**Books try to prove Fugate's innocence in Starkweather murders**

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LINCOLN — A lawyer from Cleveland, Linda Battisti lives a long way from here.

She was 5 years old when Charlie Starkweather and Caril Ann Fugate went on their murderous spree that started in Lincoln in January 1958.

But Battisti said the first time she read about the case she knew something was wrong.

She was once a teenage girl, and she couldn't believe that Fugate, at age 14, could participate in the murders of 10 people, including her own mother and 2-year-old sister.

Movies and songs portrayed it as a love story, but how could Fugate love such a monster?

And how could a jury find the junior high girl guilty of first-degree murder?

The questions nagged Battisti and sent her on a quest, one that led to a friendship and ultimately a book that she says will show Fugate was absolutely innocent.

Battisti's book, “The 12th Victim,” is likely to ignite fresh debate over the involvement of Fugate, then the youngest female to be tried and found guilty of first-degree murder.

“She was held hostage under legal duress. That means someone was holding a gun on her,” Battisti said. “I hope that she will be pardoned. It's about time.”

Starkweather murdered 11 people — 10 during the spree across Nebraska and Wyoming that began in January 1958, and one, Lincoln gas station attendant Robert Colvert, after a robbery and abduction in late 1957.

Fugate, Battisti believes, is the 12th victim.

“The 12th Victim” is one of two books written recently about the 54-year-old killings that will portray Fugate, who spent 18 years behind bars, as an innocent victim. Battisti expects to publish her book in the spring.

The other, “Pro Bono — The 18-year Defense of Caril Ann Fugate,” was written by Jeff McArthur, the grandson of one of Fugate's defense attorneys, John McArthur of Lincoln.

The two books testify to the enduring fascination with the Starkweather murders, and the bloody loss of innocence in America's benign heartland.

Panic rose as more and more bodies were discovered in what was described as the first mass murder of the media age. People tuned in to the radio to hear the latest news, and newspaper headlines screamed about the shocking carnage in Lincoln, then the small farm town of Bennet, Neb., then Lincoln again and finally Wyoming.

The National Guard was called out amid the panic. People huddled behind locked doors with loaded guns, uncertain of where the murderous pair might be headed.

Their story is told in movies, books and even a Bruce Springsteen song.

Seventeen months after he was arrested, Starkweather was executed in Nebraska's electric chair.

And there has been continuing speculation in the years since about the involvement of the junior high girl in cat-eye glasses.

Did she help hide the bodies of her mother, half-sister and stepfather, the first victims of Starkweather's spree? Did she help kill others? Why didn't she alert police or try to flee?

Plenty of people remain convinced that Fugate should have been executed along with Starkweather and that stories portraying her as an innocent victim are an attempt to make money off the still-sensational story and a bunch of bunk.

“It's the same old story she's been telling since 1958,” said Del Harding, who covered the murders and trials for the Lincoln Star. “I don't think anyone who was close to the case believed her story that she was a hostage.”

“She had ample opportunity to get away,” said Paul Douglas, a former Nebraska attorney general who assisted in the prosecution of Starkweather and Fugate when he was an assistant prosecutor in Lancaster County.

“She should have been on his lap and fried with (Starkweather),” said Tom King, 48, a Lincoln plumber.

His aunt, Carol King, then 16, was shot along with her boyfriend, Robert Jensen, after they stopped to help Starkweather and Fugate, whose car became stuck on a muddy road after the pair fled from Lincoln.

Fugate is glad the books are coming out, according to Battisti, who said she keeps in regular contact with her.

Battisti, who conducted several interviews with Fugate, said her book will tell Fugate's true story for the first time and will show that Fugate was absolutely innocent.

Fugate, now a 69-year-old retiree who was married a few years ago, has suffered throughout her life, the author said, for failing to protect her family from Starkweather, a former garbage hauler who loved guns, bragged of becoming an outlaw and slicked back his hair in the style of James Dean. Fugate has said that befriending and believing Starkweather was the biggest mistake of her life, one she blamed on her young age and “hot stuff” attitude.

“She never thought in a million years he'd do what he did,” Battisti said. “She said that literally, ‘He was not the man I knew.' It was like Jekyll and Hyde.”

A recent online story, quoting an unnamed stepson, said that Fugate had suffered a series of strokes and was partially paralyzed.

Battisti refused to confirm or deny that, except to say that Fugate was physically “OK” and not hospitalized or using a wheelchair.

“I'm very protective of her,” she said.

She declined to say where Fugate now lives or what her new name is.

“Caril has always said that God would bring the right person to her to tell her story,” Battisti said.

The series of slayings began on Jan. 21, 1958, two days after Fugate broke up with Starkweather, when he went to her house and killed Fugate's mother, Velda Bartlett, her younger sister, Betty Jean Bartlett, and her stepfather, Marion Bartlett.

Fugate was not there at the time of the murders, but came home later. There are disagreements over whether she helped hide the bodies in a chicken house and an outhouse near the Lincoln home, and whether she even was aware that her family was dead.

Both Battisti and John McArthur insist that Fugate did not learn that her family had been murdered until much later, after the pair's arrest in Wyoming.

The authors said that Starkweather told Fugate that her family was being held hostage, and that if she didn't cooperate, Starkweather would make a phone call to his associates, and they would all be killed.

Starkweather and Fugate stayed in her family's house for six days before fleeing.

Once, during those six days, police came to the house, but Fugate waived them away, saying everyone was sick but OK. She lied because she feared being shot by Starkweather if she didn't, the authors say.

Both Battisti and McArthur said a note that Fugate placed on the front door was an attempt to tip off police. It stated that everyone inside was sick. But it was signed “Miss Bartlett,” a reference to her 2-year-old sister.

McArthur, now a Los Angeles-based writer, said Fugate left other clues during the rampage, including throwing out the schoolbooks of victim Carol King to show the direction of Starkweather's getaway.

“Someone who was trying to help Starkweather wouldn't have left such clues and messages,” he said.

McArthur based his book on court transcripts, defense attorney records and accounts from his grandfather and father, Jim, who later helped with Fugate's appeals.

Jeff McArthur doesn't say that Fugate was “100 percent innocent.” “I actually don't like to use the term ‘innocent,' which sounds like I'm splitting hairs,” he said. “That's what makes this case so fascinating. It's not a totally black and white thing.”

Battisti is less ambiguous. Fugate, she said, is “a completely innocent victim.”

“Caril, by staying with Charlie, was a heroine,” the author said.

Fugate wanted to escape and tell police but couldn't, Battisti said, because she was trying to protect her family. She was portrayed as a young “tramp,” but according to Battisti, Fugate never slept with Starkweather.

The author blames the emotion surrounding the horrific crimes for Fugate's guilty verdict. Too many people, Battisti said, believed Starkweather's testimony that Fugate was a willing participant.

But Battisti and McArthur say Starkweather initially said that Fugate was not involved in the crimes.

McArthur said it was only later, after police told Starkweather that Fugate had called him “crazy” and after they had offered him incentives to testify, that Starkweather changed his story.

McArthur's grandfather and father were so convinced of Fugate's innocence that they took on her appeals without pay, or “pro bono.”

McArthur said his respect for his grandfather grew after he learned that John McArthur had even rejected a check that was sent for representing Fugate at her trial.

But Douglas, the former assistant prosecutor, rejects those claims of innocence, saying the evidence indicated that Fugate was aware of her family's murders and never alerted police or tried to run.

“We never claimed that she killed anyone,” he said. The fact that she held Robert Jensen and Carol King at gunpoint while Starkweather retrieved items from their car was enough to show that she was an accomplice to murder, Douglas said.

Tom King, Carol King's nephew, said his late mother's stories about the case convince him that Fugate was a participant in the crimes, and that she may have helped inflict the gruesome knife wounds found on his aunt. He said he hopes Fugate is not profiting from the books. (Battisti says she doesn't expect to make any money; McArthur says he is donating 20 percent to battered women's causes.)

John Stevens Berry, a Lincoln defense attorney who is helping with Battisti's book, said he is convinced that “The 12th Victim” will cause people to re-examine their beliefs about the case.

Added Battisti, “I don't think that enough books can be written about Caril Fugate's innocence. There's been too many that just went along with what Charlie said.”

**Timeline of Caril Ann Fugate**

July 30, 1943: Born in Lincoln

1956: Then 13, she is introduced to Charlie Starkweather, who visits her every day after her classes at Whittier Junior High School in Lincoln.

Dec. 1, 1957: Starkweather kills Lincoln gas station attendant Robert Colvert. He told Fugate he had only robbed the man.

Jan. 21, 1958: Starkweather kills Fugate's mother and stepfather, Velda and Marion Bartlett, and their 2-year-old daughter, Betty Jean. Caril was not present. The bodies were hidden in an outhouse and chicken shed on the family's property.

Jan. 27, 1958: Just before police arrive at the Fugate home to investigate, Starkweather and Fugate flee to Bennet, Neb. A Starkweather family friend, August Meyer, 70, is shot and killed. So is the farmer's dog.

Starkweather and Fugate flee again, only to get their car stuck on a muddy rural road. Two local teenagers, Robert Jensen and Carol King, stop to help. Starkweather forces them into an abandoned storm cellar, where he shoots and kills Jensen, 17, and shoots and brutally stabs the 16-year-old King. Starkweather later claims Fugate shot King.

Jan. 28, 1958: After sleeping overnight in their car, the pair drive to Lincoln, where they invade the Country Club area home of businessman C. Lauer Ward and his wife, Clara, seeking money for their getaway. Clara Ward and maid Lillian Fencl are stabbed to death. The husband is shot to death when he arrives later.

Jan. 29, 1958: Starkweather and Fugate flee to Wyoming as panic envelopes Nebraska. Alongside a highway outside Douglas, Wyo., they wake a traveling salesman, Merle Collison, who was sleeping in his parked car. He is shot and killed.

But Starkweather stalls the salesman's car. When a passing motorist stops to help, a struggle ensues. A deputy sheriff arrives and Fugate runs to the deputy. Starkweather flees in a high-speed chase that exceeds 100 mph. But after a sheriff's bullet shattered his windshield and cut his face, he abruptly stops and surrenders.

May 23, 1958: Starkweather is found guilty and sentenced to death.

Nov. 21, 1958: Fugate, then the youngest female to be tried for first-degree murder, is sentenced to life in prison for being an accessory to first-degree murder. Starkweather testifies at the trial that she was a willing participant, changing his initial stories that she had nothing to do with the murders.

June 25, 1959: Starkweather is executed in the electric chair.

Oct. 31, 1973: State Pardons Board commutes Fugate's sentence to 30 to 50 years in prison, making her eligible for parole in 1976.

June 1976: State Board of Parole votes to parole Fugate. She settles in Lansing, Mich., where she works as a hospital orderly and nanny.

1981: She is discharged from parole, making her free of the prison system.

1993: Fugate visits a school classroom, telling students to avoid dumb choices. Hers was believing Starkweather as a 13-year-old. “I thought I was really hot stuff,” she says. “It was the biggest mistake I made in my life.” Fugate says she unsuccessfully tried to kill herself by ingesting pills.

1996: Fugate calls in to a Lincoln radio talk show. Host John Stevens Berry, a local attorney, is surprised by the number of people who believe her story of innocence.

2007: Fugate is reportedly married.

2012: An internet news site, citing an unnamed stepson, says Fugate suffers a series of strokes and is partially paralyzed. A friend says she's OK and not in a wheelchair or hospital.