

Even The Dead Have Assignments

“How did you get my phone number?” the Detective asked the person on the other end of the call on his cell phone.

“We don’t have numbers where I am,” said the voice. “Rather, there are numbers, but they are all the same. Oh, and we don’t allow call blocking here, but you are welcome to try,” he added.

The Detective considered how to ask the next question or whether to terminate the call.

“Go ahead with call blocking. Better yet, hang up and see what happens,” said the caller.

The Detective pushed the red icon on his phone and waited for a few seconds. “I’m still here,” advised the cheerful voice on the phone. “Go ahead and look at recent calls on your phone,” he added. “You won’t find a history of this call. But, trust me, it is real.”

The Detective thought he recognized the baritone voice, but it did not make sense. “Who are you?” he demanded.

“Oh, please, you know who I am. You just think I don’t still exist,” the caller said.

The Detective pushed the speakerphone icon and said, “You are calling a police officer, falsely claiming identification of another person, and I’m going to record this call as evidence of unlawful harassment and interference with a law enforcement investigation,” he continued.

The caller ID indicated the call was from a reporter at the Houston Chronicle, whom the Detective had known over the years. He turned his portable digital recorder on and set it beside the speakerphone.

“Try this,” said the caller. “Your wife is in the kitchen, just hand her the phone and ask her to listen to my voice.”

“Why?”

“Because she won’t hear a thing, and she will ask if you are feeling OK. She can’t hear my voice even if you put me on speakerphone.”

Realizing the caller was right about his wife being in the kitchen, the Detective got out of his recliner and asked, “Are you watching my house?” as he walked to a window and pulled back the shade. It was still light outside, and he saw nobody in front of the house.

“Now, try looking in the back yard,” suggested the caller.

“Where are you?” the Detective demanded.

“In a place you have never been, and you may never visit. But that is outside my vision. Maybe you should go to a place where we can chat for a few minutes. How about going to the workshop in your attached garage?” the caller advised

“How do you know about?” he started to ask.

“Please, questions to me only cause you more confusion. I’m not here to hurt you, but it is in your best interest that we talk,” the caller responded.

The Detective picked up the cell phone and digital recorder and walked to the garage door. “Are you impersonating Jackson Demings?” the Detective demanded as he opened the door.

“You knew who I am when you first heard my voice. But yes, this is Jackson Demings. And before you ask, I’m the same Jackson Demings executed in the Walls Unit last week at Huntsville.”

Detective James Sullivan was a veteran of the Houston Police Department and, for the past two decades, had been assigned to the Criminal Investigations Command. One of his first assignments as a detective in the Homicide Division was the murder of a taxicab driver in the Third Ward district. Within days, the investigators identified Jackson Demings as the killer. Demings was convicted in 1998 and executed at Huntsville by the Texas Department of Corrections in 2019. Sullivan had testified at the trial and continued to monitor the state and federal appeals over the years. When Demings was brought back to court for post-trial hearings in Houston, it was Sullivan who sat beside the district attorney to answer any questions about the investigation's history and the evidence presented at trial.

Like many criminal defendants, Demings did not testify in his own defense at trial. He made a verbal statement to Sullivan after the arrest, denying he killed anybody, a statement introduced at trial by the defense attorney. Demings had a baritone voice that was incongruous with his youthful physical appearance, which made his voice memorable.

Sullivan walked into his garage with the smartphone and asked the caller to answer some questions. “What was the name of the man you killed?” he asked.

“Be more specific, Detective,” the caller replied

“The taxicab driver’s name.”

“Samuel Houston Reilly,” the caller responded, “and the district attorney pronounced each syllable of that name slowly during my trial at every opportunity.”

Sullivan checked to make sure the digital recorder was still recording and asked, “What is your middle name?”

“Don’t have one,” the caller answered correctly.

Sullivan thought about what to ask next as he sat on the stool beside the workbench.

“What do you want with me? Why are you calling me?”

“We can discuss that later,” the caller responded.

“There will be no later! We can end this now. What do you want?”

“You don’t have the power to stop my calls, Detective,” said the caller. “My reasons for calling are not for you to know at present. Now that we have reacquainted, I will get back to you, since you cannot call me.”

“Oh yes, I can make you stop,” came the angry response.

“It will be entertaining to hear you explain this phone call to somebody. There will be no record of this call on your phone or with your cellular provider. That digital recorder you are using is not going to help,” the caller added. “Are you going to tell your supervisor a dead man called, and you couldn’t hang up?”

“Leave me alone!” Sullivan demanded.

“Didn’t see you at my funeral, Detective,” said the mystery caller, and the phone went dead.

Sullivan pushed the playback button on the recorder and listened. He heard a one-sided conversation, and his was the only voice recorded.

Over the next several days, Sullivan received calls from Demings on both his personal and department cell phones. The caller ID for each call indicated that it was from people on his phone's contacts list. Sullivan started answering with a simple ‘hello,’ rather than assuming the caller ID disclosed the actual caller. He noticed the mystery caller was calling at times when Sullivan could take the call. He never got a call when he was in a meeting or interviewing a witness. The subject of the calls was consistently the murder investigation and the evidence used to convict Demings.

On a Friday afternoon, Sullivan was working at his desk when Captain Morrison of the Robbery Division sat down in the only empty chair in the cubicle. They discussed a suspect in a recent robbery that Sullivan had arrested several years ago, and the suspect’s involvement in the most recent incident. As the Captain was standing up to leave, he glanced at Sullivan’s computer screen.

“Why are you looking at the Demings file?” he asked. Sullivan turned to the screen and realized he had left the file open on his computer.

“Just looking at one of the witnesses who testified at trial, who I recently contacted on another matter,” he said, knowing it was only partly true.

“Didn’t Demings get the needle down at Huntsville a couple of weeks back?” the Captain asked.

“Yeah, I think that is right,” Sullivan responded.

“I heard he confessed just before they put the needle in his arm. He wanted to get right with God, or something like that,” the Captain offered as he walked away.

Sullivan could not say he enjoyed the conversations with Demings, but they became increasingly interesting. Since the calls involved department business, he considered informing the HPD brass, but every scenario ended with an order from HPD to report for a Continued Fitness to Serve Interview with the department-appointed psychologist. Sullivan could imagine the psychologist’s summary.

Now, tell me if I have this straight: You are repeatedly talking on the phone with a man you know is dead, about a murder you investigated twenty years ago, and you have no proof of these conversations. He calls your cell phones, and there is no record of the calls on the phone or with the cellular company, and you cannot record the man’s voice when you put him on speakerphone. And you deny these calls have anything to do with alcohol or drug usage. Do I have that right, Detective?

It is HPD policy to report any signs of blackmail or attempts to obtain information that could, in any manner, compromise the department or an investigation. Sullivan concluded that the subject of the phone calls with Demings did not violate HPD policies.

After the Captain left the cubicle, Sullivan logged out of the Demings file and promised himself to be more careful. His phone calls with Demings could not be traced, but he could not say the same about accessing HPD investigation records by computer. He shut down his computer and called it a day.

As Sullivan was walking to the parking garage, his personal cell phone alerted him to a call. When he looked at caller ID, it said the mayor’s office was calling. He answered and was not surprised to hear the baritone voice of the mystery caller.

“You have the weekend off, Detective?” Demings asked.

“Sure, right up until I get called to another crime scene. I don’t suppose you have the weekend off, so you can stop calling me,” he replied.

“We don’t do weekends here.”

“Must be nice. So why are you calling?” Sullivan persisted as he got into his car.

“Now that you know I am who I say I am, we need to talk about another file at HPD,” Demings said.

“I’m not admitting that you are who you say you are, and you should know that we cannot talk about open investigations,” Sullivan replied.

“Now, think about that statement, Detective Sullivan. I have unlimited time and unlimited minutes on my cell phone plan,” Demings said with a chuckle. “You can’t make me go away, you can’t hang up on me, and you can’t block my calls. Maybe you should try buying one of those burner cell phones that serious drug dealers use.”

Sullivan knew the caller was correct in more ways than he wanted to admit. “What file do you want to discuss?”

“The Tyrone Bennett murder investigation.”

Sullivan paused and thought about the name. “You mean the one in Emancipation Park over twenty years ago?” he asked.

“That’s the one. You worked the case until it went cold,” Demings advised.

“Wait a minute,” Sullivan said. “I heard we solved it last month. In fact, there was an arrest.”

“You almost have your facts straight,” Demings said. “There has been no arrest, but a warrant has been issued for the suspect.”

“You seem to know more about it than I do,” the Detective observed. “Are you calling to tell me what you know or to ask for information?”

“Now we are getting down to it, my friend,” Demings said. Sullivan could almost hear the caller smile as he listened to Demings’ baritone voice. “I’m going to tell you what I know.”

“Should I take notes?” the Detective said, having no intention of doing more than listening until Demings finally ended the call.

“It is best you do not take notes, because if they become part of your report, you will never succeed at explaining your source of information,” Demings warned.

Sullivan realized the caller was once again right about another detail in their relationship. “Go ahead; I’m listening.”

“The investigator most recently assigned to the Bennett murder has erroneously concluded that the killer is Wayne Lucas Simmons, who no longer lives in Texas. The investigator has convinced a deputy district attorney to file charges, and they got a judge to issue an arrest warrant for Simmons, but they don’t know where to find him. Wayne Simmons is my brother by another mother, and he did not kill Bennett.”

“Now I get it,” the Detective responded. “All this is about protecting your brother, who, like you, is a murderer.”

“Close, but you need to hear more.”

“Like, who killed Bennett if it wasn’t your brother would be a good place to start,” said Sullivan, who was starting to feel like he finally understood why Demings came back from the dead to contact him.

“Telling you the name of the real killer is the easy part. Let me give you some facts about motive first. Bennett was a drug dealer in the Third Ward, selling bad stuff to people like me. The drugs he was selling had been cut with a synthetic that caused episodes of paranoia and delusions. I was on the drugs he sold to me when I killed the taxicab driver,” Demings admitted. “Wayne Lucas Simpson had nothing to do with the Bennett murder.”

“How do you know that?” the Detective asked.

“Because I killed him,” the caller calmly confessed.

Sullivan had to think about that for a few moments as he put the caller on speakerphone. “You killed Bennett?”

“Yeah, a week before I killed the taxicab driver.”

Sullivan instinctively reached inside his sports coat and found a pocket-sized folder with a notepad. Then he realized his earlier conclusion and the advice from the caller that taking notes is a bad idea.

“I’ll give you some details you can remember,” Demings offered. “I was carrying a .22 revolver when I went into the park just after midnight. I had been buying from Bennett for a few months and had run out of money. At the time, I was selling drugs myself. I asked Bennett to sell more drugs to me on credit, and he refused. I started to walk away, but became angry. I watched Bennett for about an hour as he moved around the park and sold drugs to other people. I waited for Bennett to walk to his car on Emancipation Avenue. Before he started the car, I asked if he still had more drugs. He rolled down the window and said he did. I shot him in the head twice and ran away. That is why when the cops found his body inside the car, he still had drugs in his pockets.”

“So, you want me to believe we have the wrong man, and you are the guilty party, not your brother. Doesn’t that seem too convenient? A dead man is the actual killer, and the HPD should close the file as a solved crime,” the Detective concluded.

“Sounds like a better plan than prosecuting another innocent man,” came the reply.

“We don’t arrest innocent people,” objected the Detective.

“But, you are about to do just that. The fact is, investigators confuse their mission with their assignment, and when that happens, innocent people end up in jail,” said the caller.

“I’m not sure you are making sense,” Sullivan said in defense of his department.

“Your mission is to create justice in a messed world and protect citizens,” said the caller. “Your assignment is to solve a crime, make an arrest, and close a file. When the assignment becomes more important than the mission, you lose perspective.”

Sullivan thought about the conversation for a moment, then said, “Why tell me all this? I’m not working the Bennett file; I didn’t make the decision to arrest anybody. You seem to know more about the file than I do; call the investigator yourself.”

“We want you to work inside the department to make sure an innocent man is not prosecuted,” the caller replied.

“Who is ‘we,’ and how do I get involved in a file assigned to another detective?” Sullivan demanded

“I’m not alone here; that is all you need to know,” said Demings. “I’m going to give you my brother’s address. That will be the key that gets you back to work on the Bennett murder. We trust you will make the right decisions at the right time going forward.”

After Sullivan got the address of Wayne Lucas Simmons, who was now living in Detroit, he decided to write it down and explain later how he found it through superior internet investigative techniques.

“OK, so what is my mission?” Sullivan asked.

“Create justice in an unjust world,” came the response, and the phone call ended.