



# Bad Policy



James M. Jackson

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Bad Policy

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Edited by Brenda Morris

Cover artwork by Craig Jennion ([www.craigjennion.com](http://www.craigjennion.com))

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## DEDICATION

To my father, J. Edward Jackson (1925-2012)





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JAMES M. JACKSON





# CHAPTER 1

**D**riving up my street, a pillow calling my name, I spotted Cincinnati police vehicles collected near the top of the hill. My stomach clenched. An animated gathering of neighbors stood across the street from my house. With my Victorian's ancient wiring, I immediately thought of fire. Not that; no fire engines. I pulled to the curb behind a phalanx of cop cars blocking the street and approached an officer.

"What happened?" I asked, surprised either one of us could hear my words over the hammering of my heart.

"Other side of the street," he snarled and pointed to the gawkers.

"But this is my house."

"You live here? Hold on a sec. Hey Sarge," he yelled over his shoulder without taking his eyes off me. "Over here."

The sergeant gave me the once-over as he strode across the lawn, thumbs tucked into his belt.

"This guy claims he lives here," the patrolman said.

The sergeant held out his hand. "Got some ID?" To the patrolman he added, "Back to your post."

I dug through my wallet and handed him my license. "What happened?" I asked again.

He compared the license to my face. "Seamus McCree."

"It's pronounced 'Shay-mus,' not 'See-mus.'"

"Now you say it, the name rings a bell. Right address. We've got some questions for you. It would be better if we talked somewhere quiet. Any objections if we take a quick trip downtown? We'll give you a ride back. Frankly, I'm not sure when the crime scene guys will release your house. You should be thinking about a place you can stay tonight."

He gently took my arm and guided me to a cruiser, opened the back door, and ducked me in. We were moving by the time I realized that he had neatly removed me from my home and temporarily focused my attention on where I could stay, rather than what was going on.

"Now can you tell me what happened?" I asked through the grill separating us.

"Sorry, we need to confirm a few things with you first."

My father had been a Boston police sergeant when he died. Even as tired as I was, I could interpret his answer: you're a suspect; *we'll* ask the questions.

The officer left me alone in an interrogation room smelling of burnt coffee and justified fear. I slipped off my suit coat and hung it over the back of the metal chair and loosened my tie. If the police had only wanted information, the questioning would have started immediately. Since I was cooling my heels in a room decorated with a table bolted to the floor, three chairs, and what I knew to be a one-way mirror, I was clearly a suspect.

Standard interrogation procedures included keeping the subject off-balance. One approach was to use a sterile room away from familiar surroundings, and with minimal furnishings and putrid green walls, this place fit the bill. Then they add pressure by keeping the suspect waiting alone in the silence. But silence would not work on me. A thinker by nature, I thrived on solitude. Despite that, corded muscles grabbed my neck and shoulders, adding to the headache I'd had all day from lack of sleep and too much caffeine. My tension came from not knowing what had happened at my house, combined with the knowledge that this interrogation room belonged to the Homicide Unit.

Sitting alone in an interrogation room tends to make anyone feel guilty, which is the reason police leave you to stew in your own juices. I was not innocent of everything; I had my secrets. But I had not killed anyone, so if whatever happened at my house involved a homicide, I was not guilty in deed or spirit.

Any defense attorney will tell you not to speak to the police without a lawyer present. I considered requesting counsel, but ultimately rejected that course. I knew plenty of lawyers, but none of them were defense attorneys. I didn't plan to lie, but if during the interrogation I even thought about a lie, I promised myself to stop the questioning and request counsel. Having decided on a course of action, tension eased from my neck. The headache stayed. Further thinking was fruitless until I learned more about what had happened. Since I had only had two short naps in the last sixty hours, I leaned over the desk and rested my head on my forearms. I awoke to the opening of the door; it took me a moment to recognize where I was.

The same sergeant entered the room accompanied by a Detective Lewis: grey suit, grey hair, grey complexion. He took the chair directly opposite me and placed a digital recorder on the table. The sergeant scooted a chair to the room's corner for himself.

"Mr. McCree," Lewis said. "Okay if we record this?"

"Sure," I said. "Doing video, too?"

Lewis traded a glance with the sergeant. "Been here before?"

"With Lieutenant Hastings," I said. "Except I was in the closet behind the one-way mirror."

"When was this?" Lewis rubbed his left thumb and pointer finger. I took it as a nervous tell.

“Last year. Maybe you’ve heard of my employer, Criminal Investigations Group—CIG? The Cincinnati Police Department engaged us to help on a homicide. Does she know I’m here?”

“Now I remember why your name rings a bell,” the sergeant said. “It was before you joined homicide, Lewis. They did a great job and tied the Cincinnati murder in with a boatload of other murders and financial crimes out in Chillicothe.”

Detective Lewis slipped from the room while the sergeant asked for specifics about the Chillicothe case. Lewis soon returned and clicked on the recorder. “Let’s get started.” He gave the date, time, persons present, and got me to acknowledge that I was appearing voluntarily and agreed to allow them to record the “conversation.”

“We looked all over for you today,” Lewis said. “Where were you?”

“I flew down to Atlanta this morning for a meeting. When I finished the meeting, I flew back and drove directly home from the airport.”

“When did you leave your house?”

“Actually, the last time I was home was Friday night. I flew to Chicago and worked there the whole weekend. Then this morning I flew from Chicago to Atlanta.”

“What time did you leave Friday night?”

“Nine-ish.”

“Where did you stay in Chicago?”

“I worked the whole time at my client’s office.”

“The whole time? He doesn’t smell like he’s been working that long, does he, Sergeant? Who’s the client? Who can we contact to confirm your whereabouts?”

*Whom.* I let the grammar error slip; most people don’t like being corrected. I surreptitiously checked my watch; it was 4:00 in the afternoon. I had showered only eleven hours ago at the client’s health spa. “I signed a confidentiality agreement. I can give you all the specifics once they announce the deal. Until then, you’ll just have to trust me.”

“Trust you? Now why didn’t I think of that myself?” the detective asked the ceiling before leaning in toward me. “What kind of deal are we talking about? This for your employer?” He checked his notes. “Criminal Investigations Group? Who can corroborate your story?”

*Well, asking for trust did sound dense, didn’t it?* “This was financial consulting I do on the side.” My head felt like it was following my body by a few inches. I really needed sleep so I could think clearly. “Look, I can tell you this much: I got a call from my client Friday evening and flew to Chicago that night. I went directly to his office and worked there the whole time. This morning I caught a limo to Midway and flew directly to the Atlanta airport where I met someone in one of the Delta Lounge meeting rooms.”

“Just a sec,” the detective said, and left the room.

“Don’t mind me,” I said to the sergeant in the corner and rested my head on my hands. The sooner I told them something, the sooner I could get some sleep. What could I say beyond “Trust me!” without violating the confidentiality agreement? I mentally scanned the past few days for a loophole.



I had come up with a solution to the problem around 2:00 this morning. My client, Vince D’Alessandro, the CEO of All-American Bancorp, “rewarded” me by sending me to personally propose it to the CEO of the proposed acquisition. I had yawned a thank you to the limo driver who dropped me off at Chicago’s Midway airport. After upgrading to first class on Delta’s 6:00 a.m. flight to Atlanta and clearing security without a cavity search, I dropped into seat 3A. Despite needing to review my notes for the morning’s meeting—and develop a killer opening line to broach the idea of picking the guy’s pocket of \$20 million—shortly after takeoff exhaustion won the battle with my eyelids. The flight attendant woke me a couple of minutes before wheels down. Instead of feeling refreshed, I was a grogammuffin and my mouth tasted like the retreat of the German army after Stalingrad. I grabbed a Diet Coke to refresh my system with caffeine and swished the chemicals around my mouth in lieu of mouthwash. I much prefer Diet Pepsi, but Atlanta is Coke’s headquarters and that’s all the airport kiosks stock.

Anthony D’Alessandro, Vince’s brother—who also happened to be the chairman and CEO of the proposed acquisition, Graystone National Bank—was waiting for me in the Delta Sky Club conference room rented under my name. Still with no clue how to politely say, “You fucked up big time, but if you fork over twenty mil, we’ll let the deal go forward,” I entered the room. D’Alessandro rose from the power chair at the end of the table. “You’re McCree? What’s the problem with the deal?”

The door snicked closed behind me. At his brusque greeting my shoulders relaxed. Like most CEOs, he dispensed with the touchy feely stuff and got right to the issue. Fine with me since it eliminated any need for an opening line. In three long strides through the deep carpet I met his outstretched hand and we performed the handshake ritual. Standing rigidly, jaw tucked into his neck, he scanned me from under bushy eyebrows; the left one vibrated each time his eye twitched.

D’Alessandro modeled traditional banker attire: blue pinstripe suit, white shirt, rep tie, not a silver hair out of place. On me he’d see the same camouflage attire, although my hair had only a touch of gray. His solid grip left a sheen of sweat on my palm. Once he sat down, I settled into the chair next to him, deliberately invading his space. Under the table, I surreptitiously wiped my hand on my pants.

“My brother told me I needed to meet you,” D’Alessandro said. “The bastard woke me at four in the morning.”

“I know,” I said. “I was sitting next to him.” I continued with my only lie of the morning. “Vince wishes he could be here. In going over Graystone’s books they found some unrecorded liabilities—”

“Bottom line it for me, McCree. The details can wait.”

“All-American’s deal to buy Graystone has a \$30 million contingency reserve. Your accountants misstated \$50 million of additional liabilities and you signed off on the financial statements filed with the Securities and Exchange Commission. Unless we find a \$20 million offset to bring the net back under the thirty mil, Vince has no choice but to call off the deal. He’ll have to inform both boards of the reason, which will not reflect well on you.”

D’Alessandro’s face clouded at the accusation and implication that the problem would be reported to the SEC. He rotated his chair to face me. I dove into the details regarding severance policies and retiree medical liabilities and how actuarial assumptions had caused the problem. His eye-twitch quickened, his chin dropped to his chest and he appeared to shrink into his pinstripes.

“I checked on you this morning.” He spoke with a flat aspect. “Genius at reading corporate financial statements—equally adept at sniffing out a problem if it’s there or finding hidden values. That’s why everyone wants you on their Mergers and Acquisitions team. What kept coming out was that you had old fashioned integrity.” He took a sip of water. “I’m stalling. If the deal were dead, you wouldn’t be here. There’s a way out. What?”

My mouth was dry. In the opening power games, I had forgotten to pour myself a glass of water. “I’m authorized to tell you All-American has no other issues to bring up before the closing tomorrow. Between stock options, restricted stock, and supplemental retirement benefits you would personally gain \$25 million from this deal. That’s not including the bump your stock and options get with the share price increase. Knock off \$20 million and the liability difference drops below the contingency threshold, which allows the deal to proceed.”

With the whoosh of a whale surfacing from a deep dive, he released his breath. His face turned a pasty gray. He took a series of shallow breaths as though I had punched him in the solar plexus. I hoped his heart was in good shape; I didn’t want a dead guy on my hands. After another sip of water his chin lifted from his chest and he fired detailed questions at me about how All-American discovered the problem, jotting down the specifics I provided to back up the \$50 million liability.

“I need to confirm these numbers.” He paused, circled \$20 million on his pad and blew out a lungful of air. “It’s a brilliant solution. Any other place you tried to get the money would upset employees or the executive group or put one bank or the other in jeopardy of the regulators. Here only my ox is gored—and the problem happened on my watch. He tried on a smile. “At least this isn’t Japan, so I don’t have to commit seppuku. Anything else?”

“Vince needs your answer by nine o’clock tomorrow—your time.”

D’Alessandro straightened up, filled his suit again. He stared into my eyes. I did not blink and he looked away. With a quiver in his voice he asked, “You married, McCree?”

He didn't care two shits about my family. He was stalling while he grappled with everything I had dumped on him. I filled in the dead air. "Divorced many years ago. I have a son who's about to graduate from college. You?"

"What do you suggest I do? I can't quite see myself walking in the door and saying, 'Hi Honey, I just lost twenty million. How was your day?'"

Yet that must be what he was considering. He had caved. My job was done.



At that point all I wanted to do was sleep for the next two days. I had caught a few Z's on the flight from Atlanta to Cincinnati, but instead of racking out at home, I was stuck in the Cincinnati homicide interrogation room waiting for Detective Lewis to return. When he did, he brought two more cups of coffee.

"Want one?" he asked.

"Never learned to drink coffee. Thanks anyway."

Lewis sat down and slurped coffee from a Styrofoam cup. His left hand stayed busy rubbing his thumb and finger together. "Let's try some questions maybe you can answer. Who has keys to your house?"

"My next-door neighbor, Mrs. Keenan. My son, Paddy. He's at college finishing his finals. The cleaning lady."

Lewis looked up from scribbling on his pad. "Her name confidential too?"

I gave him the name. "That's it."

"Girlfriend have a key?"

My stomach tightened as though anticipating a blow. I tried blinking in order to focus. *Why was he asking about Abigail?* It had been over a month since I'd last heard from her and I wasn't sure if she would ever be back. Had she come back? Had something happened to her? "No key."

"Really?" Lewis took a purposeful slug of brew. "We found a lot of her stuff there. Toothbrush, makeup, tampons. Everything a girl would need, except a spare key to let herself in. What's her name?"

"Abigail Hancock."

"Where is she?"

"She also works for CIG. She's a bodyguard and I don't know where—"

"Let me guess." Lewis slurped his coffee for dramatic pause. "It's confidential."

That happened to be the case, but I wasn't going to give him the satisfaction of my answer.

Lewis rolled his eyes and sighed heavily. "When were you last in your basement?"

“My basement? I have no clue. Maybe to get food for my bird feeders? Tuesday? Wednesday?” I wracked my mind trying to piece together the last week, but my sleep-deprived brain didn’t work. “Look. I’m tired. I’m hungry. I want to help because whatever you’re investigating, I didn’t do it. Is Abigail okay? What happened?”

Lewis snapped his fingers at the sergeant who brought over a 4x6 print, which he laid face down on the table between Lewis and me.

“Go ahead,” Lewis said. “Take a look.”

I searched their faces for a clue, but they sported flat cop eyes—daring me to turn over the photo. Instinctively, I picked it up by its edges. Not that I didn’t trust them... actually, I didn’t trust them. For whatever reason, I mentally counted to three before flipping the print over. I gagged. A nude man, his face blown away by a shotgun blast, elbows, knees, and ankles shattered, burn marks on his chest, sat in my basement on one of my porch chairs. Orange adjustable straps, just like the ones I owned, held his body to the chair.

I swallowed hard to keep the bile down and concentrated on the picture. Without a face and without any distinguishing marks, I had no clue who the victim was. I felt dizzy as I processed the rest of the picture. No blood spatter, no pools of liquid on the floor. Someone killed him elsewhere and then staged him in my basement.

“Lover gone bad?” Lewis cooed.

When I didn’t take the bait, he tried, “Or maybe a confidential business deal gone bad? Now’s the time to talk to me, Mr. McCree. Sticking with that crap about clandestine meetings in Chicago and Atlanta won’t do anyone any good.” He tapped the picture. “Face it. You ain’t a doctor and you ain’t a priest and your confidentiality agreement is worth bupkes in a murder investigation. Less than bupkes. Better you tell me now. Who is this guy? Why did you do this?”

Continuing to stare at the picture, I could not match it to anyone I knew.

Everyone looked up at the door click followed by low heel taps on linoleum as Homicide Lt. Tanya Hastings entered the room. She acknowledged the detective with a flick of slender fingers and gave the sergeant a quick smile. She leaned her five-eight frame against the far wall. Bright, skilled, and tough enough to be Cincinnati’s first African-American homicide lieutenant, normally her smile took in her entire face, and if I was not careful I could drown in her chocolaty eyes. Not today.

“He giving you a hard time, Seamus?” She inclined her head toward Lewis. Her lilac scent began filling the room.

“I wish I could be more helpful.” I shrugged one shoulder.

“Why don’t you two take a break,” Hastings said. They shuffled out of the room, probably to take positions behind the mirror. Hastings took the detective’s chair. How long had she been watching? She brought me out of my thoughts. “I think you were just about to tell us the name of the deceased?”

“Hard to tell after someone blew his face away.”

“He was obviously fit, nice tan under the bruises. Can’t tell from the picture, but he had interesting hands: polished fingernails, no calluses, no rings.”

She shifted gears before I could assimilate the new information. “Lewis is right, you know. You are obstructing justice by withholding evidence. We dumb city cops wouldn’t be smart enough to profit from whatever acquisition you were working on. Besides, that would be illegal. Friendly or hostile?”

“Oh, the detective was friendly enough, I guess.”

She leaned the chair back on two legs and hooted. I caught myself staring at her long elegant neck and felt a flush heat my face.

She took the top off the second coffee cup and peered into the tan liquid. “I think I’ll pass. What I meant is,” she enunciated each word carefully, “is the acquisition friendly or hostile? I assume your confidentiality nonsense has to do with a merger or acquisition or leveraged buyout or some such. Might this murder in some way be related to a hostile transaction?”

“Friendly. Besides, I have no skin in the game. They pay me by the hour and get my advice. They make the decisions, not me, and I’ve already completed all my work. It’s up to the two parties now.” Actually, it was only up to Anthony D’Alessandro—or possibly his wife. Would she give up the \$20 million? The banker in him realized he was still millions ahead if the deal went through, but what would it do to her ego?

“What if your guest’s a muckety-muck of either the buyer or seller?”

“Doesn’t make any sense, Lieutenant. Only a couple people at the buyer knew of my work...” *Oops, I just gave that away. Now she’s confirmed it’s an acquisition. Be careful, Seamus. It won’t take much work to figure out who in Chicago was buying whom in Atlanta, especially if you knew banking and financial institutions were my specialty.* “They only got me involved over the weekend. The seller knew nothing of me until early this morning. Did someone break into my basement?”

She sucked on her bottom lip. “Doors were locked tight. A 911 caller said they heard screams coming from your basement. District Five checked it out and saw the victim through your cellar door and... here we are.” She nudged the picture closer to me.

“And you think I did this and now I’m making up some cockamamie excuse about these meetings? Once they ink the deal or it falls through, I can give you chapter and verse. Besides, you can check my plane tickets.”

“We’re doing that as we speak. We’d also like permission to search your car.”

“What? I killed the guy somewhere, brought him home in the car, and left him in my basement for all to see while I jetted to Atlanta for a quick tete-a-tete?”

“I’ll go out on a limb here. Between the two of us, I don’t see you killing this guy. First,” she held up a finger, “you hate guns and this guy was shot by at least two different types. Two, I’m not saying you couldn’t kill somebody—you’ve got the temper for it—but if you did, it would be quick and rash, not premeditated, as this obviously was. Three, if you’re going to store a dead body in your house you’re going to stick it behind

the furnace where no one could see it from outside.” She paused and waved the three fingers at me. *No rings on her fingers. What happened to her engagement ring?* “However,” she continued, “you’re a smart and crafty bastard. You might decide that’s what I would think, so if you did kill someone, you might make it look sloppy, like this. I do love my job, indeed I do. About those car keys?”

I retrieved the keys from my suit coat pocket. “Remember to fill the tank when you’re done.”

“I’m dying of laughter. What are you working on for Criminal Investigations Group?”

“Just some boring forensic accounting work relating to a couple of UK firms Interpol thinks are laundering terrorist money. As far as anyone knows they have no connection to the US, which is why CIG gave me the work. They figure I’m out of harm’s way.”

“Fine. But the fact is, we found the body in your basement. You sure nothing you’re working on either privately or for CIG could lead to what we found in your basement?”

“I don’t believe so.”

She leaned forward, and I couldn’t help looking into her eyes. “You’re lying. You’re still sniffing around the Chillicothe stuff, aren’t you??”

Heat crept up the back of my neck. “You know I was yanked off the case.”

“You didn’t exactly answer my question, Seamus. Are you messing with that investigation?”

*Could the dead body connect with that?* Couldn’t be. We’d been super careful, hadn’t we?

“You in there?”

“Sorry, Lieutenant. I am really, really tired. I was just thinking.”

“I know that’s what you’re supposed to be good at. People pay you really big bucks to think. In fact, things work much better when you think and other people do the actual investigating. But of course, you already know all that.” She pushed her chair back with a squeak and stood up, leaned over the table. “In Interrogation 101, they teach you to ask a question three different ways, so here goes try number three: What have you been doing on the Chillicothe case?”

“Nothing.” Crud. I had broken my self-promise about asking for counsel before telling any lies. I regrouped. “Paddy and I tried to track some of the missing funds.”

She raised her eyebrows. “Really? I thought he was at school?”

“Paddy hid our ISP address so we’d be safe.” I couldn’t hold her gaze. “You guys had nothing and its millions of dollars.” From the haze, I remembered her question. “Paddy is still at school. This was while he was home on spring break. Besides, we got nowhere.”

Hastings rubbed her eyes with the backs of her hands. “Well, Sherlock, some reality just got brought home to roost. If you and your son have been screwing around with

people who were willing to kill scores of innocents as part of their scheme, maybe it's a good thing you were away for the weekend. Maybe you would have been the guy strapped to the chair."

"Did they administer the IRA six pack in my basement?"

"An IRA what?"

"Six pack. The IRA used it on informers. Shot their elbows, knees, and ankles. Effective advertising about why squealing on the IRA is a bad idea."

Hastings jotted notes on a spiral-bound notepad she took from her shirt pocket. "How do you know about IRA six packs?"

"We didn't play cowboys and Indians growing up in South Boston. We played IRA and Ulster Guards. There wasn't exactly unanimity in the community about whether the IRA was good or bad."

Detective Lewis reentered the room. "Delta confirms Mr. La-Dee-Dah flew first class on the flights today and paid for a conference room in their Atlanta lounge. We got no airlines that have him flying out anytime Friday or Saturday. He's so full of—"

"My client flew me to Chicago in their corporate jet. I told you that—"

"Doesn't really mean anything," Lewis snarled. "The coroner said—"

"Enough," Hastings commanded. "The crime scene techs are willing to release everything in your house Seamus, except your basement. They'll seal that off and let you back in, assuming you want to be there."

"You're letting him go?" Lewis asked.

She shot me the smile of a shark before focusing her attention on Lewis. "I'm not saying Mr. McCree is innocent. Until we check tape from some airport monitors, all he has are a bunch of reservations and receipts. We'll let him go for now." She shifted her laser look to me. "I'm giving you rope, Seamus. You can choose to climb out of the hole you're in or hang yourself." Once again focusing on Lewis, "Are we clear?"

The expression on the detective's face indicated he was anything but clear, but knew the chain of command. "Yes ma'am." He closed the door behind him.

Hastings sat down, clicked off the recorder and leaned in, giving me a good slug of her lilac scent. "You have a criminal lawyer? Didn't think so. The best in town is Leroy Patterson. He's selective about the cases he takes, so tell him I said to call. Use him as a conduit to confirm your alibi without divulging who's buying who."

"Thanks. It's whom."

"What's whom?"

"Who's buying whom."

"Who the fuck cares?" She stood up and glared down at me. "Look Seamus, if even one neuron in that vaunted brain of yours thinks about splitting town, remember this: I will hunt you down and drag you back by your balls."