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**David Remnick**  
The New Yorker  
1 World Trade Center  
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Dear Sir:

In your November 9, 2015, issue, you published "*Blood Ties*," a long article about the Haysom murders by Nathan Heller. Please allow me to point out some of the key facts Mr. Heller failed to mention, since these omissions have left your readers with a distorted view of the case.

1. Mr. Heller correctly states that there were fingerprints on a vodka bottle near one of the victims, who were both highly intoxicated.<sup>1</sup> Yet he failed to mention that those fingerprints belong to Elizabeth Haysom, the person I accuse of these murders. Elizabeth lived in a dorm at college, not at her parents' house, so it is difficult to imagine an innocent explanation for her fingerprints being found on a vodka bottle just a few feet from her inebriated father's body. Yet Mr. Heller never tells his readers this fact. Nor does he mention explicitly that my fingerprints were nowhere to be found, even though I am supposed to be the killer. Does this omission not strike you as strange?
2. As Mr. Heller correctly notes, the murderer(s) "*washed up in the bathroom.*"<sup>2</sup> He does not mention that the killer(s) left hair in the blood-stained sink, which was tested and determined not to belong to the victims or to me. Like the unidentified fingerprints on the shot glass near one victim, the unidentified hair in the sink suggests the presence of an unknown person at the crime scene. Why would Mr. Heller leave this hair evidence out?
3. Strangely, Mr. Heller introduces the F.B.I. crime scene profile without mentioning that it was suppressed by the state from 1985 (when it was made) until 2012 (when David Watson discovered it).<sup>3</sup> Ricky Gardner still denies its existence, while Chuck Reid and Ed Sulzbach (the F.B.I. agent) confirm all details. In an article about a (possible) wrongful conviction, the state's suppression of exculpatory evidence surely warrants at least some brief attention!
4. As far as I know, Mr. Heller also misrepresented the content of the profile.<sup>4</sup> I was told it said the killer was female and in a close relationship with the victims – which would explain the fury of the attacks – not merely that the killer "*knew the family.*" The difference in semantics matters, because a female in a close relationship with the victims strongly suggests Elizabeth Haysom – not Julian Haysom's unfortunate ex-fiancée. As with the

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<sup>1</sup> paragraph 6, "*The house revealed...*"

<sup>2</sup> paragraph 7, "*DNA analysis was...*"

<sup>3</sup> paragraph 32, "*A suspect profile...*"

<sup>4</sup> *ibid.*

omission of Elizabeth Haysom's fingerprints on the vodka bottle, Mr. Heller seems to be at pains to reduce the impact of the F.B.I. profile. Why?

5. In his description of Elizabeth Haysom's 1987 sentencing hearing, Mr. Heller leaves out the fact that both Annie Massie and Dr. Howard Haysom testified that they believe Elizabeth was in the house at the time of the crime.<sup>5</sup> (Judge William Sweeney would not allow them to explain their reasons – which I, for one, would love to hear!) Should your readers not be told that two people who were especially close to the victims believed Elizabeth to have physically participated in the murders?
6. Mr. Heller describes the alibi movies, but neglects to mention that the ticket stubs were found in my dorm room, and that Elizabeth Haysom gave at least five different accounts of her alleged ticket purchases – none of which matched the actual stubs.<sup>6</sup> In his long article "*No hope for Jens Soering*," The Virginian Pilot, February 18, 2007, Bill Sizemore gives an excellent sidebar, detailing Elizabeth's inability to keep her story straight. Surely, Mr. Heller could have provided the same level of detail as the lowly Virginian Pilot? Instead, he once again omitted facts that incriminate Elizabeth Haysom – as with the vodka bottle, the F.B.I. profile and the testimony at her sentencing.
7. Mr. Heller's description of the sock print evidence is not biased but merely wrong.<sup>7</sup> It was not "*the police's initial analyst*" who determined that "*the footprints*" were made by "*a woman or a boy*." The analyst to whom Mr. Heller refers is Rick Johnson, and he determined that the sock prints were size 5 to 6 (whereas I am size 8 ½). It was Deputy C. L. Baker who filed a report that determined the sneaker print was made by a woman or a boy. This is just sloppy reporting. All the reports can be seen on the "Trial" page of my Website.
8. Mr. Heller's summary of the DNA evidence is incorrect and misleading.<sup>8</sup> The eleven samples did contain enough information for a match – but no match was found when these eleven samples were run through the Virginia DNA Data Bank. That only means that the person who left those eleven samples has not been convicted of a crime in Virginia – not that the sample was somehow insufficient or defective. In fact, the official Certificate of Analysis states explicitly that both I and Elizabeth Haysom were eliminated as possible sources of that blood. (The lab report can be viewed on the "DNA-Test" page of my Website.) Most people would find this evidence significant – especially since the supposed killer (myself) allegedly cut his hand and bled all over the crime scene. Yet none of the forty-two blood samples could be linked to me, and eleven of those forty-two definitively belong to someone else. Why did Mr. Heller dismiss all this with his brief sentence, "*Much of it was male*," as if the blood could still somehow be mine?
9. Mr. Heller casts my claim of innocence into question by dismissing the possibility of Elizabeth Haysom "*single-handedly knife-murdering two adults*."<sup>9</sup> But Mr. Heller knows – from the trial transcripts and all the appellate briefs and interviews with me and Gail Starling Marshall – that it has never been the defense's position that Elizabeth acted alone! The forensic evidence strongly suggests the presence of two perpetrators: There were two sets of footprints not belonging to the victims (sock and sneaker prints) and all four blood groups (the two victims' and the two perpetrators'). One of the perpetrators

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<sup>5</sup> paragraph 61, "*Both Haysom and...*"

<sup>6</sup> paragraph 87, "*Soering's version of...*"

<sup>7</sup> paragraph 93, "*She also concluded...*"

<sup>8</sup> paragraph 104, "*On January 16 ...*"

<sup>9</sup> paragraph 136, "*The crimes of which...*"

was Elizabeth, and the other one left the unidentified fingerprints on the shot glass, the unidentified hair in the blood-stained sink, and possibly the eleven DNA samples. So why did Mr. Heller raise the strawman of Elizabeth acting alone? Why not address the actual alternate theory of the case argued by the defense for nearly thirty years?

10. In the same paragraph, Mr. Heller asks if the verdicts were “*actually unjust*” since the police got “*the right people*,” whatever precise role Elizabeth Haysom or I may have played.<sup>10</sup> This view misunderstands the role of the criminal justice system and misrepresents the vastly different levels of legal and moral responsibility that the two theories of the case entail. The state cannot simply convict defendants of having something to do with a crime; the state has to prove specific facts and individual guilt. Without this protection in law, anyone could be convicted of just about anything! The state’s theory in this case is that I am the killer and Elizabeth Haysom the accomplice *before* the fact, both felonies. Under the defense’s theory, Elizabeth and an unidentified accomplice are the killers, and I am merely the accomplice *after* the fact – a misdemeanor punishable by no more than one year. Mr. Heller deserves credit for stating the obvious: the state’s theory cannot be true, based on the forensic evidence, which contradicts my confession. But Mr. Heller is completely wrong to suggest that this hardly matters, since I was involved somehow. In a major article about a controversial criminal case, you cannot just minimize the difference between a felony (actually committing the crime) and a misdemeanor (covering up a crime by lying to the police about your girlfriend).
11. Next, Mr. Heller speculates wildly about alternate theories, including the idea that Elizabeth Haysom and I could have “*operated as a team*.”<sup>11</sup> He fails to mention that the prosecution explicitly rejected that theory at my trial. According to Mr. Updike, the movie tickets definitely provide an alibi for whoever bought them. The question at trial was whether Elizabeth or I did. And that remains the central question today.
12. I have saved the most striking example of Mr. Heller’s omissions of fact for last: Elizabeth Haysom’s confession. During a tape-recorded interrogation on June 8, 1986, she told police, “*I did it myself. (...) I got off on it.*” Later she explained this away as a “*facetious*” joke. But the carnage at the crime scene suggests that, indeed, the killer(s) “*got off on it.*” Do you have any idea, Mr. Remnick, why Mr. Heller chose not to tell his readers about this?
13. Perhaps you would like a few more examples of Mr. Heller’s reluctance to mention facts that incriminate Elizabeth Haysom? (a) Not only was she diagnosed with borderline personality disorder, but also as a pathological liar – by three different psychiatrists. (b) Elizabeth admitted in open court that, on the weekend before the murders, she went to her parents’ house and stole some jewelry to finance her heroin addiction. (c) In front of the house, police found a “Merit” cigarette butt – a fairly uncommon brand which Elizabeth smoked. I ask again: Do you have any idea, Mr. Remnick, why Mr. Heller failed to tell his readers about any of this, but did find space to indulge Elizabeth Haysom’s speculations about Lady Macbeth?

Other American journalists have produced much better reports on this case:

- Ian Zack, “*Trial and Error?*”, the Charlottesville Daily Progress, January 21, 1996

<sup>10</sup> paragraph 136, “*The crimes of which...*”

<sup>11</sup> paragraph 137, “*Could Soering and...*”

- Bill Sizemore, “*No hope for Jens Soering*,” The Virginian Pilot, February 18, 2007
- Sandy Hausman, Virginia public radio station WVTF, a five-part series on the case, October 28 to November 3, 2013

All three are available on my Website. They contain many, many more facts that Mr. Heller left out – but nothing about Lady Macbeth. And facts do matter here, Mr. Remnick: Two people are dead, and two others have spent nearly three decades in prison, one of them (so I claim) unjustly. How else can you determine what really happened, except by examining all the facts, including those omitted by Mr. Heller?

I have been wondering exactly why and where Mr. Heller went off the rails, and I think I have discovered the answer – in the final two paragraphs of his article. He writes that he had been “*dazzled*” by my description of my grandmother’s Swiss chalet, with its romantic balcony. But then Elizabeth wrote him that the chalet had no balcony and did not overlook Lake Geneva; as a “*stargazer*,” she would have remembered such a beautiful view. Mr. Heller adopts Elizabeth’s point of view and gives her the final word in his article: Apparently, she is the victim of my “*imagination*,” my lies. At least it is this thought that Mr. Heller leaves his readers with to close his piece.

Seriously?

First of all, [just about all Swiss chalets have balconies](#); they are one of the defining features of this type of building. Usually, the balconies have pots of red geraniums, which my grandmother’s did not.

Secondly, if he could not independently verify whether my grandmother’s chalet did or did not have a balcony, he should have left it out of his article or given both sides equal treatment.

Thirdly, Mr. Heller should have asked me. Is that not standard journalistic practice, Mr. Remnick? When two sources are in dispute about a point of fact, at least ask both sources! But Mr. Heller never asked me whether I could prove, in any way, whether my grandmother’s chalet had a balcony overlooking Lake Geneva.

In fact, Mr. Heller did not even need to ask me. He knew, from reading my book, that my grandmother’s chalet lay north of, i.e. in the mountains above, the village of Jongny. So Mr. Heller should have typed “Jongny” into Google Search and clicked on Images, and he should have searched jongny.ch.

What would he have found there? Lots and lots of photos of chalets, all with balconies, all overlooking Lake Geneva -- just as I had described my grandmother’s chalet! It is the view over the lake that makes real estate in this area so valuable. If you can afford to buy land here, you are going to make damned sure you are getting your money’s worth -- by putting a balcony on your chalet that lets you enjoy the view. My grandmother was not a stupid woman: She made sure her chalet’s balcony was pointed in the right direction, just like everyone else’s.

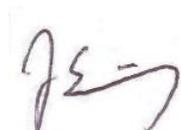
If Mr. Heller had done this little bit of online research, he could have verified that my description of my grandmother’s chalet was accurate. In fact, it was the thrice-diagnosed pathological liar Elizabeth Haysom who led him astray. When she realized how “*dazzled*” he was by the balcony scene in my book *Nicht schuldig!*, she decided to undermine his confidence in that scene in order to undermine his confidence in me generally. Her plan succeeded spectacularly: Mr. Heller

fell for her lies just as I did in 1985. His slanted article covered up her guilt just as my false confession did in 1986.

Mr. Remnick, I ask you to read the three reports by Ian Zack, Bill Sizemore and Sandy Hausman on p. 3/4 of this letter. Even together, they are shorter than Mr. Heller's article. I ask you to judge for yourself whether "*Blood Ties*" lives up to The New Yorker's usual standards for fair and complete reporting.

Due to VA Department of Corrections regulations, the only way you can communicate with me is by letter. If you want to visit/interview me, I would be open to that. Looking forward to hearing from you, I remain

Yours sincerely

A handwritten signature in black ink, appearing to be the initials 'JS' followed by a stylized flourish.