fear the unrest could destabilize the Great Lakes region, where memories of the 1994 genocide in neighboring Rwanda are still fresh. Fourteen percent of Burundi’s population is from the Tutsi ethnic group, and 85 percent

is Hutu. The Tutsis traditionally held power in Burundi, until 1994 when Cyprien Ntaryamira, a Hutu, was elected president. Ntaryamira was killed alongside the Rwandan president, Juvénal Habyarimana, when their plane was shot down later that year. The killings sparked the genocide in Rwanda and led to a civil war in Burundi that killed 300,000 people.

For now, the divisions are essentially political rather than ethnic. But historical enmities could flare again, particularly if the rumored involvement of the pro-Hutu rebel group, the Democratic Forces for the Liberation of Rwanda, prove to be true.

Human rights groups, including Amnesty International, have collected evidence of abuses perpetrated by security forces. The government disputes that and says the opposition is carrying out the attacks on civilians. “The government cannot kill its people,” says presidential spokesman Willy Nyamitwe. The opposition, he says, “have been killing people and throwing bodies in the streets because they wanted to catch the attention of the international community.”



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# THE **JUNKIE** WITH THE WHITE PICKET FENCE



**BIG PHARMA,  
HEROIN AND THE  
NEW AMERICAN  
DREAM**

—  
**BY MIKE MARIANI**



# N

**NOT TOO** long after the Soviet flag was hauled down from the Kremlin, a startling number of Russian men started dying. Young and middle-age men began to drown, get run over and suffer asphyxiation and heart attacks in shocking numbers. There were all manner of suspicious, gruesome deaths, the details of which suggested alcohol abuse and suicide. The life expectancy for Russian men was plummeting; between 1986 and 1996, it dropped from 65 to 57.

For years it was a source of great perplexity and despair, and when journalists and academics finally began to make sense of what was happening, the answers were knotty. The fall of the Soviet Union had created what the United Nations Development Programme called a “demographic collapse” brought on in large part by a “rise in self-destructive behavior, especially among men.” But all that alcoholism and drug use didn’t come out of nowhere. Many saw it as a direct result of the worsening economic conditions in Russia, where poverty and unemployment had been sharply rising since the dissolution of the USSR. The combination of no job and no foreseeable better future was driving men to drink. And the vodka was killing them, by way of liver disease, alcohol poisoning and fatal accidents. It was a gallows humor version of “It’s the economy, stupid.”

Roughly a quarter-century later, a similarly grim narrative of self-destruction and death is filling graveyards. But this time, it’s happening in the United States.

In November 2015, two Princeton economists, Anne Case and Angus Deaton, published a report analyzing mortality rates among Americans from 1999 to 2013. Their findings violently overturned

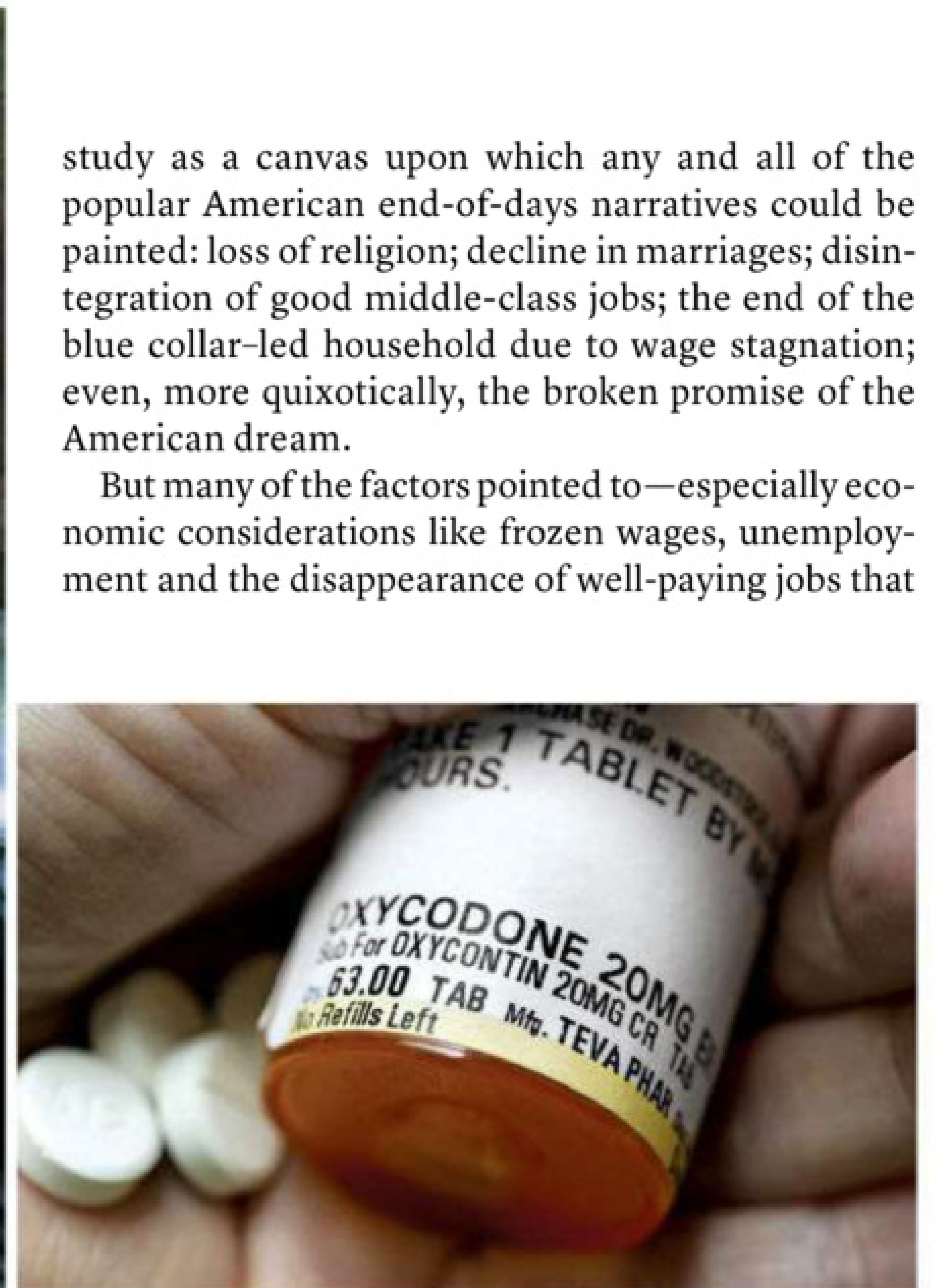


our fundamental expectations for life expectancy in 21st-century America: For 14 years, the mortality rate among white Americans age 45 to 54 rose, half a percent every year. According to Case and Deaton, if mortality rates had simply held steady at their 1998 number, there would have been 96,000 fewer deaths from 1999 to 2013. Further, if the mortality rates had continued to steadily decline as they had in the second half of the 20th century—and as is typical of industrialized countries—488,500 deaths could have been prevented over that 14-year period. As Deaton told *The Washington Post*, “Half a million people are dead who should not be dead.”

In a commentary on the study, Dartmouth economists Jonathan Skinner and Ellen Meara observed that “it is difficult to find modern settings with survival losses of this magnitude.” Skinner says the U.S.

“HALF A MILLION PEOPLE ARE **DEAD**  
WHO SHOULD NOT BE DEAD.”





study as a canvas upon which any and all of the popular American end-of-days narratives could be painted: loss of religion; decline in marriages; disintegration of good middle-class jobs; the end of the blue collar-led household due to wage stagnation; even, more quixotically, the broken promise of the American dream.

But many of the factors pointed to—especially economic considerations like frozen wages, unemployment and the disappearance of well-paying jobs that

didn't require a college degree—affected blacks and Hispanics in the U.S. even worse than they did whites. Yet mortality rates in those demographic groups have continued to fall. White middle-age Americans still have a lower mortality rate than, for example, middle-age blacks—415 per 100,000, compared with 581. But that difference is significantly smaller than it was 15 years ago, as black mortality in the 45-to-54 age group has fallen 2.6 percent per year since 1999, while that of their white counterparts rose. And European countries were racked by arguably even worse economic hardship than the U.S. in the past decade—but their mortality rates have likewise declined, in keeping with historical trends. Middle-age white Americans' mortality now lags well behind both Hispanics in the U.S. and corresponding age groups in France, Germany, Canada, the U.K. and other industrialized countries. Apply a bit of analytical rigor and the economics argument doesn't hold up.

Speculators were also quick to interpret the mortality figures as specifically a white *man's* problem—all the better to suit journalists' characterization of disillusioned former breadwinners made impotent by growing income inequality. But the numbers undercut that argument: Columbia statistics professor Andrew Gelman sifted Case and Deaton's data to separate the mortality rates for gender, and he found that women have been dying at a higher rate than men ages 45 to 54 since 1999, with the most pronounced spike coming after 2006. This data

mortality figures are unique even among other epidemiological crises: Compared with, say, the crack cocaine epidemic of the 1980s, the HIV crisis and even the mass deaths of Russian men in the 1990s, the current trend is unprecedented in its abrupt and unforeseen arrival. "There were a few studies that kind of hinted at it, but to find this rise in mortality where people didn't even know why, there's nothing that you can point to where you can say, 'Oh my gosh, this is why this is happening,'" he says.

When Case and Deaton's study was published in *Proceedings of the National Academy of Sciences* in early November, the intelligentsia slipped into a kind of paranoid rapture. Journalists, pundits and op-ed potentates came out in droves to offer their takes on the dismaying statistics. There are some clear hints as to what was going on: The data show that the uptick in deaths was primarily from drug and alcohol poisonings and suicides, with liver disease a somewhat distant third culprit. But there was no clear explanation for why middle-age white Americans were overdosing and killing themselves at such unprecedented rates. So many treated the

+  
**NEEDLE PARK  
SUBURB:  
A jump in  
the black-  
market price  
of painkillers  
led many ad-  
dicts to switch  
to the cheaper,  
but more dan-  
gerous high of  
heroin.**



FROM LEFT: JOHN MINCHILLO/AP; ROBIN RAYNE NELSON/ZUMA; PREVIOUS SPREAD FROM LEFT: PATRIK GIARDINO/CORBIS; FLOORTJE/GETTY



# WITHIN HOURS OF BEING DROPPED OFF AT HOME, JILL WAS HAWKING HER KINDLE ONLINE, TRYING TO SCORE CASH FOR HEROIN.

crunch sabotaged the neat and widely popularized idea that the dying were grievously disaffected middle-age white men, broken by the revelation that the American dream was a lie.

There is, however, something that does make white men and women in the U.S. unique compared with other demographics around the world: their consumption of prescription opioids. Although the U.S. constitutes only 4.6 percent of the world's population, Americans use 80 percent of the world's opioids. As Skinner and Meara point out in their study, a disproportionate amount of these opioid users are white, and past studies have shown that doctors are much more willing to treat pain in white patients than in blacks.

## BIRTH OF A PLAGUE

**"MY DAUGHTER** was a schoolteacher with a master's degree, her own home—yet she was a heroin addict," says Donna Shackett.

It all happened so quickly it didn't seem real to Donna. Jill Shackett, a 34-year-old elementary teacher in Bristol, Connecticut, underwent neck fusion surgery in 2012. The opioid prescriptions she received afterward sucked her into a vicious cycle of rehab and addiction—she had three separate stints in rehab facilities. After the last one, in 2013, Donna picked up her daughter at the airport and felt encouraged by her determination to get her life back together. Jill wanted her mother to take control of her finances and was



**STOLEN HIGH:** In 2011, four people were killed in Medford, New York, by a gunman who stole prescription painkillers.

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confident she would get back on her feet. But within hours of being dropped off at home, Jill was hawking her Kindle online, trying to score cash for heroin. She died the next day of an overdose.

The Shacketts' story is hardly unique. Prescription opioid use has been on the rise in the U.S. since the late 1990s, and heroin has not been far behind. From 2001 to 2014, the rate of heroin-related fatal overdoses has increased sixfold. And as the media coverage, town hall meetings and local legislative hand-wringing over the past 18 months have shown, things are only getting worse. A new heroin scourge has risen out of the ruins of the 2000s opioid craze, and, unlike previous incarnations in the late 1960s and '70s, it's no longer confined to the seedy alleyways of the nation's big cities. This time it's sweeping through working- and middle-class America. "It's the guy standing behind you in Starbucks," Donna Shackett says. "It's your kid's teacher. It's your next-door neighbor."

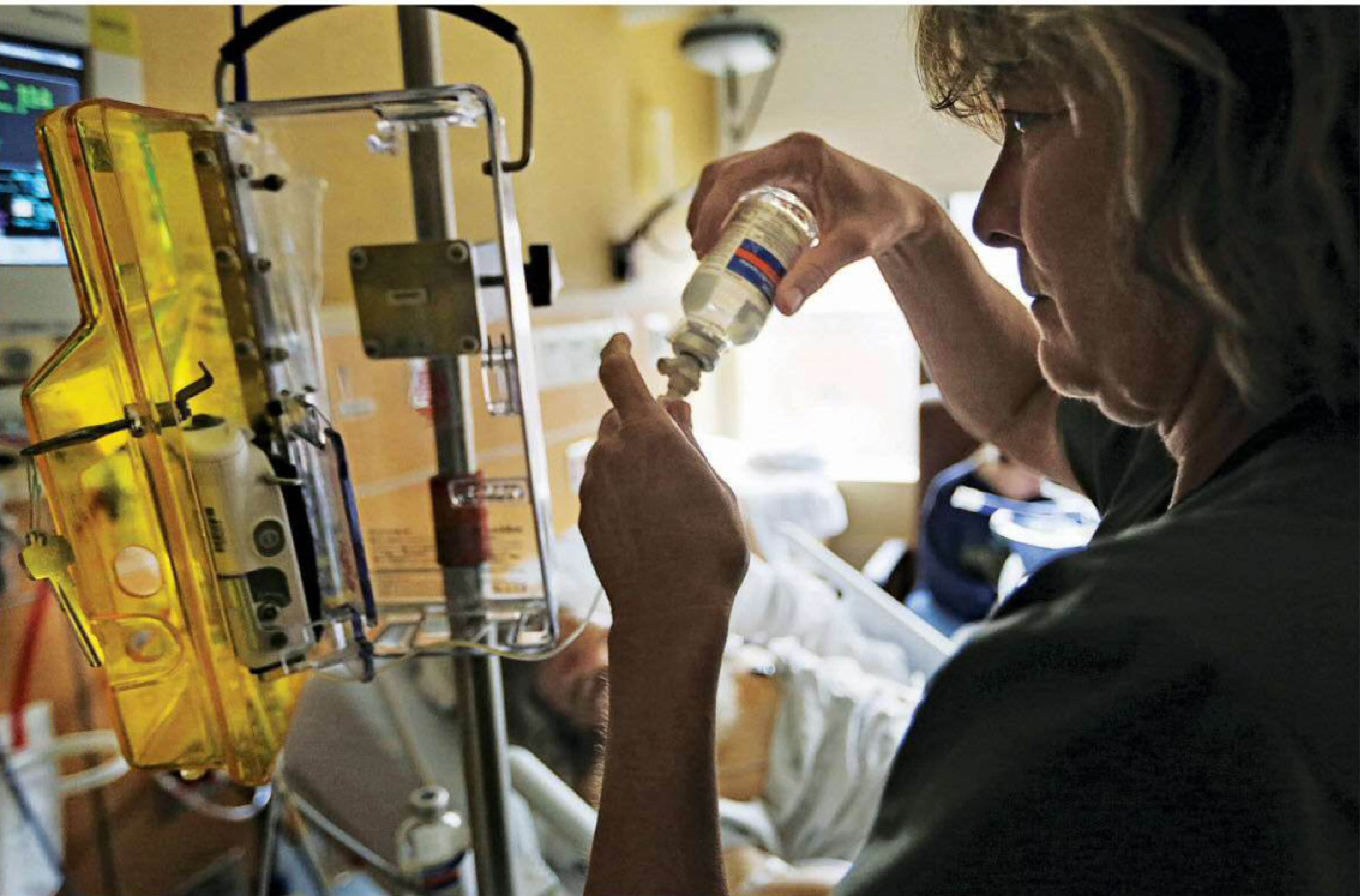
Prior to the 1990s, prescription opioids—synthetic opiates designed to mimic the effects of opium—were almost exclusively reserved for cancer patients in chronic, often excruciating pain. Doctors chose from a fleet of powerful opioids, including fentanyl, produced by Johnson & Johnson's Janssen Pharmaceuticals; Vicodin, produced and distributed by Abbott Labs; and Endo Pharmaceuticals's Percocet and Opana. Because these chemical compositions were precariously close to heroin, they were reserved for patients experiencing the uniquely severe pain that comes with tumors pressing against nerve and bone. But a movement in the mid-'90s led by pain advocacy groups and doctors specializing in pain management started pushing for the use of opioids for chronic non-cancer pain. By the late '90s, laws and regulations expanded the use of opioids to encompass that pain.

No longer restricted to the small, highly specific group of patients with painful, often terminal cancer diagnoses, opioids could now be used on everything from post-op recovery to back pain, sports injuries to migraines.

In 1996, OxyContin arrived in this brave new world of pain medication. Developed by Purdue Pharma, OxyContin was approved by the U.S. Food and Drug Administration in 1995 largely because it promised to be a safer alternative to the prescription drugs that were being increasingly abused. An FDA presentation from 2008, "History of OxyContin: Labeling and Risk Management Program," explained







FROM LEFT: SETH WENIG/AP; RICHARD TSONG-TAATARI/MINNEAPOLIS STAR TRIBUNE/ZUMA

that “delayed absorption, as provided by OxyContin tablets, is believed to reduce the abuse liability of a drug.” This became one of the key arrows in Purdue’s marketing quiver: Because of the drug’s time-release formula, it was abuse-resistant and therefore posed less long-term risk to patients.

Purdue Pharma knew that it would have to distinguish OxyContin from the glut of other effective opioids on the market. Purdue’s first wedge into the fray would be the claim that because of OxyContin’s time-release formula, patients would not need to take as many pills, and would not get the powerful, potentially addictive high caused by the opioids that are immediately released into the bloodstream. Meanwhile, Purdue downplayed OxyContin’s risks. At one point, the company claimed that the likelihood of addiction was “less than 1 percent,” and sales reps allegedly told health care providers that the drug didn’t even cause a buzz.

OxyContin was advertised with scads of promotional materials, including literature for prescribers, audiotapes, videos and a benevolently titled website, “Partners Against Pain.” Purdue also showered doctors with the kind of promotional swag—fishing hats, coffee mugs, and even a ’50s music mix titled

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**CONTROLLED  
SUBSTANCE:**  
Opioids are a  
powerful tool  
in treating  
cancer victims  
and other  
patients en-  
during searing  
pain.



“Get in the Swing With OxyContin”—that today feels laced with an ugly irony, like the paradisiacal cigarette ads from the 1940s. From 1996 to 2000, Purdue Pharma grew its sales force from 318 to 671. It also ramped up its marketing push in medical journals, increasing spending on advertisements from \$700,000 in 1996 to \$4.6 million in 2001. By that year, the company was spending around \$200 million a year marketing OxyContin. But Purdue’s most insidious tactic might have been the secret data it kept on health care providers all across the U.S. (whose existence the company finally acknowledged in 2013, 11 years after the effort’s launch). Through its sophisticated database, Purdue Pharma kept track of prescribing patterns among doctors, aiming its marketing push at those who used opioids most frequently with their patients.

The carpet-bomb marketing paid off: The rise of OxyContin was meteoric. Sales went from \$45 million in 1996, its first year on the market, to \$1.1 billion in 2000. From 1997 to 2002, OxyContin prescriptions for non-cancer pain increased nearly tenfold, going from 670,000 to 6.2 million. In 2007, Purdue pleaded guilty to federal charges that it misbranded OxyContin and misled doctors and patients





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**DAILY GRIND:**  
The painkillers can be ingested orally, intravenously or snorted.

about the risk of addiction and abuse. In a statement regarding the lawsuit, Purdue acknowledged that “some employees made, or told other employees to make, certain statements about OxyContin to some health care professionals that were inconsistent with the FDA-approved prescribing information.” The mea culpa notwithstanding, by 2010 the sales numbers would swell still further, to \$3.1 billion.

OxyContin led the way to a fourfold increase in opioid prescriptions during the 2000s. An oft-cited statistic is that in 2010 there were enough painkiller prescriptions in the U.S. to medicate every single American adult all day for an entire month. During the first decade of the 21st century, the country was so awash in opioid prescriptions that OxyContin pills dropped into black and gray markets, used recreationally by everyone from teenage girls to suburban moms to unemployed middle-age men. And the sharp hike in opioid prescriptions use had a virulent doppelgänger: The fourfold increase in prescriptions

was matched by a quadrupling of overdose deaths over the exact same period. In 1999, there were 4,030 fatal overdoses from opioids. In 2010, that number had ballooned to 16,651.

#### HEROIN WINTER IS COMING

CAYLEE (her name has been changed) grew up in Newtown, Connecticut. She had what she describes as a “really normal childhood”—a little brother; parents who are still together; fantastic grades in school. Her only hang-up, it seemed, was a lack of direction. After high school, she started working at an upscale home goods store and taking classes at a local college. By then she was already experimenting with prescription opioids. So many of her friends in Newtown were taking them that it was hardly thought of as taboo, let alone dangerous.

Caylee says pills made heroin seem normal, by helping it shed the odious DARE—the anti-drug and -violence education program—stereotypes of

GLENN ASAKAWA/THE DENVER POST/GETTY





## IN 2010, THERE WERE ENOUGH PAINKILLER PRESCRIPTIONS IN THIS COUNTRY TO **MEDICATE** EVERY SINGLE AMERICAN ADULT ALL DAY FOR AN ENTIRE MONTH.



the door to heroin.” Sometimes the initial foray into opioids was through legitimate prescriptions. In other cases, teens filched from parents’ medicine cabinets. The extraordinary surplus of the opioids in the 1990s, pushed on doctors through relentless marketing, deceptive statistics and secret databases, set the stage for the worst episode of prescription drug abuse in this country’s history. Then, the new decade, and two things happened that pushed Americans even more forcefully toward the heroin epidemic of today.

First, black market demand for OxyContin, the most highly coveted of all the prescription opioids, went way up, rapidly outstripping supply, and it became prohibitively expensive. An 80-milligram OxyContin pill—a dose common on the street—cost \$32 to \$40 in the mid-2000s; by 2009, in some areas of the country the going rate for the pills doubled to \$80. At the hideous peak of an addiction, when tolerance levels scrape the sky and are difficult to satiate, opiate addicts can burn through six or seven 80-milligram pills a day. In the late 2000s, that meant blowing through \$500 a day to feed a habit. It would be an unsustainable expense for most, let alone people rapidly backsliding into the life of a junkie. So many turned to the far cheaper and increasingly available alternative: heroin.

The second major factor in the shift from prescription pain pills to heroin was Purdue Pharma’s reformulation of OxyContin in 2010. After over a decade in which its golden-goose pill precipitated an exponential increase in opioid abuse and fatal overdoses, Purdue released a “tamper-resistant” version of OxyContin. According to the April 5, 2010, FDA press release, the reformulated pill was “intended to prevent the opioid medication from being cut, broken, chewed, crushed or dissolved to release more medication.” This reformulation might very well have decreased abuse by those not yet experienced with opioids. It’s also what Purdue points to when asked about its responsibility for the opioid and heroin addiction epidemics. “For more than a decade, Purdue has been working with policymakers, law enforcement and public health experts to address the risks associated with prescription opioids,” the company said in a written statement. “We believe the pharmaceutical industry has the responsibility and unique ability to help evolve the opioid market, which is why we’ve taken a leadership role in develop-

gaunt men skulking down New York City streets. Caylee progressed from pills to snorting heroin to eventually shooting it, and by 24 she was a heroin addict. It was inevitable, she says, because of the high cost of maintaining the habit. “Shooting up is always a financial decision, because your habit is so bad that you can’t physically sustain it by snorting it.” Because the high from injecting heroin is so much more powerful than the effects of snorting, a user’s money can stretch much further if she’s shooting up. And then you’re really hooked: Caylee says she knew people who were so badly addicted that immediately after buying the drug, they would start shooting up while driving away from the pickup.

Statistics suggest that the narrative beats of Caylee’s drug addiction story are shared by many in the U.S.: A July Centers for Disease Control and Prevention (CDC) report found that people who abuse opioids are 40 times more likely to become heroin users. As Caylee succinctly puts it, “Painkillers open



ing opioids with abuse-deterrent properties.” What few understood at the time they were introduced, though, was how these new opioids were going to affect the millions of Americans already dependent on the oxycodone inside the pills and accustomed to snorting and shooting it to get the best high.

No longer able to “break into the safe,” as one addict put it, droves of addicts moved on to the black tar and brown powder heroin that was already

**GOING OFF SCRIPT:** Police search the purse of a suspect who'd picked up three painkiller prescriptions in just nine days.



primed to shoot, snort or smoke. A 2012 study in *The New England Journal of Medicine* surveyed 2,566 opioid-dependent individuals and found that after Purdue released its abuse-deterrent pill, 66 percent of OxyContin abusers switched to another opioid. Heroin was by far the most popular choice. As one responder to the 2012 study put it, “Most people that I know don’t use OxyContin to get high anymore. They have moved on to heroin [because] it is easier to use, much cheaper and easily available.”

These accounts and accompanying data explain how heroin has become endemic in parts of America—the suburbs, the upper-middle class, New England—where the drug was previously just a skid row nightmare, chilling but remote. Somewhat paradoxically, addiction came first, and heroin followed. White Americans, already dying from OxyContin, fentanyl and Opana (oxymorphone, another synthetic opioid) abuse, are switching to the poison that’s cheaper, stronger and more deadly.



Today, drug overdose deaths from both prescription opioids and heroin continue their sharp climb in every age group. But the OxyContin Wild West of the 2000s was not just about skyrocketing overdoses—the overprescription of OxyContin, Vicodin and Percocet also spread the intractable disease of addiction. As Case and Deaton point out in their study, for every fatal painkiller overdose, there are 130 people addicted to prescription opioids.

“Mortality is the canary in the coal mine,” says Skinner. The fact that heroin overdoses nationwide increased 28 percent from 2013 to 2014 (with an accompanying 16 percent hike in prescription

**HER FRIENDS WERE SO BADLY ADDICTED THAT IMMEDIATELY AFTER BUYING THE DRUG, THEY WOULD START SHOOTING UP WHILE DRIVING AWAY FROM THE PICKUP.**





**FAMILY AFFAIR:** Recovering heroin addict Patrick Curatola mourns at the grave of his brother, who died of a heroin overdose.

painkiller deaths) means there are hundreds of thousands of addicts behind those fatalities, who are not only one wrong fix from death but are also saddled with addiction for life. And heroin addiction taken as a whole, Skinner says, is arguably even more pernicious than the deaths it can cause: It can tear families and communities apart, harming many more people than just the actual addicts.

Efforts are underway to fight the onslaught of prescription drugs and the sprawling heroin epidemic. Michael Botticelli, director of the Office of National Drug Control Policy in Washington, says his office has led an aggressive expansion of state-based prescription drug monitoring systems, allowing health care providers to identify potential abusers jumping from doctor to doctor to feed their addiction. The office focuses on educating prescribers about the perils of opioids. Botticelli has also led efforts to improve access to treatment for addicts, including bolstering distribution of naloxone, which reverses the effects of an opioid overdose. But perhaps most promising are the recently drafted CDC guidelines

for opioid prescribers, urging doctors to weigh the risks of dependency and abuse whenever prescribing opioids. The CDC recommends “three or fewer days” of opioid treatment under most circumstances—a long way from the 30- and even 90-day supplies patients have been able to obtain. While CDC guidelines are not binding, they are oft-cited and widely followed in the medical community.

Of course, while there is always a place for both triage and more stringent prescriber guidelines, such efforts won’t cut off these drugs at the source. And pharmaceutical companies like Purdue, Endo, Johnson & Johnson and Abbott Labs have little incentive to reduce the sales of their pain pills: They’ve been lavishly profiting from the opioid epidemic for nearly two decades. It’s also too early to tell how the opioid epidemic is affecting the livelihoods of men and women in their 20s and 40s. It may take years for us to fully comprehend the scope of its devastation. And there’s a good chance it’ll get worse before it gets better: In August, the FDA approved the use of OxyContin for children ages 11 to 16. **N**



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# A CHAPEL

BY MATTHEW COOPER  
PHOTOGRAPHS BY COREY HENDRICKSON

# IN THE WOODS

**OWEN LABRIE**, THE DEFENDANT FROM THE ST. PAUL'S SEXUAL ASSAULT CASE, BREAKS HIS SILENCE ABOUT LIFE AFTER HIS CONVICTION AND HIS FIGHT AGAINST OUTDATED COMPUTER LAWS THAT MIGHT ENSNARE ANY TEEN



# THIS PROBABLY ISN'T THE VERMONT YOU KNOW,

the quaint or hip parts with artisanal maple candies and transplanted New Yorkers in barns converted into luxury homes. Here the houses (many modest, some ramshackle) and the roads (largely rutted) seem more like hardscrabble West Virginia than picturesque New England. I'm at the home of Owen Labrie's father, a spry landscaper, musician and copy editor who makes us a killer beef stew for lunch on a cool November afternoon. The house is overstuffed with books and has a single broken, bulky television that looks as if it hasn't seen any action in years. Novelist Annie Proulx of *Brokeback Mountain* fame once lived here, which somehow seems appropriate. Labrie now has some of the trademark loneliness and despair of the characters in her books, who carry heavy burdens through frigid climes.

"We can stay out a little longer," Labrie tells me after lunch. With glasses, an untucked shirt and a sweater, the 20-year-old has the casual mien of a college student, but Labrie is not in school. He was

supposed to be a sophomore at Harvard by now. Instead, he's on a kind of parole, with a strict curfew. The former prep school superstar was convicted earlier this year on misdemeanor and felony sex charges involving a younger girl, and he has to get to his mother's soon, or he'll be subject to arrest. I worry if we're going to make it on time. The sun is approaching the horizon, but he really wants to show me more of his chapel, the one he's building.

Yes, a chapel. Labrie was going to be a divinity student if he'd made it to Harvard. At St. Paul's School, the early Christian texts electrified him, and before his world imploded he'd envisioned life as a rural pastor. "A wife, some sheep, some kids," Labrie had told me a day earlier, as we sat in his mother's curio-peppered house, a wood stove roaring. That scenario seems unlikely now, since most sex offender registries bar things like teaching Sunday school. His chapel is currently just a collection of beams carved with such precision that barely a nail will be needed to assemble them when they're raised like a barn. While it'll look like a chapel, it'll be a half-cabin, half-study where he can write and work. "It's an offering," he says. (Law enforcement mocked it as an effort to

suggest piety and elicit sympathy.) I can't help but think, at 12-by-16 feet, it's maybe twice the size of a prison cell.

In June 2014, Labrie, then 18, was accused of sexually assaulting a 15-year-old classmate at the St. Paul's School in Concord, New Hampshire—a charge he continues to deny. (News outlets have abided by

the convention of not publishing the name of a sexual assault victim.) The case had everything the media could want. St. Paul's, arguably the nation's best boarding school, was—the press reminded us constantly—a font of *power* and *privilege* and *prestige*. (All press accounts I read used at least one of the words. Most used two.) It's the alma mater of Vanderbilts, as

**IT'S AN OLD LAW THAT HAS FAILED TO KEEP UP WITH THE CHANGING TIMES.... LIKE MOST TEENS, LABRIE USED HIS COMPUTER AND SMARTPHONE TO LOOK FOR LOVE AND SEX.**





**LIMBO:** His judge suspended Labrie's yearlong jail sentence while he appeals his conviction, so he lives at home, under a strict curfew.



well as the State Department's John Kerry and the occasional eyebrow-raiser like *The Breakfast Club's* Judd Nelson. The circumstances of Labrie's case were tabloid gold and did not always reflect well on the aspiring minister. There were plenty of emails put into evidence of Labrie wooing the girl, then boasting of "boning" her. In court, he insisted said boning was mere braggadocio, but either way it was a jarring contrast to the young preacher's demeanor that Labrie projects. The young woman testified that she went willingly to meet Labrie in an academic building after hours and stripped to her underwear but then insisted he stop, and he refused. Later, she testified that this left her petrified and suicidal, and she insisted that her friendly and flirtatious notes with Labrie after the encounter were indicative of her own fear, not consent.

In August, a New Hampshire jury offered a mixed verdict that accepted parts of each of their stories. The panel of nine men and three women found Labrie innocent of felony sexual assault but guilty of sexual misdemeanors—basically, of a teen having sex with a slightly younger minor, the kind of charge that rarely comes to trial. (They rejected Labrie's story that he decided it would be a bad idea to take the virginity of someone so young. The prosecution mocked his sudden chastity, and the judge called Labrie "a very good liar.") And the jury did one other thing, something you should discuss with any teens in your life. It convicted Labrie of breaking a New Hampshire computer crime law, one of many enacted across the country in the 1990s, when the Internet went from oddity to necessity and parents began to fear pedophiles enticing their children not only on playgrounds but also on their PCs.

It's an old law that has failed to keep up with the changing times. Like statutes in many other states, it declares that soliciting sex from a minor using computer services is a felony, even if you're a teen. And, like most teens, Labrie used his computer and smartphone to look for love and sex. Had he used snail mail, no felony. Phone call, no felony. Text? No felony. Internet? Felony.

## WHITEY BULGER'S LAWYER

**I SPENT THREE DAYS** with Labrie in Vermont and New Hampshire this autumn. We ate meals and spent time with his parents, who split bitterly and litigiously when Labrie was young, dividing small assets and their son's time between their homes 10 miles apart. Labrie and I would have visited St.



**+ CLASS ACTS:** St. Paul's immediately shunned Labrie when the charges came out, but the campus also seemed to turn against the accuser, who transferred the next semester.

Paul's School, but he's barred from the campus and prohibited from calling students, alumni or their families. It was a move the school took before Labrie was found guilty. Some St. Paul's families rallied to Labrie's side, giving him emotional support and donations to a legal defense fund that reached six figures but was quickly depleted when Labrie hired the criminal lawyer who defended Boston mobster James "Whitey" Bulger. The girl and her family found the school unwilling to take stronger action against Labrie beyond banning him from campus. She felt ostracized for accusing a popular boy of a horrid crime and withdrew the following year.

Who to believe, her or him? That schism among students was becoming clear during Labrie's final days at St. Paul's in June 2014. Rumors had begun to circulate that something had happened between Labrie and the girl. Labrie says he thought everything was OK—he and the girl had exchanged kind notes, his wishing that when she loses her virginity it's to someone wonderful. It was not a good sign





for Labrie when he emerged from a special chapel service for graduating seniors and the girl's sister slugged him. A few days later, vacationing at a friend's home in Maine, he got a call from the Concord police saying they wanted to speak with him. Questioning followed. Labrie rejected plea offers to serve less than a month in the county jail and receive no sex-related charge. Instead, the case that would be splashed on morning news shows, tabloids and *The New York Times* went to trial.

Labrie's interviews with *Newsweek* were his first since his arrest—a chance to explain his life, his hurt, his efforts to rebuild. “I’d do it the exact same way,” he says of rejecting the plea deals. “It was the only thing that sustained me, knowing I had told the truth. I had done what was right. I walked out of the courthouse with my chin up.” His words might seem to strain credulity, since

**AT TIMES, HATE YIELDS TO MADNESS. LABRIE AND I WATCHED A YOUTUBE VIDEO THAT DEPICTS HIM AS PART OF THE ILLUMINATI.**

he had been looking at only three weeks in jail reading books, but he insists that “not caving” was one of the things that kept him going.

Neither the victim nor her family would give an on-the-record interview, but others in the St. Paul's community and in Concord were more open about the case.

While Labrie was restrained in what he said about the incident—his case is on appeal to New Hampshire's Supreme Court—he opened up about his journey from scholarship superstar to unemployed young adult living with his mom, his sentence suspended but subject to conditions such as the curfew. “We can't have a rapist working here,” one employer said to him the summer he got arrested in 2014. He gets cursed in hate mail and when he puts gas in his beater of a car. At times, hate yields to madness: Labrie and I watched a YouTube video that depicts him as part of the Illuminati, and the domed observatory at the school's science building, where the incident occurred, as a mosque. There are feminist poems dedicated to his demise and “bro” sites that cheer him for tapping that “skank.” Amid the swirling national debates about rape culture and local tensions between Concord and wealthy St. Paul's, it all coalesced in a trial that was about Labrie's behavior but was also a window into things larger than one lanky boy and his theretofore remarkable ascent.

## CHAOS THEORY AND DRY HUMMING

**MISTAKES NEVER SEEMED** to be a big part of Labrie's life before May 2014. He was born to a couple with little money but plenty of education. His mom attended graduate school at Brown, where she met his father, who had prepped at Phillips Andover, the boarding school famously favored by the Bush family. She is a public school teacher with an earth mother's warmth and a tear-prone frailty; he abandoned academia and has a sly, edgy tone.

A bright, very polite child, Labrie was in ninth grade, attending a private day school, when he learned that his scholarship money was in jeopardy. The dreaded news came just as admission deadlines for private schools approached. Labrie scurried to apply to several, including St. Paul's, where he charmed in a hastily arranged interview, chatting easily with his African-American interviewer about the writings of Richard Wright. They gave him a full scholarship.





“I hid my conVermont flannel the first year,” he tells me, referring to the woodsy garments that would have marked him as a rural kid from the not-cute part of the Green Mountain State. But Labrie thrived at St. Paul’s, one of its brightest stars, which is saying something. It’s the kind of place where hyper-ambitious kids spend summers at Mandarin immersion camp and deworming orphans in the Sudan, with a couple of weeks in Nantucket, and make it all look easy. Because the school is so wealthy, it can afford a lot of scholarship students, so Labrie’s humble upbringing was noted but hardly unusual, say St. Paul’s alumni.

Labrie was captain of the soccer team, rowed crew and started a pond hockey club, renewing interest in the poor man’s version of the game at a school with two pro-quality indoor rinks. His grades were stunning. After whizzing through advanced math classes, he took on an advanced study of chaos theory. “It’s basically trying to make sense of why things happen,” he says, sitting on his mother’s couch, noting that it seems an appropriate topic, given the trouble he’s in now. But religion “answered more questions” than mathematics. He loved Ralph Waldo Emerson, who had his own problems with Harvard, having been shunned for 30 years for a talk deemed blasphemous.

Despite a kind of nerdy manner, Labrie was smooth with girls. One St. Paul’s insider noted that he had plenty of senior girls interested in him almost from the day he arrived. A former girlfriend wrote a note to the judge who sentenced Labrie, asking for leniency, and her parents donated money to his defense fund.

As graduation approached, Labrie had already been

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**BILLABLE HOURS: Generous donors gave Labrie a hefty defense fund, but he burned through that with a high-priced lawyer.**

admitted to Harvard, and he won his school’s top honor, the Rector’s Award (later rescinded). In his final days at St. Paul’s, Labrie participated in an informal ritual called the Senior Salute. It’s not entirely clear when this corny-sounding but profoundly disturbing tradition began and what it involves. Accounts vary, but the basic idea is that during the last couple of weeks of school, graduating seniors (boys and girls) ask younger classmates they may have been too shy or too busy to woo to go on a date. Sometimes those dates are carnal. Sometimes they’re chaste. Labrie had his eye on a pretty 15-year-old. On a written list of girls he was interested in seeing, her name was in capital letters.

Labrie wooed the girl for weeks with romantic lines like “The thought of my name in your inbox makes me blush.” She demurred at first, citing the way he’d hit on younger girls and noting that he’d dated her sister (the one who cold-cocked him). But she eventually agreed to meet him in the math and sciences building, for which he had managed to get a key. On this the two agree: They made out in the building’s noisy and decidedly unromantic mechanical room and were down to their underwear on the floor. She arched her back so he could take off her shorts and raised her arms so he could take off her shirt but, she later testified, was emphatic that she wanted to go no further. “Keep it up here,” she recalled saying to him, but she contends Labrie penetrated her with his fingers and penis and tongue, and the jury agreed. He says there was no penetration, only dry humping, and that he decided, after putting on a condom, that he should stop because she was too young.

## ROMEO AND JULIET OR RAPE?

**THE TRIAL** evidence favored and cast doubt on each of them. Labrie’s ugly words to his friends—he quoted a comedian using the word “cum bucket”—made him seem like a cad, if not a predator. That the girl had chatted amiably with him in the days after the encounter, Labrie’s counsel argued, was proof of consent. The physical evidence was inconclusive. Labrie’s DNA was on her underwear, but that was consistent with his story and hers. New Hampshire is one of a minority of progressive states that don’t require women to fight back to prove rape, so the lack of substantial bruising didn’t help Labrie. The prosecutors argued that a vaginal abrasion was caused by forced penetration. The defense countered that it was part of the dry hump. The defense tried to use the girl’s having shaved her pubic hair as proof she was eager to have sex and cited, as exculpatory, a friend



who testified that she heard the victim say she would perhaps perform oral sex on Labrie or let him penetrate her with his finger. The victim denied making those statements.

The verdict reflected the conflicting evidence. The jury threw out the sexual assault felony charge, which was a huge victory for Labrie, but found him guilty of a series of misdemeanors, essentially statutory rape, meaning jurors seemed to believe he'd had intercourse with her. This is a crime that's rarely prosecuted, and when it is, the law has treated it delicately. Most states, New Hampshire included, have sensible "Romeo and Juliet" laws, as they're called, for dealing with young adults having sex with minors. These laws create a necessary distinction between an inappropriate but common case of an 18-year-old having sex with a 15-year-old versus a 40-year-old raping an infant. Labrie was found guilty of breaking the Romeo and Juliet laws—misdemeanor offenses.

Labrie was also found guilty of Section 649-B of

New Hampshire's criminal code, which makes it a felony "to seduce, solicit, lure, or entice a child or another person believed by the person to be a child" for sex or lewd behavior on the Internet. It carries a sentence of up to seven years. Most states have a version of that law. The problem for Labrie and the rest of us is that troubling results can stem from it. What teen today doesn't use the Internet to

hook up? "If you're two doors away, you're using Facebook," says Labrie's attorney, Jaye Harcourt. "It's an absurd result because the underlying crime wasn't a felony."

The judge gave Labrie a year in the county jail—a lucky break for Labrie, since it kept him out

of the much rougher state prison—and suspended the potentially years-long sentence on the Internet charge. But Labrie still had to go on the sex offender registry in Vermont, a life sentence that could affect everything from where he works to where he lives; in most states, sex offenders can't work around kids or live near parks. The former St. Paul's soccer captain

**THE PROSECUTION  
MOCKED LABRIE'S SUDDEN  
CHASTITY, AND THE JUDGE  
CALLED HIM "A VERY  
GOOD LIAR."**





might never coach his kid's soccer team. This scarlet "sex offender" tag is part of why Labrie is appealing to the New Hampshire Supreme Court, which may take another year to rule. It could overturn part or all of his convictions. His legal team has yet to shape its arguments, but front and center is likely to be the doctrine of absurd result: A well-meaning law had, through happenstance, led to a cruel—and unusual—punishment.

New Hampshire's attorney general will surely fight the case, and law enforcement has hinted about bringing other charges against Labrie if these get thrown out. (They're looking at the timing of his deletion of Facebook messages, which might allow prosecutors to level obstruction of justice charges.)

Meanwhile, lawyers representing the girl strongly hinted at trial that they're ready to launch a civil suit against St. Paul's School for countenancing the Senior Salute.

If Labrie's case sounds like a crazed legal mess, it is. The media flocked to it because of St. Paul's reputation, but we're in an age where technology and teens can collide in countless bad ways at any institution. At a high school in Canon City, Colorado, parents and school officials recently discov-

ered that students had been trading nude photos of themselves and classmates—more than 100 kids and thousands of photographs. The school and parents called the police and prosecutors.

That legal thicket makes the Labrie case look simple. Prosecutors must determine if the student subjects or photographers were underage or adults, if the pictures were taken consensually and if they were traded over the Internet and/or via text. Were they being used to solicit sex or as blackmail? And if some of the pictures ended up on a home computer, are the parents exposed to child porn charges? There's no way to write laws to account for every circumstance, so the best protection is prosecutorial discretion—the wisdom to know what's worth criminalizing and what's best sorted out by families and schools.

You can understand prosecutors wanting to use the Internet predator statutes to widen the scope of their investigation of Labrie. It allowed them broader subpoenas. It was a wrench in their toolbox, and they used it. "But that's a total dodge," says Nancy Gertner, a Harvard Law professor, Democratic appointee to the federal bench and a women's rights attorney who is not the only feminist troubled by Labrie's case, especially how it began as a three-week plea

**NOT FREE TIME:** Labrie splits his time between the homes of his mother and father, right, and just finished building a small chapel.

+



COREY HENDRICKSON/GETTY FOR NEWSWEEK (2)





deal and ended up as a felony and a lifetime on the sex registry. “They had discretion.”

The last time I see Labrie is at Lou’s, a much-loved diner near the Dartmouth College campus. He is wearing a St. Paul’s windbreaker. I’d noticed that he would wear St. Paul’s attire and occasionally the cap from another prep school. At times, he seemed to fear that it would make it easier for people to recognize him; other times, he wore it defiantly. He’d worn a St. Paul’s shirt for his mug shot back in 2014, he tells me, as a signal that he was still connected to the place, even though it was trying to erase his memory. Over vegetarian hash, I tell him I think the email felony sentence, even with its seven-year penalty generously suspended by the judge, was excessive. But I add that I’m not sure what to believe happened that night. He seems disappointed, but as we step into the quaint, misty Ivy League street he is buoyed when a woman stops us and says she believes in him.

A few weeks later, Labrie sends me a video of the chapel-raising, which came a few days after he was formally put on Vermont’s sex registry. Labrie and

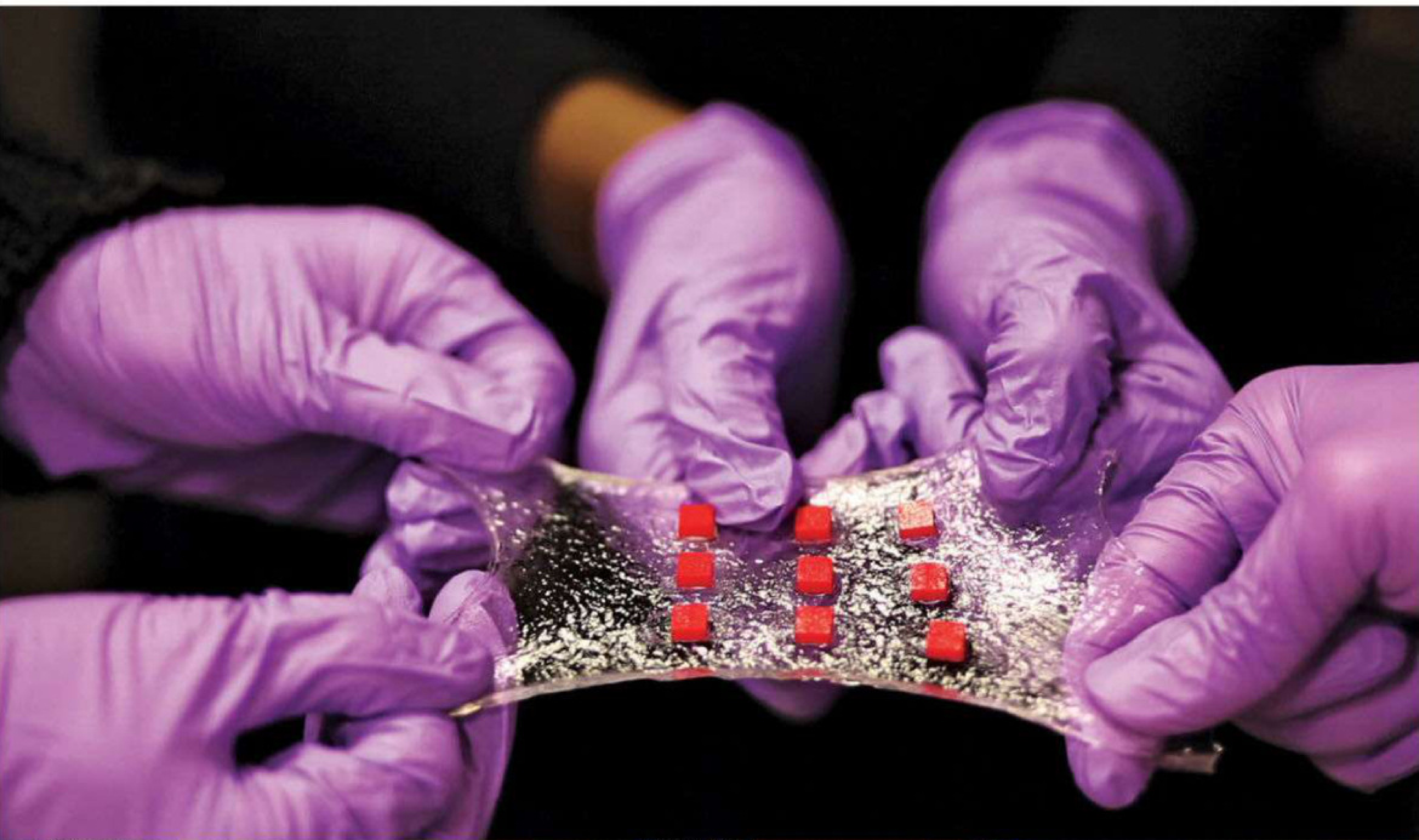
his father and a few neighbors using their muscle to raise the small frame against a darkening December sky may not be the famous Amish barn-raising scene from the movie *Witness*, but it is touching, a search for permanence, albeit amidst the maelstrom he wrought. (I can only imagine what the victim is doing to recover.) Mastering timber frame joinery also may not be Labrie’s greatest accomplishment, but for a young man who may be in jail a year from now, it offers some catharsis.

I call him to ask how he is doing now that the chapel is up. “Outstanding,” he says, as we speak by phone around midnight. He says he’s getting a little less hate mail and fewer middle fingers. But mostly having the chapel go from

“Lincoln Logs,” as he puts it, to a real thing has cheered him. Still, he opens up about the crushing debt of his continued legal case. “I try to save some money here and there for the chapel,” he says, noting it cost about \$1,000 for materials, and that’s about the hourly rate of one of his likely appellate attorneys. By the end of the call, “outstanding” has been downgraded to “pretty good.” Given his trials, personal and legal, that I believe. ■

**THERE’S NO WAY TO WRITE LAWS TO ACCOUNT FOR EVERY CIRCUMSTANCE, SO THE BEST PROTECTION IS PROSECUTORIAL DISCRETION.**



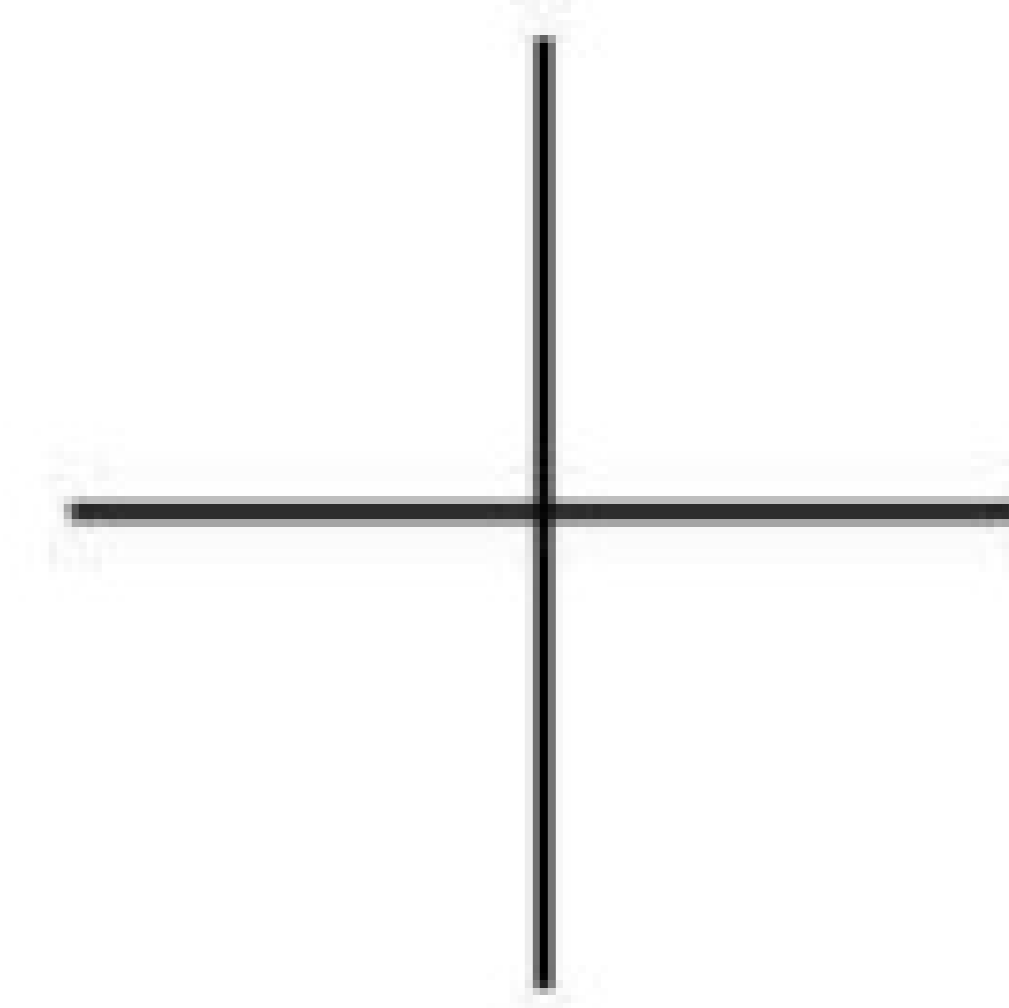


MELANIE GONICK/MIT





NEW WORLD



CLIMATE

HEALTH

HACKING

INNOVATION

SPACE

WILDLIFE

GOOD SCIENCE

## BUILDING THE BETTER BAND-AID

MIT researchers have designed a “smart wound dressing” using hydrogel embedded with electronic sensors

**WRAP GENIUS:** A hydrogel bandage can stretch more, adhere better and even deliver drugs to the wound and data to a smartphone.

**LEGEND HAS IT** that in 1920, the first adhesive bandage, the Band-Aid, was invented by a young Johnson & Johnson employee newly wed to a woman who had a knack for cutting her fingers while preparing dinner. And for nearly 100 years since, we’ve been using the same basic design—cotton gauze, crinoline and an adhesive strip—to cover our nicks and burns. But in recent years, science has begun to give us all types of bandages that go way beyond just covering scrapes and cuts. Some can stop bacterial infections or put an end to bleeding in as little as 15 seconds. Now researchers from MIT have created one out of a malleable polymer with sensors that is capable of stretching over your skin and healing wounds faster.

A team led by Xuanhe Zhao at MIT designed a hydrogel bandage, made of highly absorbent polymer chains, that can stretch to nearly double its length to cover wounds in areas where placing a traditional bandage would be difficult—such as a knee or elbow. It has electronic components for

monitoring body temperature and other vitals—the idea is that drug reservoirs could be built into the “smart wound dressing,” and the sensors could determine when to release the medicines and how much. All of the sensor data can be monitored via a smartphone, giving health care providers insight into how the wound is healing, when drug reservoirs are low and, for example, if the patient has become feverish.

Zhao believes the hydrogel the team designed could have internal applications as well—for example, delivering neural probes to the brain. Hydrogels are also increasingly being used in ways beyond healing wounds. One team of researchers is looking at how they can be used in the next generation of condoms, which contain anti-HIV properties. Zhao’s next project, he says, is to use the hydrogel to get a glucose sensor inside the human body. If it works, it could eliminate the need for those with diabetes to prick their fingertips and draw blood multiple times a day. **N**

BY

STEVE SMITH

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DISRUPTIVE

## UNCLE SAM NEEDS YOUR CODE

# Wanna fight ISIS? Weaponize your laptop

**BUYING A GUN** as a response to terrorist attacks is prepping for last century's war. If you want to be a modern anti-terrorist vigilante, get a laptop and help Anonymous.

Seriously, we ought to pass a new constitutional amendment guaranteeing the right to bear technology.

You know all these programs like Code.org meant to get people to learn code and retrain themselves for the future? It's time to glamour them up with a patriotic call to arms. Hacking is the best way to protect America. When thousands of beefy guys in crew cuts and fatigues start huddling over keyboards in dive bars and working to gum up ISIS with denial of service attacks, the world will be a safer place.

Sound counterintuitive? Wimpy? Geekier than an episode of *The Big Bang Theory*? Well, as we've been told over and over, the most dangerous weapons of the Islamic State militant group aren't guns and bombs. The real threat is ISIS's use of technology: social media, YouTube, encrypted texting apps, recruiting websites. The bastards are better at using digital media to spread a brand than Procter & Gamble.

ISIS relies on this digital branding to inject its poison into residents of other countries, getting them to buy their own guns and bombs, attack near home and die for the cause. That's what happened in both Paris and San Bernardino, California, and will probably happen in other places. A lot of people want to protect themselves by returning fire after the attackers start shooting. A better plan is to muck up ISIS's ability to recruit so no one attacks in the first place.

This is what Anonymous announced it would do when it declared war on ISIS in November. Anonymous is the hacker group that posts videos that look like Anderson Cooper is on CNN wearing a Guy Fawkes mask and talking like Darth Vader. As Glenn Greenwald, the journalist who aided Edward Snowden, described the group: "Anonymous is not a shadowy organization but a loosely knit collection of activists all over the globe." It may sound scary, but its intentions are generally good.

An Anonymous representative said the group's "current mission is to exterminate all terrorism content on the Web, making it hard for terrorists to recruit online." Denial of service attacks—overwhelming a website so no one can get on it—is one tactic. The group also says it has identified and helped disable thousands of ISIS-run Twitter accounts. If it ever hacks into an ISIS database of names, it could release a list to the public or to officials. Anonymous is even encouraging non-coders to get involved, like when it recently prodded Internet pranksters to mock ISIS for a day. (The so-called caliphate somehow survived a vicious onslaught of jokes about romantic attachments to goats.)

Can Anonymous take down ISIS? Experts express doubt. But if Anonymous's actions inspire millions of hacktivists globally, all dedicated to interrupting digital extremist activity and recruitment, then we might get somewhere.

Here's the other thing: The gravest terrorist threats don't involve guns. Terrible as it was to learn about San Bernardino and Paris, guns can't kill vast numbers of people. Forty-five



BY  
**KEVIN MANEY**  
@kmaney



**BASIC TRAINING:**  
As digital warfare spreads, the Marines may want to change their slogan to: *The few, the proud, the Anonymous.*

Americans have died in such attacks since 9/11. Something like 80,000 a year die from drinking too much alcohol. Another 35,000 kill themselves each year. If you own a gun, the odds are greater that you'll shoot yourself rather than get shot at by anybody else.

The ultimate threat is if one of these groups gets hold of a nuke. No citizen with a gun is going to stop that. A citizen hacker at least has a chance of intercepting some telling communication or finding secret plans.

This is a profound change since the Second Amendment was written. Back in the 1780s, a few guys with guns actually might have been able to keep an oppressive government off their backs—which was the whole point of ensuring the right to bear arms. Now, of course, good luck wielding a gun when the F-4s come screaming in.

However, in this digital era, a lone person with a laptop can effectively fight a government.

Snowden is Exhibit A. Some of Anonymous's actions—like during the Arab Spring in Egypt, when the government disabled Internet and wireless networks, and Anonymous helped get protesters back online—show the potential power of the laptop. At this point, if a smart oppressor wanted to control us, it would come for our laptops, not our guns.

Anonymous's declaration of "war" against Donald Trump could change attitudes about guns versus laptops. No one would ever want to see a repeat of the shootings of candidates George Wallace in 1972 or Robert Kennedy in 1968. If Anonymous succeeds in electronically roughing up a candidate, a new equation might be written. If the pen used to be mightier than the sword, now the keystroke is mightier than the automatic weapon.

Still, a nerd brandishing a laptop isn't quite the image we Americans have of ourselves. Gun people and hacking people are from two different planets. According to a Pew Research survey, adults in gun-owning households are more likely, compared with the average American, to think of themselves as an "outdoor person" and to say "honor and duty are my core values." This doesn't exactly describe the typical hacker. Gun

## THE SO-CALLED CALIPHATE SOMEHOW SURVIVED A VICIOUS ONSLAUGHT OF JOKES ABOUT ROMANTIC ATTACHMENTS TO GOATS.

owners tend to be Republican; Silicon Valley is overwhelmingly Democrat.

We need this dynamic to get flipped on its head. We need the gunslingers and Fox News commentators to rally around Anonymous and the hacker culture and help make it tough and cool and red, white and blue. ISIS is making it clear that the 21st-century heroes will have JavaScript flying from their fingertips.

You know how it goes: The only thing that can stop a bad guy with a laptop is a good guy with a laptop. **■**



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## NEW DOG, NEW TRICKS

The coywolf, a hybrid canid made up of coyote, wolf and dog genes, is expanding across the eastern U.S.

A **NEW TOP** predator roams the northeastern United States. The creature, which is equally at home in city parks, in graveyards and on the exurban fringes of civilization, has the lithe body and rust-tinged gray coat of a coyote. But it's bigger, with a robust, wolfish skull and steel-trap jaws. Peer into the animal's DNA, as scientists have begun to do over the past decade, and in addition to wolf and coyote you'll find a dose of domestic dog.

Some call this in-between animal a "coywolf," a mashup of the two largest contributors to its genome. Others prefer the more sober "eastern coyote"—the animal is mostly coyote, but is very much distinct from the form native to the Southwest and Great Plains. Whatever you call it, this coyote-wolf hybrid is a creature of the Anthropocene: one whose evolution was set in motion by human actions, and that has evolved into an ecological niche shaped by humans. "It has been a very successful animal in human-impacted landscapes," says Bradley White, a wildlife geneticist at Trent University in Ontario. The coywolf is a reminder of how thoroughly our species has transformed the Earth's biological and physical landscape. But its story—now unfolding almost in our backyards—is also evidence that evolution retains powerful creative potential.

Since the 1800s, coyotes have expanded their range eastward, their movement enabled by the clearing of Eastern forests and the extirpation

of the wolves and cougars that once lived there. One stream of coyotes pushed through the Great Lakes region and, around 1900, arrived in Ontario. There they encountered eastern wolves, which are closely related to coyotes and had previously inhabited much of the Eastern Seaboard. But by this point most of the wolves had been driven out by European settlers. The wolves were remnants, and the coyotes were pioneers. Neither canid, as scientists call dogs and their kin, had many choices when it came to finding a mate, and so sometimes the kissing cousins chose each other. The result—along the southern edge of Algonquin Provincial Park around 1920, according to scientists' best estimates—was the formation of a coyote-wolf hybrid.

From historical documents, scientists have pieced together how the hybrid expanded its range. Local newspapers frequently recorded sightings of the animal, which was seen as a threat to livestock. Biologists from government agencies also mentioned it in their reports. The animals spread eastward across Canada, as well as south into the Northeastern United States, arriving in far upstate New York in the 1940s or 1950s. More recently, they have moved into the New York suburbs of Westchester County and even entered Manhattan, possibly via a railroad causeway that runs from the Bronx to Inwood Hill Park at the northern tip of the island. Today, the coywolf is widespread throughout southeastern Canada and

BY  
SARAH DEWEERDT  
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**BARK OFF THE SAME TREE:** Unlike wild eastern coywolves, captive “western coywolves” are bred by inseminating western coyotes with western gray wolf semen.



New England, south to the mid-Atlantic states and west to parts of Ohio. “It essentially reoccupied a lot of the land that the eastern wolf would have originally occupied,” says White, who estimates the animals’ number in the hundreds of thousands throughout this range.

Through much of its history, people noticed the new arrival, but they didn’t know exactly

what it was. Was it a coyote-dog hybrid? Were coyotes simply getting bigger as they moved east? Until recently, “everyone seemed to agree that there was something funny about it, but no one was really looking at it very closely,” says Roland Kays, a zoologist at North Carolina State University who has been studying coyotes in the Eastern U.S. since 2000. About a decade



**A WHOLE NEW FANG:**  
The coywolf can live as a pack animal, a trait it shares with wolves, but it can also function in smaller social units if the environment demands it.



JOEL SARTORE/NATIONAL GEOGRAPHIC CREATIVE

ago, scientists began to explore the animal's genome, revealing that its DNA is about 60 percent coyote, 30 percent wolf and 10 percent dog. That genetic mix might be why the hybrids have spread so quickly and thrived; their combination of coyote and wolf traits turns out to be particularly suited to the patchwork of cities, suburbs and exurban areas that characterizes the North-

east today. Coywolves are smaller than eastern wolves, live in smaller groups and can make a living in smaller patches of habitat. "They literally fit into the landscape better than wolves do in most areas," says Jon Way, a field biologist who has been studying their ecology and behavior since the late 1990s. They also have a coyote-like temperament—unfazed by humans



living nearby, yet more elusive and less prone to coming into conflict with people than wolves are.

On the flip side, their wolf heritage makes them comfortable hanging out in forested habitats that coyotes shun. And because they're larger than western coyotes and tend to hunt in small packs, they can take down larger prey—like the white-tailed deer that are now superabundant in Eastern forests. “To have a species that could potentially play the role of top predator, top carnivore, but also is willing to put up with human activity is a big benefit, something that we may not have expected,” says Chris Nagy, director of research and land management at the Mianus River Gorge and a co-founder of the Gotham Coyote Project. At the gorge, a natural area in the New York suburbs, “deer management is probably our No. 1 conservation concern, so I’m happy to have their help,” he says.

Moreover, the animals’ dual parentage makes them flexible: Those in urban areas tend to live in smaller groups and subsist on smaller prey, while those in rural areas tend to adopt a more wolfish diet and behavior. This means the hybrids can exploit all parts of the city-to-exurban gradient in a way that neither of their parent species would likely be able to do. “They are filling a niche that was left vacant after wolves and cougars were eliminated in the 1800s,” says Javier Monzon, a biologist at Pepperdine University who conducted the largest genetic study of the animals so far.

Biologists considered restoring wolves to the Northeastern U.S. but were hampered by uncertainty about exactly which sort of wolf to bring back and political controversy about where in the landscape wolves do and don't belong. Now it appears that instead of restoring the wolf of the past, by happenstance we've sparked the emergence of a newfangled predator to replace it. “This is kind of the return of the DNA,” White says: The hybrids are bringing wolf genes back to the Northeast.

Hybridization—or the genetic mixing of two distinct kinds of organisms—is often considered a threat to biodiversity. Sometimes that's true: The golden-winged warbler is threatened by hybridization with the closely related blue-winged warbler, which is expanding its range. But this meeting of coyote and wolf suggests a different view: “Hybridization is actually one way in which evolution occurs over time,” says Bill Lynn, an ethicist specializing in wildlife issues. Lynn and Way argue that the coyote-wolf hybrids should be considered a unique species because their appearance and genome are distinct from other canids,



and in the core of their range “they’re just mating with others of their own kind,” says Way.

No one knows what will happen in the coming decades as the hybrid population expanding south and west from New England meets—and likely mingles with—western coyotes expanding their range eastward. There's even evidence that hybrids are migrating back across the Canadian border into the Midwest, which is already home to western coyotes. Evolution isn't done with these creatures yet.

Nor is it clear what will happen as people become more aware of these animals, and as more of them move into heavily populated areas.

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**“EVERYONE SEEMED TO AGREE THAT THERE WAS SOMETHING FUNNY ABOUT IT, BUT NO ONE WAS REALLY LOOKING AT IT VERY CLOSELY.”**

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Wolves have their detractors, but they also inspire passionate advocacy (perhaps in part because relatively few people live in close proximity to them), and they are protected as an endangered species. But there's less romance associated with coyotes—people participate in coyote-killing contests, and many states permit almost unlimited hunting of them. Will we think of the hybrids more like wolves or more like coyotes?

“In some senses, we're responsible for this particular situation by changing the landscape, by changing the mix of species, by encouraging the movement of one species into the territory of another,” Lynn says. To him, how we respond will be a kind of symbol of where we're headed as a species. “If we can learn to live with large predators like coywolves in developed landscapes, we will have taken a huge step towards living sustainably on the Earth.” **N**



## COUNTING WORMS

A “microbial clock” that can accurately predict time of death might be the next big thing in forensic science

ON A TUESDAY evening in July 2013, a woman in her 50s was found bound, gagged, stabbed to death and wrapped in a carpet in the driveway of her Honolulu home. The woman’s ex-husband hadn’t heard from her since the two had dinner the Saturday before, and he grew worried, so he went over to her house. No one answered the door, and her car was missing, so he flagged down a security guard from a building next door. They investigated and quickly noticed a foul odor emanating from around the back of the house. The police were called in and they soon discovered the decaying body, rolled up in a moldy rug tucked away out of view in the driveway. Then they started piecing together evidence about her murder.

In cases like this, in which the body is found in some state of decomposition, one of the key mysteries is the timeline of the crime. Investigators may look at cellphone records to see when the deceased sent her last text message. Or ask colleagues when she left work. They might measure the corpse’s temperature to see how much it has cooled or examine insect infestations in a body found in a shallow grave. But these methods can’t be used in all homicide scenarios, and all have flaws. A body’s temperature, for instance, will cool differently depending on if it has been left in a sunlit room or submerged in cold water. And the more days that elapse between when someone dies and the body is

found, the more difficult deciphering the time of death becomes.

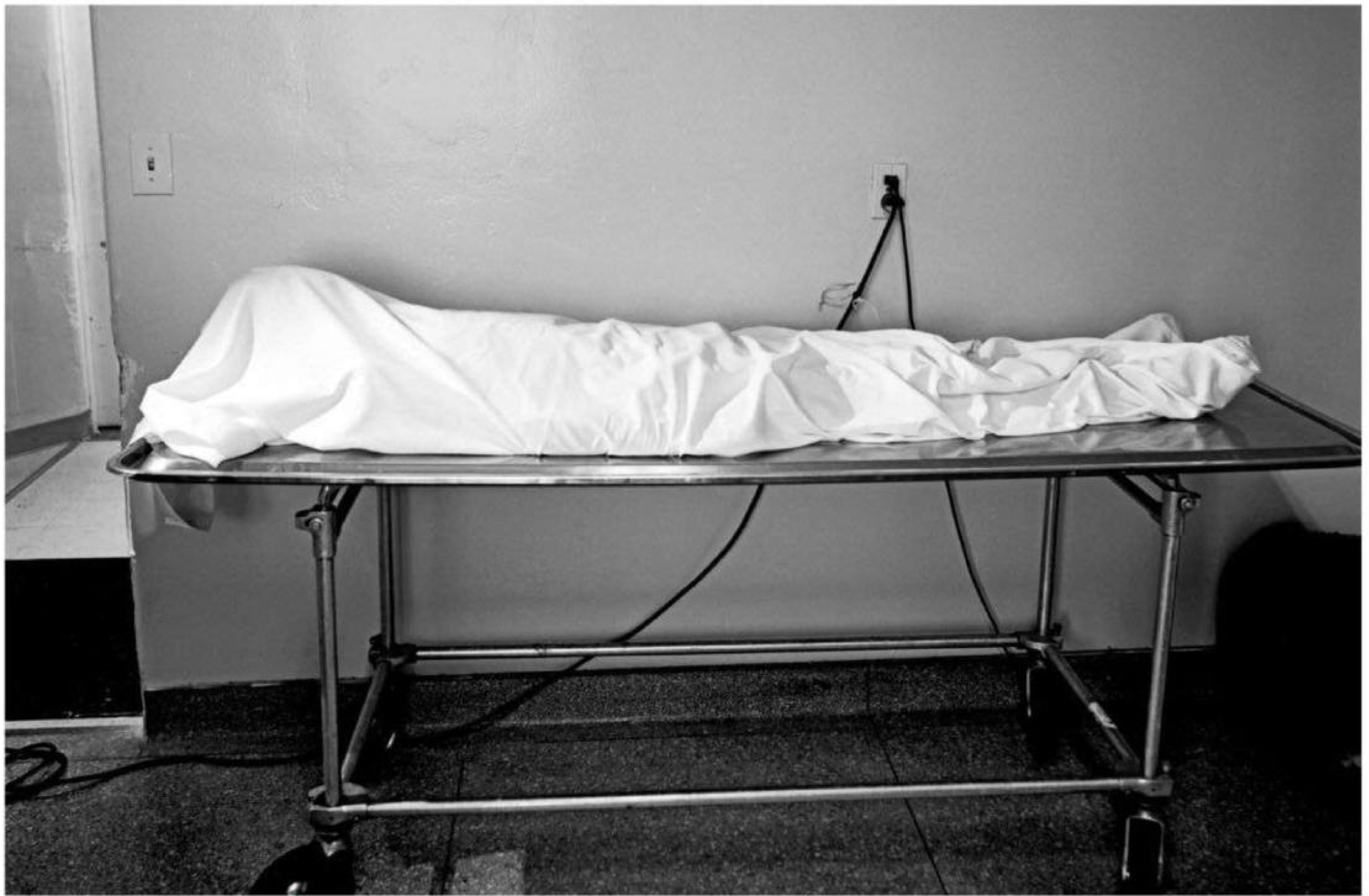
“A lot of estimates for time of death really aren’t scientific at all,” says David Carter, an associate professor of forensic science at Champlain University of Honolulu. For most deaths that’s fine, because they’re natural, the result of aging or illness. With homicides, though, that detail can be critical, as detectives use it to determine a timeline of the crime and validate alibis. Investigators may soon have a much better—and more scientific—tool at their disposal to help with all that: the “microbial clock.”

Microbes—single-cell organisms, including bacteria and fungi—are among the most numerous and diverse organisms on Earth, with many more kinds than there are plants, vertebrates and insects combined. Lots of them live on humans: Each person carries an estimated 100 trillion microbes, mainly on our skin and in our saliva, and inside our gastrointestinal tract, ears, nose and mouth. Since more advanced technology for genetic sequencing became available about a decade ago, the human microbiota has been the subject du jour for evolutionary biologists. Researchers have found that microbes play a major role in our health—in cancer, allergies, autoimmune disorders and even moods.

But Jessica Metcalf, an evolutionary biologist and senior research associate at the University of Colorado, Boulder, decided to turn her attention

BY  
**SENA CHRISTIAN**  
[@SenaCChristian](#)





**STIFF COMPETITION:** Traditional methods of determining time of death, such as rigor mortis, are being pushed aside for more accurate measures, such as microbial activity on a corpse.

elsewhere: She wanted to find out what happens to the human microbiome after its host dies. And it turns out the communities of microbes on every human corpse change during decomposition in a predictable succession, according to a paper written by Metcalf and a team of researchers, and published December 10 in the online issue of *Science*. Carter, a co-author of the study, says microbes offer the most promising method for establishing time of death that he's seen, since it's entirely independent of the external world. "They're already there. They're already on you and already in you."

An undisturbed body goes through five stages of decomposition: When a person dies, the immune system stops, and bacteria within the body begin to change, while microbes from the surrounding environment, like fungi and microscopic worms, begin to invade the corpse. That's the "fresh" stage. Second is the "bloat" stage, when intestinal bacteria spread and produce gases that cause inflation. Third is "active" decay, when a rupture event forces the body's orifices to leak, and anaerobic organisms become oxygenated, causing major changes in microbes. During the fourth stage, "advanced

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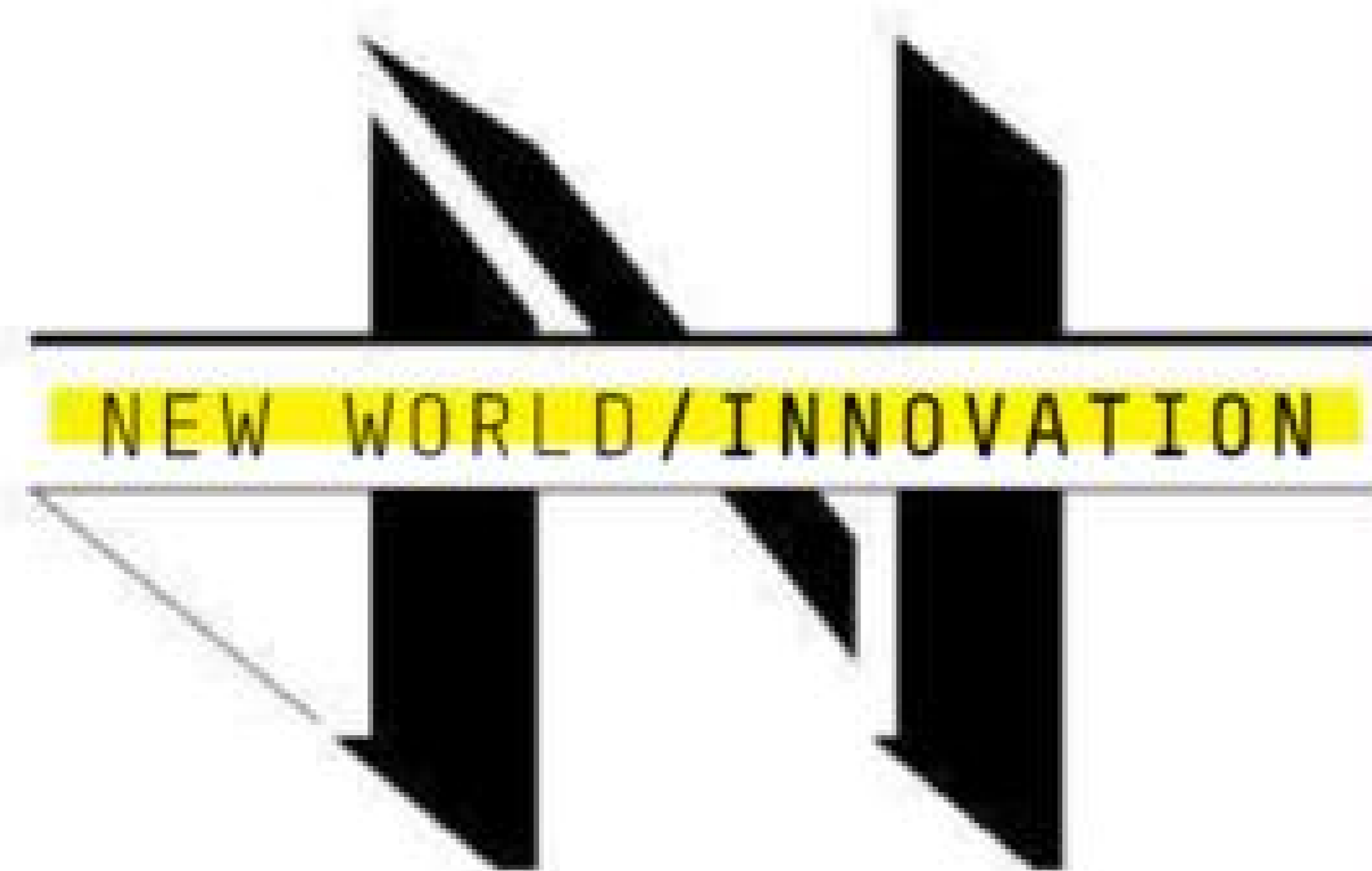
**"THEY'RE ALREADY ON YOU AND ALREADY IN YOU."**

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decay," most of the soft tissues have decomposed and just bones, cartilage and hair are left behind. Finally, in the fifth "dry/remains" stage, pretty much only the skeleton persists.

Metcalf and her colleagues (24 of them, representing 11 institutions) wanted to see if by tracking microbial changes during the decomposition process, they could accurately estimate time of death. The team gathered 120 dead mice in a lab, placing 40 each on three soil types: desert, subalpine forest and short-grass prairie. They sampled the skin and abdominal cavity of the mice, as well as the soil beneath their bodies, and used genetic sequencing to identify all the different types of microbes in each sample. They repeated this throughout 71 days of decomposition, allowing them to track the presence and abundance of microbes. After cataloguing these





changes across all the mice, the scientists were able to create a “clock”—a model for estimating how long a mammal had been dead. In addition, they found that the different soil types used with the mice didn’t matter in terms of the microbial communities that developed.

Simultaneously, they ran an experiment at the Southeast Texas Applied Forensic Science Facility in Huntsville, which houses a “body farm” where people donate their bodies to science after they die. Two human bodies were placed outside in the winter for 143 days and two more in the spring for 82 days, and subjected to rain, insects, vultures and maggots. The researchers swabbed the skin and soil underneath the bodies for samples of microbes—and found that the uncontrollable variables of the outdoors human experiment didn’t impact the expected patterns of microbial changes during decomposition.

For now, they’re able to track the changes in the microbes of a corpse (and soil beneath) to predict the time of death within roughly two days—even after the bodies had been decomposing for 25 days. The team plans to whittle down the microbial clock to the scale of hours, but perhaps, Carter says, what’s most exciting about the microbial clock is how it encompasses spatial evidence (information on where people and objects have been) and temporal evidence (information about when things happened). Rarely do detectives obtain both types of physical evidence. Take a fingerprint: “We don’t have any way to age that fingerprint,” Carter says. “All we know is it was left at some point in the past; same with blood evidence.” But the microbial clock could be used to determine both how long a person has been dead, and the original location of a moved corpse—a decomposing body substantially alters the soil’s microbial communities, leaving a distinct clue behind.

Some pretty big hurdles remain before the courts would allow a microbial clock to be entered as evidence. As a new scientific method, it would need to undergo an admissibility hearing outside the presence of a jury—called a Kelly-Frye hearing—to show that the method is established within the scientific community. Expert witnesses would be called by

the public prosecutor to provide this opinion, which the defense could refute. “This is the same legal process that DNA evidence was originally subjected to before being admitted as evidence in criminal cases,” says Patrick McGrath, president of the California District Attorneys Association. “Of course, it has now become commonplace.” With every evolution in DNA analysis, the new procedure must go through the same process.

If an attorney wins the Kelly-Frye hearing and the court allows the method to be introduced, a jury still needs to be convinced of its accuracy and reliability, and that the scientific procedure was correctly used—more factors for the opposing side to attempt to discredit. That’s what happened with the use of DNA evidence in the O.J. Simpson homicide trial in 1995; the prosecution believed it had an abundance of evidence tying Simpson to the murder of his ex-wife Nicole Brown Simpson and her friend Ron Goldman at her home in Los Angeles. They obtained, for

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## A DECOMPOSING BODY SUBSTANTIALLY ALTERS THE SOIL’S MICROBIAL COMMUNITIES, LEAVING A DISTINCT CLUE BEHIND.

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instance, DNA analysis of blood identified as Nicole’s on a sock in Simpson’s bedroom. Blood from both Nicole and Goldman was discovered in Simpson’s white Bronco. There was also a glove found outside Nicole’s home with a mixture of blood that came from her, Goldman and Simpson. But the defense convinced jurors to distrust this evidence by criticizing how it had been collected and processed. And the prosecution failed to present the relatively new DNA method in a way jurors could easily understand.

To use the microbial clock, crime scene investigators would also need to be trained and laboratory criminalists would need to develop experience analyzing the material. Making the leap from controlled experiment to real-world application isn’t going to be easy. In the meantime, Metcalf and her colleagues will kick off another project, funded by the National Institute of Justice, in early 2016 that involves daily sampling of human corpses at three different “body farms” in the U.S across all four seasons. ■



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**+**  
**SO LONG, LEFT SHARK:** Have you thought about the hilariously out-of-step backup dancer from Katy Perry's Super Bowl performance recently? Of course not. That's not how 2015 worked.



# D

# DOWNTIME

ART

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TRENDS

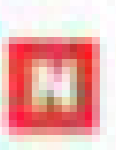
## THE WORLD IS A FLASH MOB

### On 2015 and the apex of Internet rage

AS 2015 COMES to a close, it's interesting to think about how we've already forgotten most of it. Remember Left Shark? What about Cecil the lion, the Dress or the Ashley Madison hack? Dad bods? How about Rachel Dolezal? These were some of the most talked-about stories of 2015, but until moments ago you likely hadn't thought of them in weeks, maybe months. And yet, at one point this year, millions felt passionately about each of them. A few years ago, we might have seen a minute-long story on Cecil the lion on the nightly news; thought, That's a shame; and forgotten about it. Now we are tweeting, "That's a shame," then defending ourselves against those who disagree with us as we're pulled through the turbine of at-replies and 140-character anger.

The Internet outrage cycle is a bit like a flash mob: There and bright and loud and all around us one moment and then gone. Sometimes this is a blessing, as when we're talking about animal Vines or men in costumes. The Internet shook its millions of little fists (even President Barack Obama weighed in) when *The New York Times* suggested putting peas in guacamole, before the issue was flushed within days. But when it

comes to the presidential election or gun control, issues that actually affect our lives, we respond the same way. Just as easily as we stopped talking about the sociological implications of Pizza Rat, we stopped talking about the mass shooting in Rosenberg, Oregon. We could sustain our indignation and our pleas for gun reform only until they collapsed under the weight of Twitter's Moments tab or sexy Donald Trump Halloween costumes or even the next mass shooting.

Maybe this is all a bubble about to burst. Maybe, in 2016, there will be so many trending topics spat at us that our overheated minds will default to a more selective and thoughtful approach. In 2015, though, the outrage was the endgame. Any headline—from the frivolous to the crucial—entered and exited our hearts, minds and Twitter feeds as swiftly as a 30-second infomercial. And just like TV commercials, the effect of this whirling carousel of hot-button issues has been mostly subliminal. In the end, all we know is that we are angry, only we're not entirely sure why, and that something is deeply wrong, only we're not entirely sure what. Maybe it has something to do with Left Shark? 

BY  
RYAN BORT  
 @ryanbort





## THE YEAR IN GREASE

You can now drink a margarita at Taco Bell and eat bacon-wrapped figs at Starbucks. But should you?

**EARLY IN DECEMBER**, I visited a relatively new restaurant in central San Francisco. It was a clean, bright place, busy on a wet Thursday afternoon. A friendly employee greeted me at the entrance, directing me to one of two touch-screen kiosks, each about the size of a door. It looked like those machines that spit out your boarding pass at the airport with somewhat disconcerting speed; this one, though, was going to take my lunch order.

I scrolled through photographs of appetizing sandwich variations, settling on grilled chicken on a ciabatta bun. From a menu of toppings, I added tomato, guacamole and cheese. I found a space at a counter and opened my computer: The restaurant has wireless service. I settled into my chair and waited contentedly as, outside, a winter rain poured down on a parched San Francisco.

The restaurant was a McDonald's: You know, golden arches, chicken nuggets, enough calories in a single Extra Value Meal to sate Slovenia. But what distinguishes this outpost from the vast majority of the world's 32,000 other McDonald's branches is that it is home to the chain's Create Your Taste program, which lets customers design their meals through digital kiosks. Create Your Taste started in only about 30 restaurants late in 2014; the company's goal then was to install 2,000 such stations at McDonald's branches around the United States.

This was encouraging, but also disorienting. The chain is a master peddler of grease and

predictability. So what was all this with choices? Had the iron-fisted Hamburglar mellowed out?

Here's a hint: Take a look at your local Chipotle at a lunch hour, the huddled masses yearning for their Barbacoa Burrito Bowls. McDonald's is fast food's past, while Chipotle is very much its present (though the latter's image hasn't been helped by recent outbreaks of foodborne illness). Chipotle has perfected the fast-casual approach, which stresses fresh ingredients and customer freedom to mix and match ingredients. It is an approach that has also worked for the bakery chain Panera, the salad chain Chopt and Shake Shack, the high-endish burger chain valued at \$1.6 billion when it went public early this year. At these upstarts, you may pay a little more, but in return you eat real food in something that's close to a real restaurant. An average Chipotle branch is worth \$10.5 million, according to Business Insider, while the average McDonald's branch is worth only \$2.9 million.

The rise of Chipotle and similar chains has traditional fast food scrambling to retain customers, either by imitation or, as is increasingly common, inebriation. Anything to keep you from getting your next lunch from Lyfe Kitchen or Dig Inn. McDonald's is the biggest but hardly the only old guard fast-food establishment making a bid for an American public that, suddenly, cares about the food it eats.

After a few minutes of waiting, I saw a server happily approaching. On the tray she bore sat my

BY  
**ALEXANDER  
NAZARYAN**  
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chicken sandwich, a plump ciabatta bun cradling a decent slab of breast meat. I bit into the sandwich with trepidation, but quickly found myself relieved: The chicken tasted like chicken. The bread was soft. The cheese was gooey, warm. Much like American democracy, the thing was a little sloppy and deeply imperfect, but on some basic level it worked marvelously well.

**UPGRADING INGREDIENTS**, as McDonald's is doing, is extremely expensive. It's much easier to get your customers drunk and hope they won't notice how bad the food is until the next morning. This fall, Burger King announced that it would start selling alcohol in its stores in Great Britain; a couple of years ago, a White Castle in Indiana became famous for pouring wine. The

latter became a media sensation, with articles in *Slate*, *The Wall Street Journal* and elsewhere.

Maybe it's some weird millennial irony: We visited chains like Burger King as kids or teens, then shunned them as we grew into adulthood. Now, though, we are old enough to engage in that fuzzy feeling for the early 1990s, a time before nitrites and trans fats, when nobody outside Berkeley knew about organic food.

Or maybe it's our strange relationship with corporations: We loathe them even as we need them, want to applaud them for doing good even as we condemn their intrinsic heartlessness and greed. So when Dunkin' Donuts rolled out its version of the much-lauded cronut—a pastry created by a French baker in lower Manhattan—the fascination was universal, with coverage in

NPR and *USA Today* and many other respectable outlets that probably should have been covering more serious matters. But we love nothing like deep-fried frivolity. We applauded the effort, we laughed at the imitation, and we gave Dunkin' Donuts our attention, maybe our money and possibly even a little bit of respect.

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## WE LOVE NOTHING LIKE DEEP-FRIED FRIVOLITY.

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**I REMEMBER** the last time I had eaten Taco Bell: the spring of 2000. I was pledging a college fraternity, and to demonstrate my fealty to the brotherhood, I was made to consume a dangerously large number of Taco Bell tacos in a dangerously short span of time. I managed to stuff the shells into my mouth, but this was a gastronomic traffic jam that had only one resolution. Luckily, we were on the sidewalk by the time I started hurling.

**FAST FOOD FAD:** In an attempt to appeal to a hipper generation of consumers, outlets that specialize in quick, cheap daytime fare—like Starbucks—have added classier bites and alcohol to their menus.







So why had I now come to the Taco Bell on Third Street in San Francisco, a decade and a half later? Here, on the ground floor of a charcoal-colored condominium building in the gentrifying SoMa district, was Taco Bell Cantina, the chain's nascent foray into the fast-casual market. The concept was gloriously simple: cheap hooch.

Alcohol is a rarity at both fast-food and fast-casual restaurants, because they cater mostly to people eating lunch, and people eating lunch generally do not drink alcohol, unless they are named Don Draper, in which case they are definitely not taking their dirty martinis at Burger King. Alas, I was not able to sample the divine ambrosia that is Twisted Mountain Dew Baja Blast Freeze at the Taco Bell Cantina in San Francisco, because that branch does not yet have its liquor license. But the one in Chicago does. Its beverage director appears to be a 14-year-old who blows rails of Pixy Stix.

Without alcohol, I was left to a most terrible fate: eating Taco Bell while sober.

**THE SUBURB OF** Millbrae is south of San Francisco, in the shadow of the city's airport. The town has a large Asian immigrant population, and the main strip beckons with offerings like Chicken Pho You and Shanghai Dumpling Shop. In Millbrae, Starbucks is conducting an experiment called Starbucks Evenings, where from the afternoon until closing time, the coffee shop also becomes a bar, serving beer and wine, as well as small plates of the sort you might find in a hip Brooklyn or Oakland boîte. It's telling that even a chain associated with urban sophistication feels the need to keep up with newer, cooler rivals.

Starbucks Evenings is a wine and snacks program now at 75 outlets nationwide, from Brooklyn to Seattle, where the wine bar concept started. Maybe if Starbucks can't earn its cool with Indonesian beans, it can reclaim it with Sonoma grapes and spiced marcona almonds.

But as I very quickly discovered, there is something inherently weird about drinking wine in a coffee shop while middle-schoolers in hoodies huddle conspiratorially around iPhones, slurping pumpkin-flavored drinks. That was kind of a buzzkill. Still, a buzz was to be had: The Starbucks alcoholic offerings are arrayed tastefully

on a shelf behind the bar, hovering above the coffee-making equipment. The barista was slightly surprised by my order—as I said, it was kind of early. But when I described my preference for earthy wines, she quickly recommended a cabernet. I sat at a communal table that featured magnetic wireless chargers that didn't quite work but were fun to play with.

A barista brought my wine in a stemless glass, along with a couple of snacking dishes: bacon-wrapped dates and truffle popcorn. Bacon is pretty much impossible to get wrong; the popcorn, though, was parched and flavorless. As for the wine, it was fine, far superior to the Yellow Tail you might find at a downscale bar, but nothing I wanted to truly savor or learn more about.

Starbucks has very little to lose: People don't drink coffee in the late evening, unless they are writers or psychopaths, so if it can keep its stores open by offering wine, it may well attract a new clientele. And if it wants to ever reintroduce social-good initiatives like its #RaceTogether, the wine bar might be the place: I am going to need to be plenty drunk to discuss the coming Trump presidency.

**THE MCDONALD'S** artisanal sandwich, the Taco Bell margarita, the Starbucks pinot noir: These are all variations on Marcel Proust's madeleine, summoning a past that is very much ours but also, because it is past, no longer ours. It is all gone—the McNuggets after Little League games, the first surreptitious taste of your moth-

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## THE TACO BELL BEVERAGE DIRECTOR APPEARS TO BE A 14-YEAR-OLD WHO BLOWS RAILS OF PIXY STIX.

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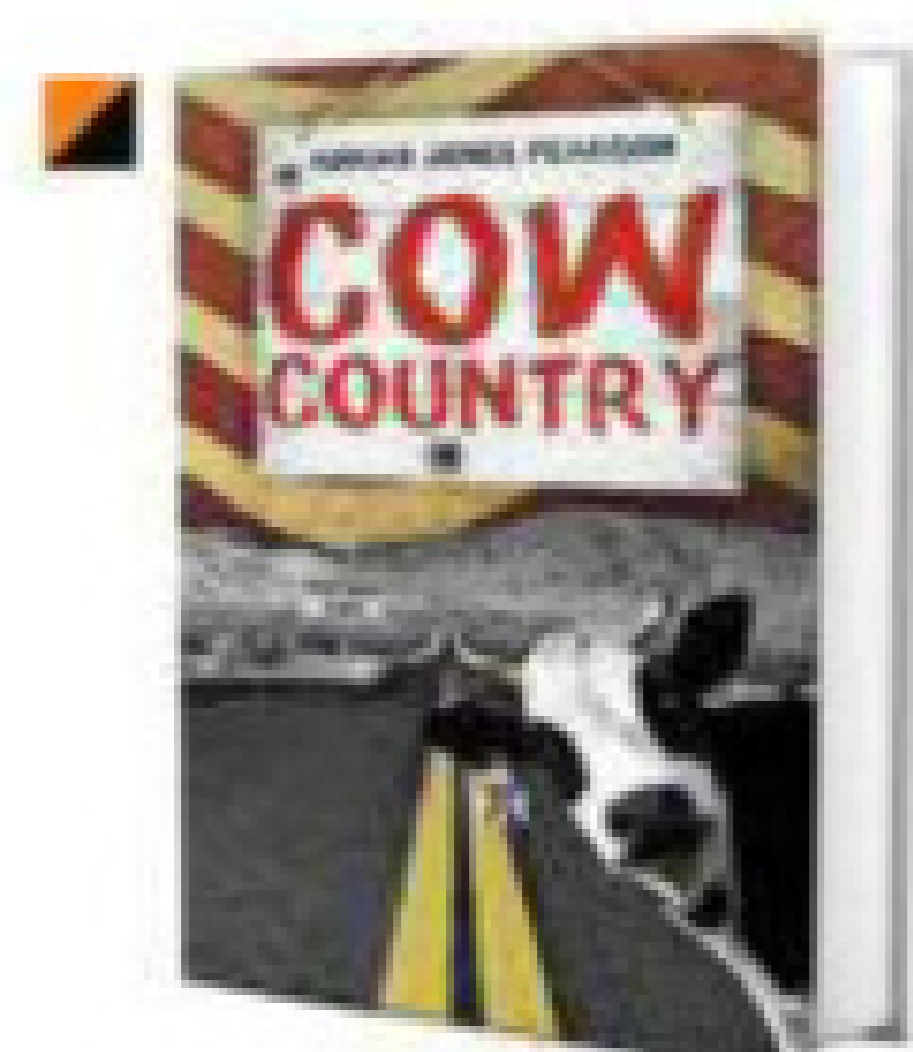
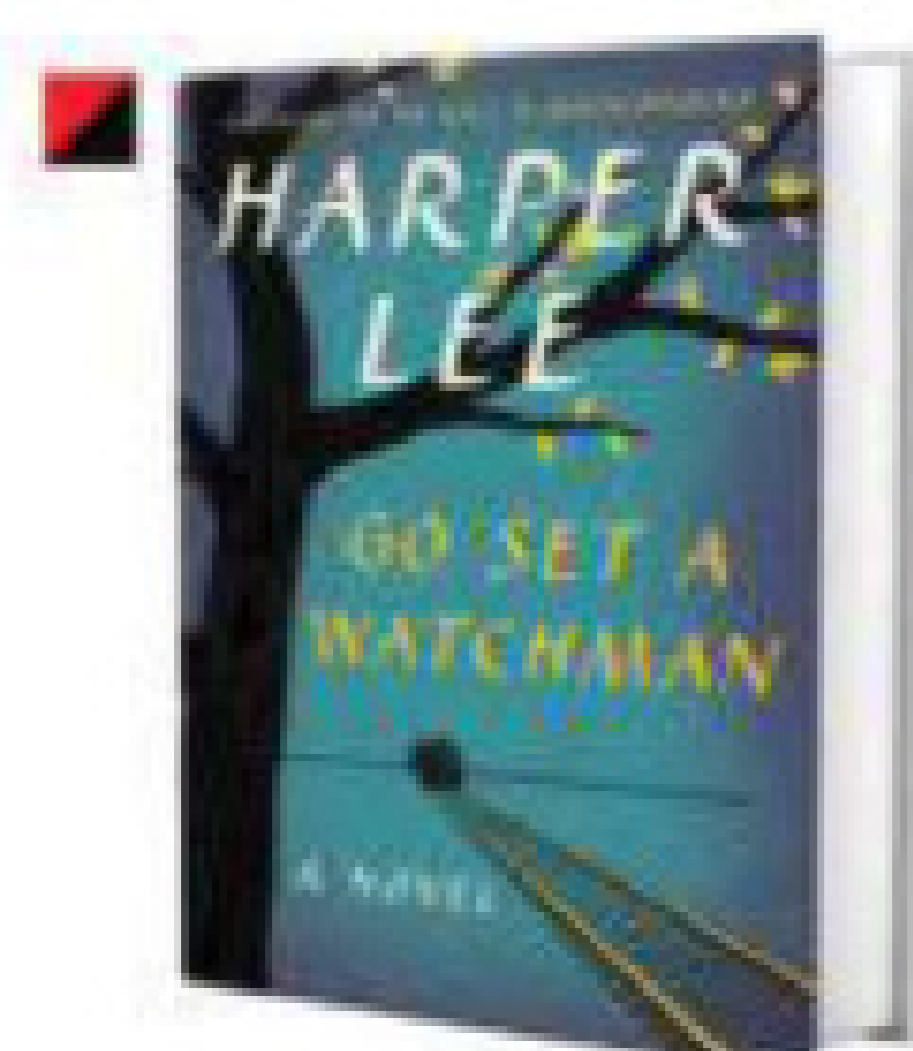
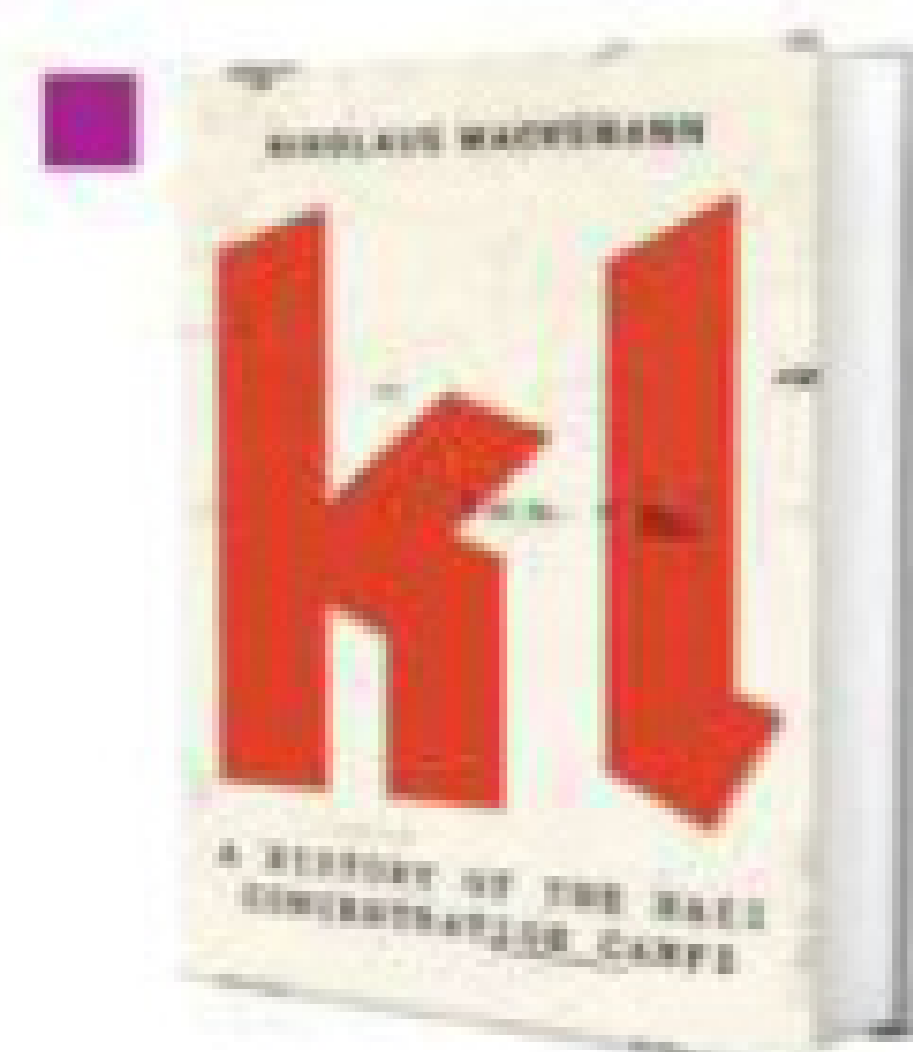
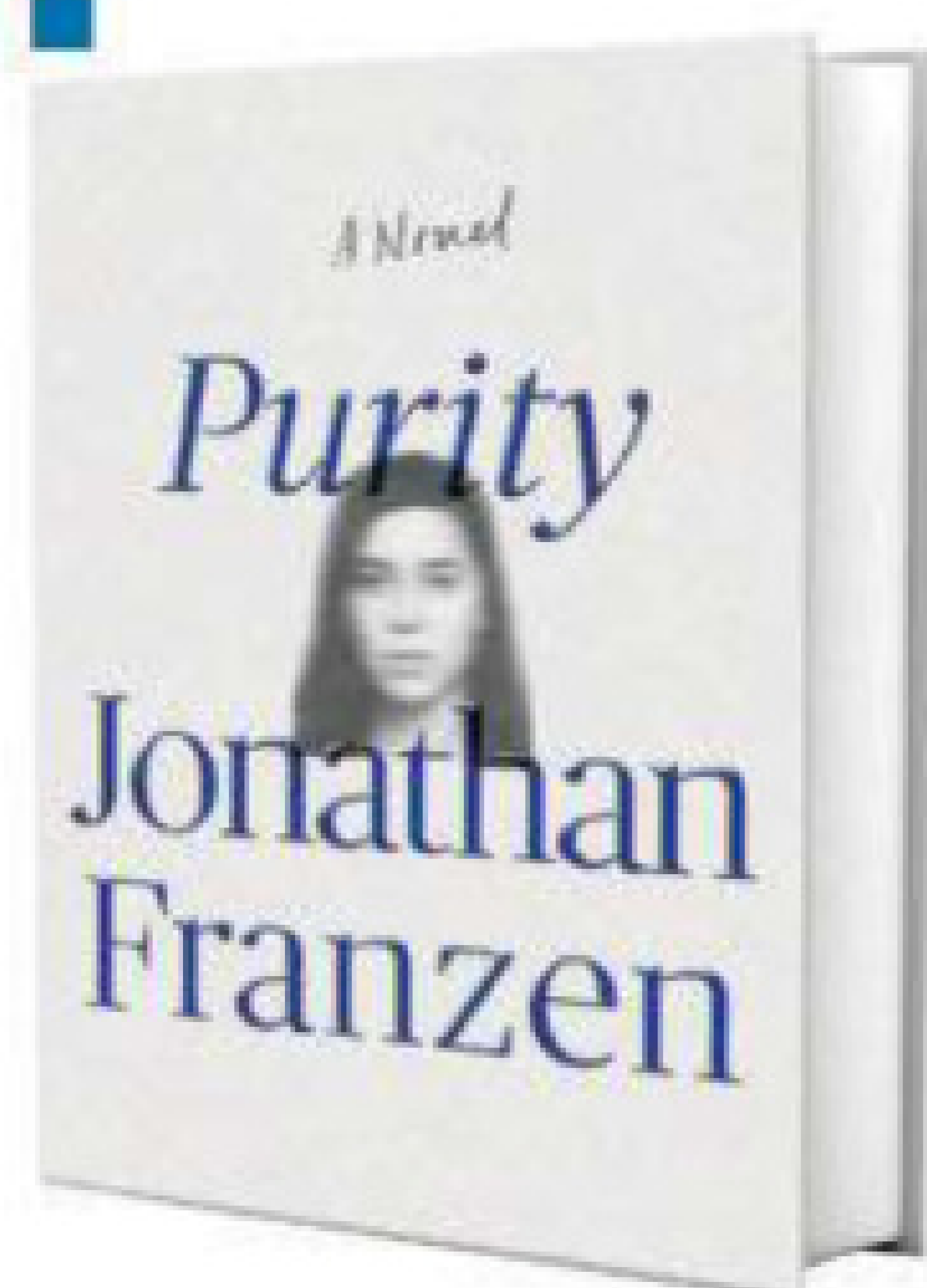
er's cappuccino. Who, today, can eat a gordita without guilt? Who can drink a pumpkin spice latte without fear?

In the end, all this is more than just playing catch-up to Chipotle. Chains like Taco Bell and Starbucks are banking on our shared cultural nostalgia and, at the same time, our current worship of innovation. "Some people like it," a worker at the San Francisco McDonald's told me, speaking of the new digital kiosks. "But they like the old way too." ■



## THE YEAR IN READING

Books you must get... and must avoid, from Franzen to Atticus Finch to potentially Pynchon (?)



**SOMEHOW**, the book business has managed to survive yet another year of pronouncements about its imminent demise. It was a strange one, to be sure, with both Dr. Seuss and Harper Lee publishing best-sellers and print achieving unlikely gains against its digital counterpart. It was all a bit like the good old days before Netflix.

### ■ BEST NOVEL OF THE YEAR, 700 PAGES OR LONGER *A Little Life*

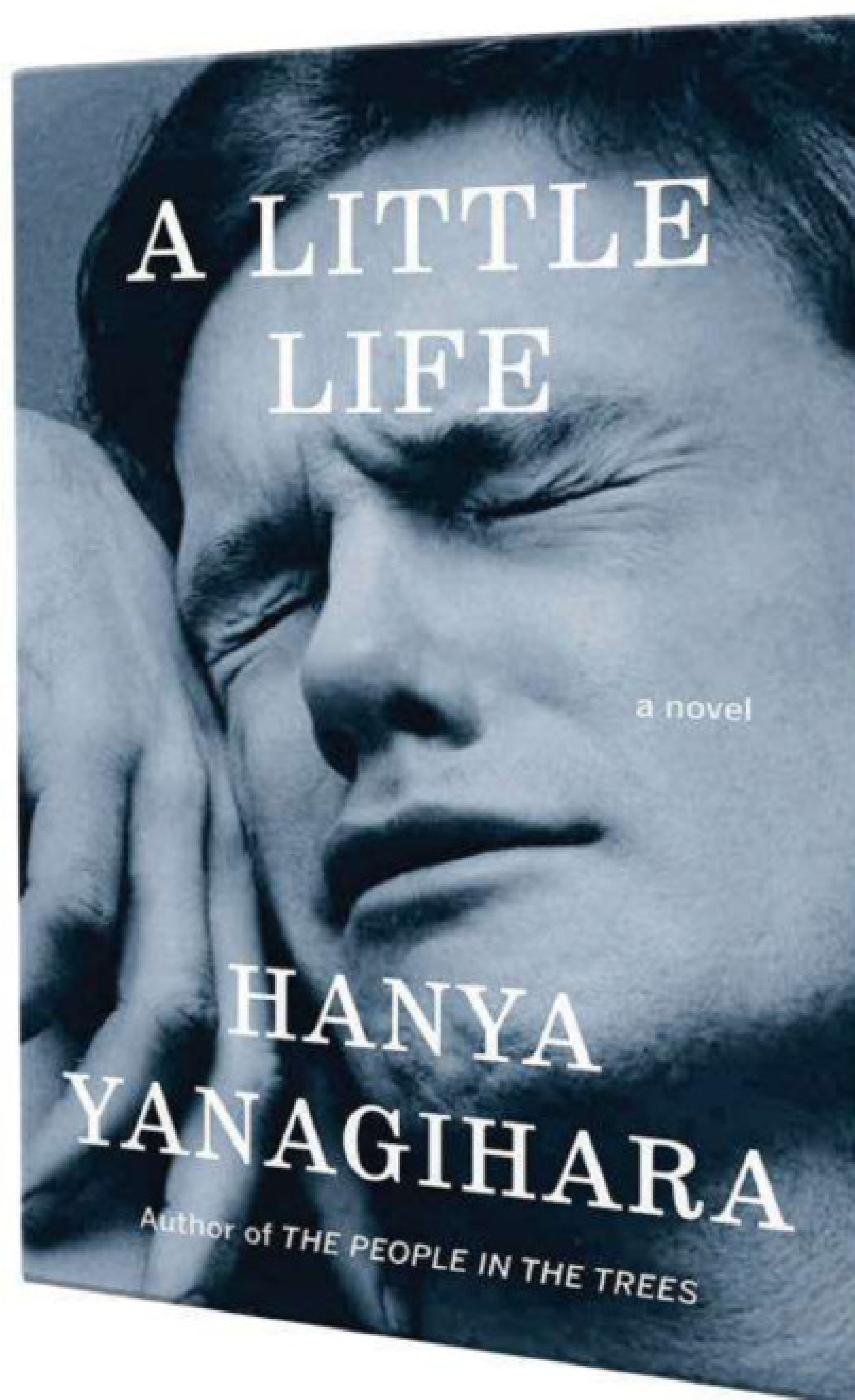
Hanya Yanagihara

Less a novel than a fairy tale set in modern New York, relentlessly plumbing the emotions of four college friends as they become adults. No book this year gave me as much pleasure—or pain of the salutary variety. It is the novel I have most frequently recommended this year to those who wonder if the novel still has anything to offer.

### ■ BEST NOVEL OF THE YEAR, 700 PAGES OR SHORTER *The Harder They Come*

T.C. Boyle

Boyle has established himself as our finest West Coast writer—and one of our finest novelists, going big when so many others have gone



small. History, ecology and the intractable qualities of human nature are his frequent themes, and they are blended masterfully here, in one of his best books. Set in the redwoods of far Northern California, *The Harder They Come* is a family drama, a coming-of-age story and a clash of cultures that ends in classic American bloodshed.

### ■ MOST OVERRATED NOVEL, ANY LENGTH *City on Fire*

Garth Risk Hallberg

I will not apologize for being unable to finish this unconvincing, 900-page mashup of *Underworld* and *The Bonfire of the Vanities*. There is too much here, while also not enough, and the New York proffered by Hallberg is about as realistic as the one glimpsed through the window of a Times Square Applebee's. Why did Knopf give him \$2 million for this tree-murdering New York kitsch? That, I sus-

pect, will be the novel's only enduring mystery.

### ■ BALLSIEST DEBUT *You Too Can Have a Body Like Mine*

Alexandra Kleeman

Many experimental novels are just kind of weird and unpleasant to read. This one is strange in the most alluring of ways, following three characters (A, B and C) through a surreal landscape of supermarkets and television commercials. "Might veal secretly crave its own consumption, thus making its enemies its saviors?" Kleeman's narrator, A, wonders. I have no idea, but I wanted to keep reading.

### ■ WORST COVER *Purity*

Jonathan Franzen

I have nothing against the novel, but the cover—the hazy black-and-white image of a woman on a white background, with blue letters for the title—looks as if it was put together by a hapless

high school student on a Macintosh II.

### ■ MOST IMPRESSIVE WORK OF HISTORY *KL*

Nikolaus Wachsmann

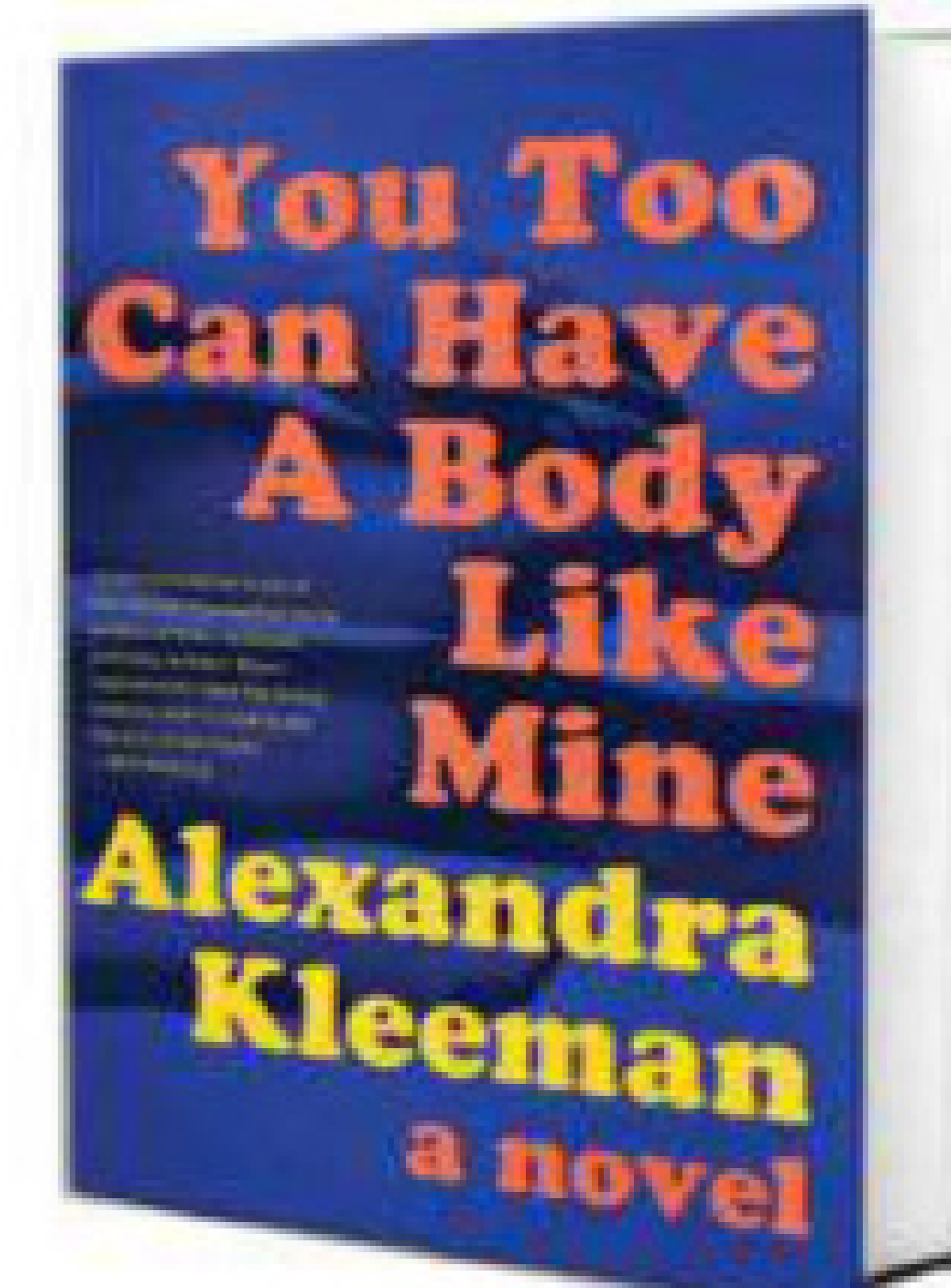
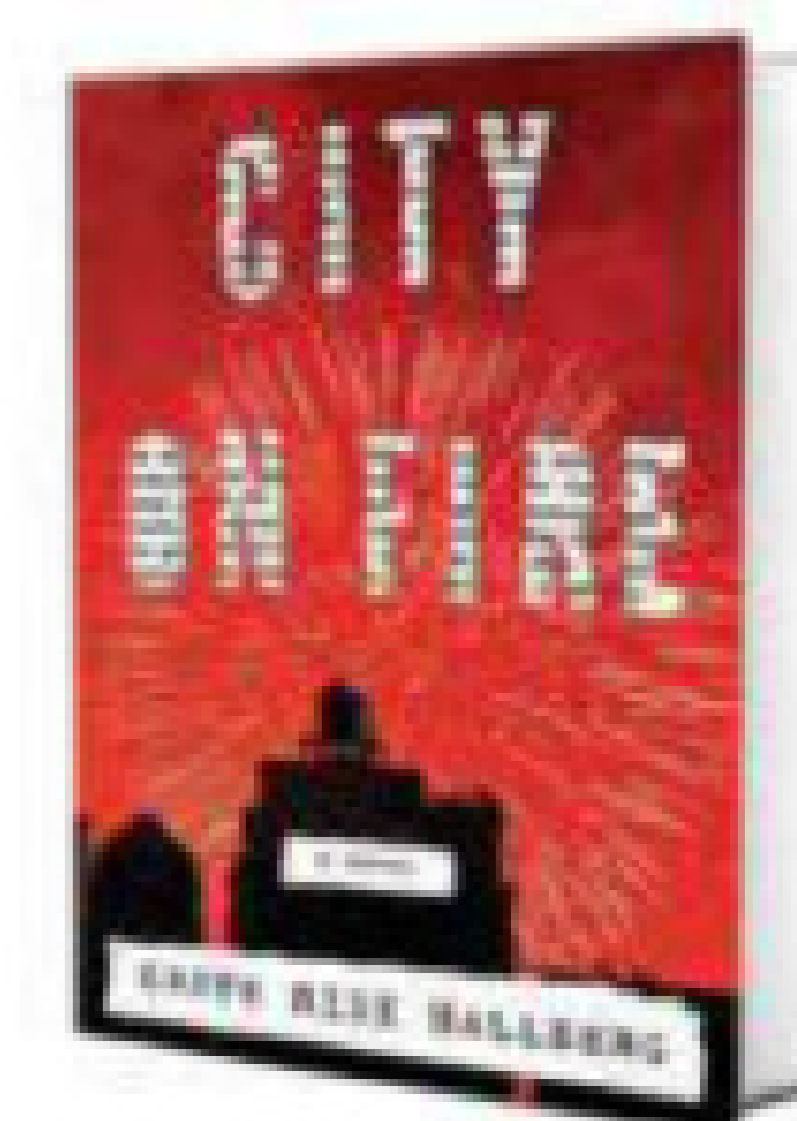
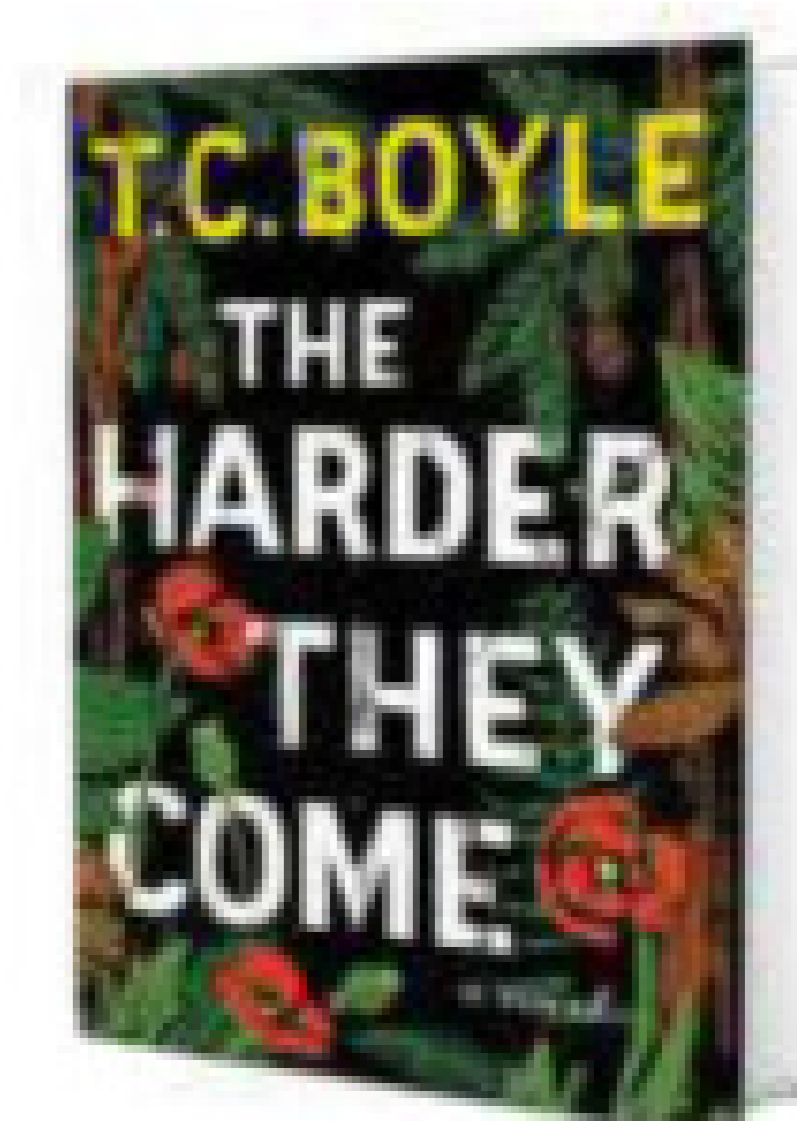
A thousand-page history of the concentration camps of Nazi Germany, from their creation in the early 1930s to their demise in 1945. I can't think of a book published this year with such an intense focus of scholarship.

### ■ WORST HARPER LEE CHARACTER TO NAME YOUR KID AFTER *Go Set a Watchman*

Pity poor little Atticus. Maybe his parents should have read *Go Set a Watchman* first.

### ■ BEST LITERARY RUMOR

That *Cow Country*, the novel by Adrian Jones Pearson, was actually written by Thomas Pynchon. It wasn't...but maybe it was? I mean, he could have written it. He probably wrote it. He wrote it, didn't he? Maybe he didn't. But possibly! **N**







## THE YEAR IN BEEFS

# Best served vitriolic, with a tall glass of haterade

IF 2015 SEEMED like a banner year for beefs, it was because Twitter became a digital boxing ring. Think-pieces were written, fans and friends took sides, and then, as always, any bad blood dried as the sun rose once again. Let's look back in anger at the best fights of the year, one last time.

### GUY FIERI VS. ANTHONY BOURDAIN

Guy Fieri, the Dark Lord of Flavortown, and Anthony "Vegans Are the Enemy of Everything Good" Bourdain have been embroiled in a slapfight for years. Bourdain started it when he called Fieri's Times Square restaurant a "terror-dome" in 2012. That same year, he said in a Houston appearance that Fieri looked like the resulting child "if Ed Hardy fucked a Juggalo." But in a November *GQ* profile, the food fight reached an impasse when Fieri told the magazine that Bourdain's "definitely gotta have issues" because he'd never bullied Fieri face-to-face. Bourdain then insisted he was just cheesin' about ripping into Fieri and moved on to talking shit about other chefs, including Adam Richman and Alton Brown, to *Atlanta Magazine*. For his victory lap, Fieri signed some Lean Cuisines and tossed them out triumphantly to fans. *Bon appétit*.

**WINNER:** Anthony Bourdain, for the quality of his insults.

### NICKI MINAJ VS. MILEY CYRUS

It was the passive-aggressive "What's good?" heard 'round the world. At the 2015 MTV Video

Music Awards in August, the *Pinkprint*-cess herself, Nicki Minaj, went up to accept the award for best hip-hop video for her song "Anaconda" and used part of her acceptance speech to slam Cyrus, the show's host. "Now back to the bitch who had a lot to say about me earlier in the week," Minaj said. The reason? Minaj had taken to Twitter to critique MTV's snub of "Anaconda" for video of the year, citing its preference for "women with very slim bodies." The next month, Cyrus told *The New York Times* that Minaj's comments were sour because "you made it about you," and that the rapper was "not too kind" and "not too polite." After the onstage kerfuffle, Minaj explained, quite eloquently, to *The New York Times Magazine* the issues at the root of her comments, suggesting she thought Cyrus was a hypocrite and had "pretty big balls.... You're in videos with black men, and you're bringing out black women on your stages, but you don't want to know how black women feel about something that's so important?" Minaj told the publication.

**WINNER:** Nicki Minaj. "Miley, what's good?" is not only a meme, but there's even merch emblazoned with the phrase. How's that for a burn?

### DRAKE VS. MEEK MILL

Like so many beefs in the hip-hop world, this feud started with a question of authenticity. On July 21, a frustrated Meek Mill tweeted: "Stop comparing drake to me too.... He don't write his own raps!" Meek questioned whether Drake had written the guest verse on "R.I.C.O." he contributed to

BY  
PAULA MEJIA  
@tenaciouspm





**FIGHT NIGHT:** Minaj and Cyrus speak at the Grammys in February. The two would later find themselves in one of the year's biggest beefs onstage at the MTV Video Music Awards.

Meek's album *Dreams Worth More Than Money*, then went on to claim that the reason Drizzy didn't actively promote the record was because Meek had discovered his dark ghostwriting secret. Drake responded five days later, when he released a dis track about Meek titled "Charged Up." Meek, again taking to Twitter, called the track "baby lotion soft." So Drake released another, more brutal dis track, "Back to Back," in which he addressed the incident head-on: "Very important and very pretentious / When I look back I might be mad that I gave this attention." Regardless of any alleged softness, the song was a massive hit and even got a Grammy nomination. **WINNER: Drake, who not only wrote a dis track but also got a damn Grammy nomination for it. Meek ended up looking just that.**

#### AMAZON VS. THE NEW YORK TIMES

*The New York Times* published a scathing exposé of Amazon's harrowing workplace culture in August that sparked a war between the paper and the retailer. In a post on the site Medium, Jay Carney, Amazon's senior vice president of global corporate affairs (and former White House press secretary), questioned the *Times*'s approach to the story, writing that reporters chose "not to follow standard practices" by interviewing only former employees and focusing on the sensationalistic aspects of the story. The *Times*'s executive editor, Dean Baquet, quickly responded in another Medium post, arguing that the story, based on dozens of interviews, was an "accurate portrait" of Amazon's workplace

culture. Amazon's initial Medium post in response to the *Times*'s exposé reads like a bit of PR trickery that tries to shift the narrative to the track records of the employees interviewed in the piece, without refuting the most resonant line in the *Times* story: "Nearly every person I worked with, I saw cry at their desk."

**WINNER: The New York Times. Tears trump smears.**

#### BILL SIMMONS VS. ESPN

After 14 years together, prolific sports columnist and hipster hero Bill Simmons had an ugly breakup with his former employer ESPN. In May, Simmons's fans learned in a statement from ESPN President John Skipper that his contract would not

## DRAKE NOT ONLY WROTE A DIS TRACK BUT ALSO GOT A DAMN GRAMMY NOMINATION FOR IT.

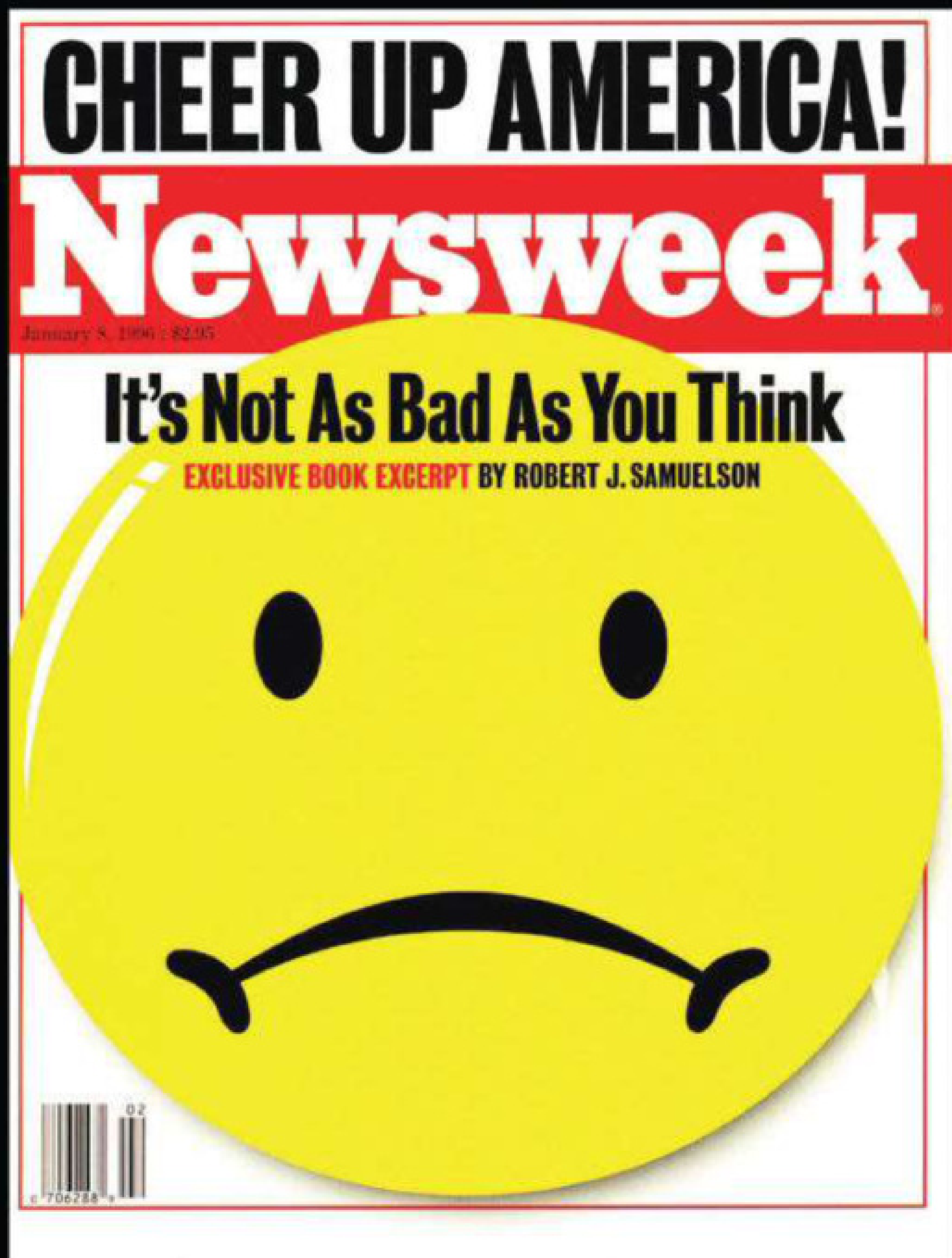
be renewed. The network was mum on why it had cast away one of its biggest stars, saying only that "it was time to move on," but Simmons, speaking to WFAN's Mike Francesa in October, said the likely reason was that he had called NFL Commissioner Roger Goodell a liar on his podcast (an offense that earned him a three-week suspension) and declared he "didn't think Goodell was being honest about the Ray Rice thing." Simmons was also critical of ESPN's handling of their now-defunct pop culture site, Grantland, which he founded, saying that not only was it understaffed, but that ESPN couldn't give it more support than a "tiny little hyperlink at the bottom of the ESPN mobile site." When Grantland staffers began leaving ESPN to join Simmons for an as-yet-unnamed venture, ESPN seemingly retaliated by shuttering the site. On a recent *SportsCenter* segment, when frequent ESPN talking head Sal Iacono tried to plug his podcast with Simmons, the network cheekily put up a screen reading, "We are experiencing technical difficulties. Please stand by." When ESPN "came back" on air, host Neil Everett cracked, "Never heard of him!"

**WINNER: Simmons. Grantland may be kaput, but fans and former staffers still swear allegiance to the guy who put Roger Goodell on blast. ■**



# REWIND

20  
YEARS



JANUARY 8, 1996

SINGER RAFAEL RUIZ, UPON BEING ASKED IF HE WILL BE ABLE TO TOP HIS DANCE HIT "MACARENA"

“Go ask Frank Sinatra if he has

come up with another 'New York, New York.'”