

# **The Forgotten Man**

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*The Empty House*  
*Temecula, California*

Late during one of those perfect twilights when the sky shimmered with copper like the last pulse of heat burning out of a body, Padilla and Bigelow turned off the highway onto a narrow residential street that brought them directly into the sun. They reached for their sun visors at the same time, both of them squinting, as Padilla thought, christ, it was like driving head-on into hell.

Bigelow sat forward when he saw the women in the street.

'On the left. I'll call it in.'

Bigelow had three months in the car, compared to Padilla's nine years and change, so he was still excited by that stuff, the radio, the days when Padilla let him drive, and responding to a possible capitol crime.

'Call, but try not to sound so excited. You sound like you got a chub over this. Let me tell you something, you get these calls, they're bullshit, they want attention, they're just confused, they're drunk, whatever, so try to sound like you know what's what.'

'Okay.'

'Sound bored, like you finally figured out being a cop is bullshit.'

'You think I'm going to embarrass you?'

'It crossed my mind.'

The women and children stood in the street between rows of cramped stucco houses, everyone in shorts and sandals, maybe seven or eight of them altogether. Ford pickups and an occasional boat were parked in their driveways. The neighborhood was similar to Padilla's, only Padilla was closer to town where the valley was green, not out here where the hills flattened into something like desert. Out here, landscaping was lava rock, blue gravel, and dead grass.

Padilla pulled over and got out as Bigelow made the call. He hated getting out of the car. Even at twilight, it was a hundred and five.

'Okay, what do we have? Who called?'

A heavysset woman with thin legs and wide feet stepped past two teenaged girls.

‘That would be me, Katherine Torres. She’s on the floor. I think it’s her, but I couldn’t tell.’

They had been dispatched to a 9-1-1, the Torres woman screaming her neighbor was dead with blood everywhere. The 911 computer confirmed Katherine Torres’s location, dispatch put out the call, and here they were, Padilla and Bigelow, uniformed patrol officers with the Temecula Police Department. Katherine Torres’s hand waved as if a nervous life possessed it.

‘All I saw were feet, but I think it’s Laurie. I called through the screen ‘cause I knew they were home, so I looked in. The feet are all wet—and the legs—and I don’t know it looks like blood.’

Bigelow joined them as Padilla eyed the house. The sun was almost behind the mountains and most of the houses were showing lights. The house in question was dark. Katherine Torres could have seen anything—a towel someone dropped on the way from the shower, a spilled Dr. Pepper, or feet wet with blood.

Padilla said, ‘They got a dog?’

‘No, no dog.’

‘How many people live here?’

One of the teenaged girls said, ‘Four, the parents and two children. They’re really nice. I sit for the little girl.’

Bigelow, so anxious to get to the house that he shifted from foot to foot like a kid having to pee, said, ‘Anyone hear any shouting, fighting, anything like that?’

No one had heard anything like that or anything else.

Padilla told the women to wait in the street, then he and Bigelow approached the house. The ground crunched under their boots. Large black ants crossed the earth in an irregular line, come out in the deepening twilight. The copper sky had purpled in the west as the darkness chased the sun. The house was quiet. The air was still in the way it can only be still when it floats in the emptiness of the desert.

Padilla reached the front door and knocked hard three times.

‘Police officer. Frank Padilla with the police. Anyone home?’

Padilla leaned close to the screen, trying to peer inside, but it was too dark to see anything.

‘Police. I’m going to open the door.’

Padilla drew his Maglite, trying to recall how many times he had tapped on doors and windows all hours of the night, usually checking on old people someone feared had passed away, and twice they had, but

only twice.

'Officers here! Coming inside, knock knock.'

Padilla pulled open the screen. He and Bigelow snapped on their Maglites at the same time, just as Bigelow said, 'I smell something.'

Their lights fell to the woman's body, early to mid-thirties, face down on the living room floor, most of her hidden behind an ottoman that had been pushed to the center of the floor.

Bigelow said, 'Oh, man.'

'Watch where you step.'

'Man, this is nasty.'

Outside, the woman called from the street.

'What do you see? Is it a body?'

Padilla drew his gun. His heart was suddenly so loud he had difficulty hearing. He felt sick to his stomach and scared that Bigelow was going to shoot him. He was more afraid of Bigelow than the murderer.

'Don't shoot me, goddamnit. You watch what you shoot.'

Bigelow said, 'Jesus, look at the walls.'

'Watch the goddamned doors and where you point that gun. The walls can't kill you.'

The woman was wearing frayed cut-off jean shorts and a Frank Zappa T-shirt torn at the neck. Her T-shirt and legs were streaked with crust-ed blood. The back of her head was crushed, leaving her hair spiked with red gel. Another body lay between the living room and the dining room, this one a man. His head, like the woman's, was mishappened, and his blood had pooled in an irregular pattern reminding Padilla of a birthmark on his youngest daughter's foot. The floor was smudged as if they had tried to escape their attacker and splatter patterns ribboned the walls and ceiling. The weapon used to kill these people rose and fell many times, the blood it picked up splashing the walls. The smell of voided bowels was strong.

Padilla waved his pistol toward the hall leading to the bedrooms, then toward the kitchen.

'I'll clear the kitchen. You wait here watching the hall, then we'll do the rooms back there together.'

'I ain't moving.'

Padilla said it all louder than necessary, hoping if someone heard him they'd jump out the window and run. He moved past the man's body, then into the kitchen. The body of a twelve-year-old boy was on the kitchen floor, partially beneath a small dinette table as if he had been trying to escape. Padilla forced himself to look away. All he thought about now was securing the damned house so they could call in the

dicks. Later than night, when he was home and drunk and sitting alone in his backyard with his memories of this place, he would recall what one of the detectives would say when he entered the scene: Someone had a damn bad case of the red ass. He would think about that to force the next memory out of his mind though he never would, not ever, not as long as he lived.

Bigelow called from the living room, 'Hey, Frank—'

Padilla stepped back through the door. The rooms were bright now because Bigelow had turned on the lights.

'Frank, it ain't smudges.'

The smudges took on little hour-glass shapes in the light, tiny figures that had been bent and distorted until they weren't hour glasses when Padilla realized they were footprints. Tiny footprints circled the bodies, tracking from the woman to the man, then into the kitchen and out again, around and around each body, each footprint pressed perfectly onto the flat worn carpet. The prints lead into the hall toward the bedrooms.

Padilla stepped past Bigelow along the hall. The footprints faded, grew dim, and then vanished at the final door. Padilla stepped into the dark room, his mouth dry, and flashed the room with his Maglite before turning on the lights.

'My name is Frank Padilla. I'm a policeman. I'm here to help.'

The little girl sat on the floor at the foot of her bed with her back to the wall. She held a soiled pillow-case to her nose as she sucked her index finger. Padilla would always remember that—she sucked the index finger, not the thumb. She stared straight ahead, her mouth working as she sucked. Dried blood crusted her feet. She could not have been more than four years old.

'Honey?'

Bigelow came up behind him, stepping past to see the girl.

'Jesus, you want me to call?'

'We need an ambulance and Social Services and the detectives. Tell them we have a multiple homicide, and a little girl.'

'Is she okay?'

'Call. Don't let the people outside near the house, and don't let them hear you. Don't answer their questions. Close the front door on your way out so they can't see.'

Bigelow hurried away.

Frank Padilla holstered his weapon and stepped into the room. He smiled at the little girl, but she didn't look at him. She was a very small girl with knobby knees and wide black eyes and blood smudges on her

face. Padilla wanted to go to her and hold her the way he would hold his own daughter, but he didn't want to scare her, so he did not approach. She was calm. Better for her to remain calm.

'It's okay, honey. It's going to be okay. You're safe now.'

He didn't know if she heard him or not.

Frank Padilla stood looking at the tiny child in the bloody house with the miniature footprints she made as she walked from her mother to her father to her brother, unable to wake them, going from one to the other, circling through red shallows like a child lost at the shores of a lake until she finally returned to her room to hide in plain sight against the wall. He wondered what had happened to the little girl and what she had seen. Now, she stared at nothing, nursing her finger like a pacifier. He wondered if she still wore a diaper and if the diaper needed changing. Four was old for a diaper. He wondered what she was thinking. She was only four. Maybe she didn't know.

When the first team of detectives arrived, Padilla agreed to stay with the little girl in her room. Everyone thought staying in her own room would be better than having her wait for the social workers in a radio car. They closed the door. More detectives arrived, along with several patrol cars, two Coroner Investigators, and a team of criminalists from the Sheriffs. Padilla heard car doors slam and men moving in and around the house and voices. A helicopter circled overhead, then was gone. Padilla hoped the perp would be found hiding in a garbage can or under a car so he could get in a couple of hard shots before they hauled the sonofabitch away. That would be sweet, two jawbreakers right in the teeth, pow pow, feel the gums come apart, but Padilla was here with the little girl and that would never happen.

Once while they waited, Max Alvarez, who was the senior homicide investigator and Padilla's wife's uncle, eased open the door. Alvarez had thirty-two years on the job, twenty-four on South Bureau Homicide in Los Angeles plus another eight in Temecula.

Alvarez spoke softly. He had seven children, all of them now grown and most with families of their own.

'She okay?'

Padilla nodded, fearful that speaking might disturb her.

'How about you?'

Padilla only nodded again.

'Okay, you need a break, let us know. The social workers are on their way. Ten minutes, tops.'

Padilla was relieved when Alvarez left. Part of him wanted to do the cop work of finding the perps, but more of him had assumed the role of

protecting the little girl. She was calm, so protecting her meant preserving her calm, though he worried about what might be happening in that little head. Maybe her being so calm was bad. Maybe a child like this shouldn't be calm after what happened.

Two hours and twelve minutes after Padilla and Bigelow entered the house, field workers from the Department of Social Services Juvenile Division arrived, two women in business suits who spoke softly and had nice smiles. The little girl went with them as easily as if she was going to school, letting one of the women carry her with the woman's jacket covering her head so she wouldn't see the carnage again. Padilla followed them out, and found Alvarez in the front yard. Alvarez's face was greasy from the heat and his sleeves were rolled. Padilla stood with him to watch the social workers buckle the little girl into their car.

'How's it look?'

'Robbery that got outta hand, most likely. We got the murder weapon, a baseball bat they dropped behind the garage, and a couple of shoe prints, but we're not drowning in evidence. And the interviews so far, nothing, no one saw anything.'

Padilla studied Katherine Torres and the civilians who still lined the street. Padilla wasn't a detective but he had been a cop long enough to understand this was bad. The first few hours after a homicide were critical; witnesses who knew something tended to step forward.

'That's bullshit. Work day like this, all these women and kids at home, they had to hear something.'

'You think wits always got something to say, you've been watching too much television. I worked a case in L.A. some asshole stabbed his wife twenty-six times at eight PM on a Thursday night, them living on the second floor of a three story building. This woman, her blood trail started in the bedroom and went all the way to the hall outside their front door, the woman dragging herself all that way, screaming her head off, and not one other tenant heard. I interviewed those people. They weren't lying. Forty-one people at home that night, having dinner, watching TV, doing what people do, and no one heard. That's just the way it is. These people who were killed in here, maybe all three of them were screaming their asses off, but no one heard because a jet was passing or some mutt was barking or the fuckin' Price is Right was on television, or maybe it just happened too damned fast. That's my call. It happened so fast nobody knew what to do and it never even occurred to them to scream. What the fuck. You can't say why people do anything.'

Alvarez seemed both pissed off and spent after that, so Padilla let it ride. The social workers got themselves buckled in, started their car,

and slowly worked their way around the police cars blocking the street.

'Why you think they didn't kill the little girl?'

'I don't know. Maybe they figured she couldn't finger them, her being so little, but my guess right now is they didn't see her. The way her footprints lead back to her room, she was probably in there sleeping or playing when it happened and they left before she came out. We'll let the psychologists talk to her about that. You never know. We get lucky, maybe she saw everything and can tell us exactly what happened and who did the deed. If she can't, then maybe we'll never know. That's the way it works with murder. Sometimes you never know. I gotta get back to work.'

Alvarez joined another detective and the two of them walked around the side of the house. Padilla didn't want to go back to work; he wanted to go home, take a shower, then drink a cold beer in his backyard with his wife while his children watched television inside, but, instead, he stood and watched.

The social workers started their car, then slowly worked their car around the civilians and cops crowding the street. Padilla couldn't see the little girl. She was too small to see, as if the car had swallowed her. Padilla had been a cop long enough to know that the murders that had occurred tonight would haunt everyone involved for the rest of their lives. The neighbors who lined the tape would worry that the killers might return. Some would feel survivors guilt, and others would grow fearful. Insecurities would flare, marriages would fail, and more than one family would sell their house to get out of Dodge before it happened to them. That's the way it was with murder. It would haunt the people who lived here and the cops who investigated the case and the friends and relatives of the victims and the little girl most of all. The murder would change her. She would become someone other than she would have been. She would grow into someone else.

Padilla watched the car turn onto the highway, then crossed himself.

Padilla whispered, 'I'll pray for you.'

He turned and went back into the house.



PART ONE  
Next of Kin

# 1.

They called me to view the body on a wet spring morning when darkness webbed my house. Some nights are like that: more now than before. Picture the World's Greatest Detective, reluctant subject of sidebar articles in the *Los Angeles Times* and *Los Angeles Magazine*, stretched on his couch in a redwood A-frame overlooking the city, not really sleeping at 3:58 AM when the phone rang. I thought it was a reporter, but answered anyway.

'Hello.'

'This is Detective Kelly Diaz with LAPD. I apologize about the time, but I'm trying to reach Elvis Cole.'

Her voice was coarse, reflecting the early hour. I pushed into a sitting position and cleared my throat. Police who call before sunrise have nothing to offer but bad news.

'How'd you get my number?'

I had changed my home number when the news stories broke, but reporters and cranks still called.

'One of the criminalists had it or got it, I'm not sure. Either way, I'm sorry for calling like this but we have a homicide. We have reason to believe you know the deceased.'

Something sharp stabbed behind my eyes, and I swung my feet to the floor.

'Who is it?'

'We'd like you to come down here, see for yourself. We're downtown near Twelveth and Hill Street. I can send a radio car if that would help.'

The house was dark. Sliding glass doors opened to a deck that jutted like a diving platform over the canyon behind my house. The lights on the opposite ridge were murky with the low clouds and mist. I cleared my throat again.

'Is it Joe Pike?'

'Pike's your partner, right? The ex-cop with the sunglasses?'

'Yes. He has arrows tattooed on the outside of his delts. They're red.'  
She covered the phone, but I heard muffled voices. She was asking. My chest filled with a growing pressure, and I didn't like that she had to ask because asking meant maybe it was.

'Is it Pike?'

'No, this isn't Pike. This man has tattoos, but not like that. I'm sorry if I scared you that way. Listen, we can send a car.'

I closed my eyes, letting the pressure fade.

'I don't know anything about it. What makes you think I know?'

'The victim said some things before he died. Come down and take a look. I'll send a car.'

'Am I a suspect?'

'Nothing like that. We just want to see if you can help with the ID.'

'What was your name?'

'Diaz—'

'Okay, Diaz—it's four in the morning, I haven't slept in two months, and I'm not in the mood. If you think I know this guy, then you think I'm a suspect. Everyone who knows a homicide victim is a suspect until they're cleared, so just tell me who you got and ask whatever it is you want to ask.'

'What it is, we have a deceased Anglo male we believe to be the victim of a robbery. They got his wallet, so I can't give you a name. We're hoping you can help with that part. Here, listen—'

'Why do you think I know him?'

She plowed on with the description as if I hadn't spoken.

'Anglo male, dyed black hair thin on top, blue, approximately seventy years but he could be older. I guess, and he has crucifix tattoos on both palms.'

'Why do you think I know him?'

'He has more tats of a religious nature on his arms—Jesus, the Virgin, things like that. None of this sounds familiar?'

'I don't have any idea who you're talking about.'

'What we have is a deceased male as I've described, one gunshot to the chest. By his appearance and location, he appears indigent, but we're working on that. I'm the officer who found him. He was still conscious at that time and said things that suggested you would recognize his description.'

'I don't.'

'Look, Cole, I'm not trying to be difficult. It would be better if—'

'What did he say?'

'He told me he was your father.'

I sat without moving in my dark house. I had started that night in bed, but ended on the couch, hoping the steady patter of rain would quiet my heart, but sleep had not come.

‘Just like that, he told you he was my father.’

‘I tried to get a statement, but all he said was something about you being his son, and then he passed. You’re the same Elvis Cole they wrote the stories about, aren’t you? In the *Times*?’

‘Yes.’

‘He had the clippings. I figured you would recognize the tats if you knew him, me thinking he was your father, but it sounds like you don’t.’

My voice came out hoarse, and the catch embarrassed me.

‘I never met my father. I don’t know anything about him, and as far as I know he doesn’t know me.’

‘We want you to come take a look, Mr. Cole. We have a few questions.’

‘I thought I wasn’t a suspect.’

‘At this time, you aren’t, but we still have the questions. We sent a radio car. It should be pulling up just about now.’

Approaching headlights brightened my kitchen as she said it. I heard the car roll to a slow stop outside my house, and more light filled my front entry. They had radioed their status, and someone with Diaz had signalled their arrival.

‘Okay, Diaz, tell them to shut their lights. No point in waking the neighbors.’

‘The car is a courtesy, Mr. Cole. In case you were unable to drive after you saw him.’

‘Sure. That’s why you kept offering the car like it was my choice even though it was already coming.’

‘It’s still your choice. If you want to take your own car you can follow them. We just have a few questions.’

The glow outside vanished, and once more my home was in darkness.

‘Okay, Diaz, I’m coming. Tell them to take it easy out there. I have to get dressed.’

‘Not a problem. We’ll see you in a few minutes.’

I put down the phone but still did not move. I had not moved in hours. Outside, a light rain fell as quietly as a whisper. I must have been waiting for Diaz to call. Why else would I have been awake that night and all the other nights except to wait like a lost child in the woods, a forgotten child waiting to be found?

After a while I dressed, then followed the radio car to see the dead.