

ESPD BLUE

by Stephan A. Schwartz

Elise McGinley was desperately anxious about her brother, Andre Daigle. He had gone out for dinner with his best friend, Nick Shelly, and on the way home, the two men had stopped at Mitchell's Lounge, a local bar, to shoot some pool. After three or four games, as they were leaving, a woman came up to Andre and asked if he could give her a ride. She explained that her friends had left her and she had no way to get home. Telling Nick to go on, Andre agreed to help her out.

That was four days ago and Andre had not been seen since. The police weren't interested: A single young man meets a woman in a bar and leaves with her; to their minds there was little reason to suspect foul play. The family felt differently. Bar pickups were not Andre's style, and he had never missed work without checking in. Most telling of all: He was house-sitting for his brother Christian and had made no arrangements to feed the cat. Elise talked with her family several times a day as they organized the search the police would not undertake, but there was little else she could do. They were in Louisiana, and she was in Southern California. Still, as the time stretched on and Andre remained missing, she felt she had to do something.

At the suggestion of a co-worker, she called psychic Rosemarie Kerr and asked for her help. Kerr told McGinley to come to her house in Cypress, California, and to bring a picture of her missing brother and a map of the general area where he lived. McGinley, who had never consulted a psychic, hung up not knowing what to expect, half-anticipating some weird practitioner of the occult. What she encountered was a middle-aged woman, conservatively dressed, who might have been a teacher or a small business owner.

When they sat down in her living room, Kerr, an ordained minister, first prayed with McGinley to help ease her extreme agitation and distress. Then she closed her eyes, touched Andre's photograph with her finger, and set to work. She told McGinley she saw water. A long, low bridge. Nearby were railroad tracks. There was something important about the number seven. The images shifted and she described a man with long, dirty-blond hair. A dark-colored vehicle. A girl who had exerted a hold on Andre. As she spoke Kerr found her head began to ache so violently that she had trouble continuing. She was sure the pain was

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Publication history: *Intuition Magazine*, December 1998, pp. 26-31; and, *Kindred Spirits*, vol. 47, June-August 1999, pp. 25-28.

something Andre had felt.

With her eyes still closed, the psychic slowly moved her finger across the map of Louisiana. Suddenly, she felt a tingling and stopped. Kerr opened her eyes and saw that her finger pointed to the town of Slidell, Louisiana, 30 miles from where Andre lived.

Sketching the line of a highway, Kerr told McGinley, "You will find your brother's truck there ... but you must act quickly... *you have to do it now.*"

Even though it was 11:30 at night, McGinley immediately called her parents in the town of Kenner, telling them to organize a search party and rush to Slidell. When she explained the source of her information the family was skeptical, but her urgency spurred them on. Within minutes family and friends had gathered on the lawn outside the Daigle home. They held hands in prayer; then they set off in three cars, guided by nothing more than the words of a woman they had never met, 2,000 miles away.

Arriving in Slidell after midnight, Andre's older brother, Christian, almost immediately spotted Andre's truck by a dent whose story he knew. Inside the cab were two men. One had the long, stringy blond hair Kerr had described. Christian followed the truck; the pursuit quickly turned into a high-speed chase. At one point they sped past a patrol car in the tiny town of Pearl River, and Christian screeched to a halt. His wife, Virginia, ran over to Tom Corley, the patrolman behind the wheel, and convinced him to take up the chase. Both Christian and Corley raced off after the receding taillights of Andre's truck, almost missing it as it made a turn. The choice was a bad one for those in the truck. It was a dead-end road. When the driver realized he had nowhere to go, he turned back the way he had come, only to find himself cornered. As the vehicles faced each other, motors racing, Officer Corley got out and pulled his sidearm. Aiming it at the truck, he commanded the two men inside to surrender. After a tense moment, first one and then the other climbed out.

Inside the truck the sheriff found weapons as well as pawn tickets. Later, it was discovered they were for Andre's belongings. Corley booked Charles Gervais and Michael Phillips on suspicion of traffic violations and auto theft.

Once in custody, however, Gervais and Phillips both confessed to the brutal, random murder of Andre Daigle. The next day, in a bid for leniency, Gervais led Kenner Police Sergeant Jim Gallagher to the site where they had dumped Andre's body.

“Rosemarie had indicated that Andre would be in a location near a long, low bridge, there would be railroad tracks nearby, and he was near water,” Sergeant Gallagher recalls. “When we found the body, he was next to an elevated (bridge-like) interstate, there were railroad tracks to the east of that location, and there was water on both sides of the railroad tracks and on the other side of the bridge. She indicated that the number seven was important part. Right before we found the body, we exited the interstate at Exit 7. She told us that Andre had suffered a lot of pain to his head. He was killed with a claw hammer—beaten to death on top of his head.”

The murder turned out to be motivated by a perverse test of manhood and partnership. The killers, planning to go to New Orleans, felt that by jointly committing a homicide they would at once prove themselves as criminals and create an unbreakable bond of mutual blackmail. To set it all in motion, they talked 17-year-old Thelma Horn, Phillips’ girlfriend, into going to Mitchell’s Lounge that night to pick someone up and lure him back to their apartment. Andre was just a target of opportunity; it was nothing personal.

Gervais and Phillips were sentenced to life in prison and, a year later, so was Horn. They are living out their sentences.

Was it psychic perception that helped Rosemarie Kerr glean the information that led to the arrest? Was it a lucky fluke that Andre’s truck happened by after family and friends had driven to Slidell? Asked his opinion, District Attorney W. J. LeBlanc didn’t mince words. “There was absolutely no way that it could have been by chance,” he said. “This woman is a genuine psychic. She’s the real thing.”

In fact, LeBlanc was so sure that Kerr’s insights had been crucial that, although previously skeptical about psychics, he took the almost unprecedented step of asking her to testify at Gervais and Phillips’ trial. “I felt it was important to present the full story to the jury,” he says, “to give them a full appreciation of just how fortunate the authorities were to have these people on trial.” In his view, Kerr’s inklings hadn’t just cracked a case, but also most likely prevented the commission of other crimes. “Charles Gervais is probably the most evil individual that I’ve ever come across as a prosecutor,” he says. “He was, in my opinion, a cold-blooded killer, the leader of the three, and probably would not have hesitated to kill again.”

Testimonials like LeBlanc’s are not uncommon among law enforcement officers who use psychic assistance—although those who use it don’t exactly advertise the fact. Nationwide, only about 100 police departments openly work with intuitives on a regular basis. The others who consult psychics (there are no

statistics on how many) are off the record about it: An officer quietly enlists the assistance on his or her own. Even the federal law enforcement agencies keep such contacts under wraps, although most have used psychics at one time or another.

When officers do turn to intuitives for help, observations like Rosemarie Kerr's are typical of what they get. Cryptic crime scene details (the water, the low bridge, "something about the number seven") are frequently heard in tape recordings of psychic consultations. Some clues make sense only in hindsight, a few are off the mark, and some can never be verified (unless you're there, for instance, it's hard to document a dying man's thoughts). In a sense, listening to the commentary of psychic detectives is like hearing someone describe a flickering movie that's not always in focus—but that acutely conveys what both victim and perpetrator are feeling at the time of the crime.

So who are the intuitives who do this work? Of the 50 or so who practice with any regularity, the busiest are men and women whose successes have won them international reputations and solid working relationships with police departments far and wide.

They are not practitioners of occult arts; in fact, most see what they are doing as an extension of the laboratory research done by parapsychologists. Nor is there anything flighty or insubstantial in their demeanor. Demographically, they are middle-aged and middle class. Often traditional in style, they come across as professionals who take what they do very seriously and value their partnerships with the police.

A French Connection

Psychic crime-solving dates back at least 300 years, judging from one published account from a government-appointed commission in 17th-century France. In July 1692, a wine merchant and his wife in Lyons were brutally murdered with a meat cleaver during the course of a burglary. The crime became a sensation, and then an embarrassment when the police were unable to solve it. Finally, Jacques Aymar, a peasant with a reputation as a dowser, volunteered to help. The King's Procurator, apparently impressed by Aymar's record, summoned him to Lyons. Aymar was taken to the crime site; using his dowsing tools, he reconstructed the crime, and very quickly announced that three people had been involved in the murder.

Guided by his dowsing rods, he tracked one of the perpetrators to a prison in the town of Beaucaire where, from a line-up of 13 men, he selected a man who

had been arrested for another theft just minutes before. The man was returned to Lyons, where he confessed and validated all of Aymar's psychic perceptions. The procurator was so impressed with this success that he granted Aymar legal powers and assigned him a troop of soldiers to assist him in his work. Again using his dowsing rods, Aymar took up the search, eventually tracking the remaining two perpetrators to an inn in the town of Toulon—although they had fled French jurisdiction for Genoa by the time troopers arrived.

As a result of all this, Aymar became famous and was asked to help out in a number of other unsolved criminal investigations throughout France. A government commission was appointed to record those efforts. That led, in turn, to a counter-investigation by skeptics, who dismissed Aymar as at best a dupe and at worst a fraud.

Modern-day psychics endure much the same treatment. They are the target of an almost constant barrage of public criticism, much of it highly personal, from organized skeptics intent on denying the value or even the validity of psychic perception. These critics, who by and large are neither scientists nor law enforcement agents, maintain that claims for psychic detectives' successes are exaggerated, and that psychics actually impede police investigations with distracting false clues. In publications and Web sites, groups like the Committee to Investigate the Scientific Claims of the Paranormal (CISCOP) portray psychics as fringe characters with a supernatural bent: "To call on the occult to assist police in what is very serious, important work throws crime-solving, and our civilization, back to the Middle Ages," says Paul Kurtz, a philosophy professor at State University of New York.

Not surprisingly, then, psychic investigators tend to keep a low profile. They become involved in cases either, like Kerr, at the behest of a victim's family member, or when someone in law enforcement directly asks for their help. Some, approached by family, will participate only if police give the O.K. Most of the cases brought to them are in a fairly hopeless state and involve serious crimes: Mysterious death or disappearance lead the list. But psychics have also assisted in investigations concerning stolen artwork, missing stock certificates, gem robberies, embezzlement, and theft by employees.

Whatever the crime, only very rarely do well-known psychics volunteer their services or come forward with unsolicited tips. For one thing, they see it as unprofessional; for another, it has risks.

One of these risks is becoming a suspect yourself. For instance, two days after the highly publicized disappearance of Melanie L. Uribe, a missing Sylmar,

California, nurse, a woman named Etta Louise Smith went to the police and told them she had had a vision showing that the woman's body had been dumped in a rural area, in Lopez Canyon. Less than an hour later, Smith led detectives to the location she had "seen." The body was there. The detectives, however, were very suspicious of Smith's story. They took her into custody, questioned her for about 10 hours, and arrested her on suspicion of Uribe's murder. She was released after four days and never charged. She sued and won a judgment for wrongful arrest. (Smith's attorney, James E. Blatt, later speculated that police had never really believed she was the killer, but had hoped to scare her into revealing her "real" source of information.) Three men with no known connection to Smith eventually were convicted of the murder and are serving up to life in state prison.

The other risk of coming forward with psychic clues is becoming a target of the skeptics' venomous attacks, which can sometimes be worse than a few nights in jail.

Noreen Renier of Gainesville, Florida, has worked with dozens of police departments throughout the country, many of whom have thanked her in writing. Yet in 1985 she was blasted as a fraud by John Merrell, a member of the Northwest Skeptics, in letters to the police and local press.

In October 1986, feeling that unless she took action her reputation would be destroyed, Renier sued Merrell for defamation of character (check with SS) in Jackson County, Oregon. Years of appeals, counter-arguments, motions, and accusations ensued. Finally, after nearly a decade of wrenching emotions and legal fees, Renier won at least some closure: Merrell settled—but the sum remains undisclosed because, as part of the agreement, she had to agree not to talk about the whole affair. Even then, the attacks continued: A Web site maintained by Gary P. Posner of the Tampa Bay Skeptics still criticizes Renier by name.

Given such fallout, why do they do it? Certainly no one goes into psychic detective work for the money. In the words of Beverly Jaeger, head of the St. Louis-based United States Psi Squad, a collective of psychic detectives: "Who ya gonna charge? The victim's dead, the police rarely have money for such work, and we only work with police." Even those who do accept money (when police or relatives can afford to pay) don't get much: Noreen Renier charges \$650 for two consultations and won't do any more than that in a week because of the emotional toll it takes.

Minneapolis psychic detective Bill Ward, who assists police for free and may be the busiest person in the field, squeezes it in while working full-time to support

his family. “Average day? I go to work, I come home, take my phone calls, work on murders, more phone calls,” he says. “I sleep three, three-and-a-half hours. I get up; before I go to work, I work more murders, more cases. It’s a gift, but it can be also a curse.”

Yet it has its payoffs. What seems to motivate psychics who help police are the potential gratification of solving a puzzle, the sense of service that comes from contributing to the arrest and conviction of a person who has taken another’s life, and the ego boost that comes with doing something successfully where others have failed.

Some are so successful that they are willing to go more public with their work. Jim Watson, a Los Angeles-based psychic consultant, was challenged by a Japanese television channel to solve a case not only on the air, but from the air—to literally fly over Japan until he detected an undiscovered dead body. Up in the helicopter, he directed the pilot to fly over the flanks of Mount Fuji. As the cameras rolled, he pointed down to the forested slopes below and said that directly beneath him was the body of a young woman. He described the condition of the body, its posture, and when the death had occurred, adding that it was a suicide resulting from drinking poison. The helicopter landed in a clearing, and Watson told searchers exactly where to look, marking the location on a map. Within 45 minutes the young woman’s body was found, in exactly the location, posture, and condition Watson had described. A subsequent autopsy confirmed the death was caused by drinking poison.

What is going on during these psychic sessions? The absolute answer is that no one knows. For all the research that has been done, what science knows about the mechanics of psychic perception could be written on the back of an envelope. The ability is thought to be widespread throughout the population, something like the distribution of musical ability. Many researchers think psychic detective work involves in large part a form of perception known as remote viewing: the ability to describe people, places, or events across a distance of space or time. However it’s defined, most researchers do believe, after 50 years of credible study, that psychic abilities genuinely exist. “Using the standards applied to any other area of science, it is concluded that psychic functioning has been well-established,” wrote renowned mathematician and statistician Jessica Utts in a report for the CIA published in *Statistical Sciences* in 1995.

In-house Psychics

Rather than consult a psychic, some police officers are learning to become a

more psychic themselves. In lectures and short seminars, intuitives like Noreen Renier are training hundreds of officers to develop their own intuitive abilities.

Essentially, her training includes a short course in remote viewing. Officers might be asked to envision, for instance, a criminal's hiding place, or to describe objects inside a sealed container.

Though participants have generally been pleased, such programs are still an anomaly among law enforcement groups. A less overtly psychic—and more accepted—approach is a form of training offered by Kathryn Harwig, an attorney in Minneapolis/St. Paul. Her legal experience, along with her 14 years as a probation officer, give her an insider's perspective and a unique credibility among her law enforcement peers. What she teaches is not so much a new skill as a different way of looking at the world. Combining remote viewing with simple energy awareness exercises, Harwig tries to help students build on the gut feeling or “blue sense” that every successful police officer develops, and to point out ways to apply it to life on the job.

According to Harwig, the biggest challenge police face today is not technical crime solving, but becoming more sensitive to the communities they work with. Because of her background, she does not raise hackles when she points out “how much tension between police and the community traces back to the judgment a police officer made in an instant, on the street, usually under stress. Suppose you took a few seconds, before you got out of your patrol car, and used remote viewing to get a better understanding of what was going on behind that front door in a domestic dispute call,” she tells her trainees. “Suppose you saw a group of kids, and had a better sense of who they were when you went up to them.”

For the last two years, every station-house intake officer joining the St. Paul Police Department has taken Harwig's class, and the University of Minnesota Police Department offers her workshop as a voluntary course. The regional chapter of graduates of the FBI Academy (mostly police chiefs and senior commanders) has asked her to speak. She also teaches prison guards and officials many of her techniques.

Why is her method so well accepted? Most likely for three reasons. First, she has no public and controversial identity as a psychic detective. Second, she's been a respected member of the law enforcement community for years. Third, she's taking a “mainstream” approach. Psychic detectives may still be viewed somewhat askance, but teaching sensitivity as a job skill is part of a cultural and attitudinal shift that very much reflects the climate of our times. Increasingly, every major structure in American society, from medicine to the

military, is beginning to realize that its operations work better, with less hassle and increased productivity, when the intuitive aspect of human consciousness is included in the mix.

Challenges to Research

One would think, nonetheless, that psychic detective work, especially given its potential usefulness, would be the subject of intense scientific study. Yet so far, almost no academic research projects on the phenomenon have been done. Why not? It's mostly a matter of conflicting priorities.

An academic parapsychologist, being a scientist, focuses on whether and to what extent an intuitive's information is actually psychic. Researchers design experiments to rule out all other possibilities, going to enormous lengths to make sure that news, gossip, body language, and a host of other potentially "polluting" sources of information are blocked off. The researcher also wants to examine every nuance of detail the psychic describes. Was the color of a shirt right? Was there even a shirt involved? Was the time correct? Is the angle of the shadow accurate? And so on.

A police detective, in contrast, is a pragmatist with a job to do: to arrest a suspect for trial and make a case that will stand up in court. Police have little incentive to spend the time needed to help a scientist conduct a double-blind experiment or carry out a detailed post-arrest accuracy analysis. Whether the information pans out or only gets officers thinking in a new and productive direction, if it helps solve the case, that's enough. If the psychic's information isn't helpful, it wasn't a major investment—just another blind alley in a profession filled with blind alleys.

To law enforcement officers, in fact, psychic detectives are really just a special category of eyewitness. That fact comes through even in the rare cases where some attempt has been made to regulate the use of psychics in investigations. In 1981, the Pomona, California, police department developed an official protocol for how to work with psychic informants; it reads like a variation of the training detectives receive for working with traditional eyewitnesses. The Florida State Legislature, about 10 years ago, issued similar suggestions, and guidelines published in the journal *Police Chief* were in the same vein. The truth is police don't really care much about psychic perception *per se* and have no investment in the debate over its existence. They just want to catch bad guys.

Organized skeptics, of course, *do* care about the psychic angle — if only because

they seek to disprove it. Their attacks may embarrass police departments and attract unwanted publicity, but to battle-weary homicide detectives, these squabbles are really beside the point. To their mind, if you're charged with the duty of unraveling the messes left by murderers and thieves, and your case is stalled, anything that isn't illegal and can get you closer to justice is worthwhile. The use of psychic detectives isn't science—which is unfortunate, because the whole process, like other human endeavors, would undoubtedly benefit from careful research. And it isn't a cure-all; there are failures. But whatever it is—however inadequately acknowledged and however little understood—it seems to be enough to put at least some people who make our lives unsafe behind bars.

LEGAL AID

Psychic detectives aren't the only intuitives in law enforcement. Some attorneys have used extrasensory help in the courtroom—though exactly how many do it is unclear, since it's not something they like to discuss.

One person who will talk is Justice Howard Goldfuss, now retired from the bench in New York State. One day, he came into his courtroom to find a stranger sitting at the defense counsel's table. The attorneys introduced the woman to Goldfuss, describing her as a psychic. When he asked the obvious question—what was she doing there?—they replied that “the purpose was to have a better understanding of the thought processes of the jurors,” he recalls. The prosecuting District Attorney objected, but Judge Goldfuss took the matter under advisement. His decision: “As long as the jury selection procedure was not being interrupted, there should not be any objection.”

Over the years, as Justice Goldfuss has watched the use of psychics in courtrooms become more common, he's thought a bit more about the implications. “The strength of it, of course, is that it can help lead to the truth,” he says. Still, there are significant Constitutional issues at stake. Say a psychic reads a suspect's mind as she's being interrogated or cross-examined. “That would very, very possibly be an invasion of privacy and a violation of her rights under the Fourth Amendment,” Goldfuss says. “And nothing should be more subject to privacy than a person's own mind.” And if the psychic's information were introduced in testimony, would it be admissible? “I don't know whether

the Supreme Court of the United States would be ready [for that] at this time,” he says. “But we have seen changes in the law. We have seen changes in the admissibility of evidence.” In his view, if using psychic assistance helps lead to the truth, “we should use it, as long as it is consistent with the rights of the accused.”

Others tend to agree—if for more cynical reasons. “Since the law allows any consultant to be used to help in jury selection, psychics are probably about as good as anyone else,” says Professor Marcello Truzzi, an Eastern Michigan University sociologist and co-author of *Blue Sense*, a skeptical but reasoned look at the use of intuition in law enforcement. “Indeed, if they are visibly used, knowledge that they are present may make potential jurors more honest in their self-disclosures,” he adds. “Since psychological jury consultants—profilers—are mostly bunkum, anyway, I suspect psychics would be cheaper and get the same results.”
