

**No Witness  
But the Moon**

# Chapter 1

He hoped this day would never come. He hoped he'd never have to cross the divide.

On one side were cops who never had to second-guess their instincts, never had to shield their consciences—that soft tissue of the soul—from the razor-sharp judgments of colleagues, friends, even strangers.

On the other were those who had to look in the mirror at three A.M. with a belly full of booze and a heart full of lead. The ones who had to whisper the worst question a cop can ask himself and then listen for that tumor of self-doubt in the echo: *Did I do the right thing?*

Jimmy Vega never wanted to be a cop in the first place. He wanted to be a musician. He wanted to move people with rhythm, not muscle. Then his girlfriend—later wife, later ex-wife—got pregnant. You could say he became a cop the same way he became a father: by backing into it and then trying his hardest to make it work out.

And it had. For eighteen years, it had.

Until tonight.

It was a Friday evening in early December, too early for real snow, even here some fifty miles north of New York City where the deer sometimes outnumber the people. There had been a dusting earlier today—the first of the season. Most of it had melted away but a sugary glaze still clung to

## 2 *Suzanne Chazin*

the trees and stone walls, lending a festive atmosphere to the rolling hills and horse farms of Wickford, NY.

Vega, a detective assigned to the county police's homicide task force, had been in Wickford most of the day helping the local cops investigate a fatal robbery. The homeowner, a retired school principal, had suffered a heart attack during the break-in. Vega suspected the crime was part of a string of increasingly violent home invasions in the area. Four weeks earlier, just over the border in Connecticut, a rookie cop had been disarmed and pistol-whipped by four Hispanic men involved in a burglary there. Two weeks ago, a teenage babysitter in nearby Quaker Hills had been raped and savagely beaten by what appeared to be the same gang.

"Every day I'm getting a dozen suspicious vehicle calls," Mark Hammond, a Wickford detective, told Vega. "I swear, if we don't catch these mutts soon, we're gonna have some dead Wall Street CEO on our hands."

"Perish the thought," said Vega dryly.

Hammond made a face. Vega suspected the Wickford detective played golf with a few of them. He certainly dressed like he did.

At six P.M., Vega and Hammond had progressed as far as they could in the case. Vega was ready to call it quits for the evening. He phoned his girlfriend, Adele Figueroa, from the parking lot of the Wickford Police station, a brick and clapboard structure that looked like George Washington still slept inside. The entire village, with its cobblestoned sidewalks and whitewashed New England storefronts, could have sprung whole from a Currier and Ives lithograph. It was a cold clear night, the moon so bright it bleached the surrounding sky. A gust of wind bit right through Vega's dark blue insulated jacket. The air felt sharp enough to crack a tree branch. Tomorrow would have been his mother's sixty-fourth birthday. Vega had been trying to distract himself and not focus on it so much this year. It

was supposed to get easier with time. That's what everyone told him.

"I just need to drop my car back at the station," Vega told Adele. "Then I'll be right over." He heard what he thought was a bark through the phone.

"*Nena?*" His term of endearment for her. *Babe* in Spanish. "Did I just hear a dog?"

"Don't ask." She blew her nose. "It's just for a little while."

"But you're allergic to dogs."

"Yeah, but Sophia isn't." Adele's daughter had been begging for a dog ever since Vega first met the girl eight months ago when he and Adele started dating. But even so, Adele's plate was full. Besides being the founder and executive director of La Casa, the largest immigrant outreach center in the county, Adele was on the board of the local food pantry and had also recently joined the advisory board of a Hispanic think tank in Washington, D.C. She barely had time to deal with the drama of being a divorced mother raising a nine-year-old, let alone take on a pet.

"One of my clients at La Casa had to move into a friend's apartment temporarily," Adele explained. "The landlord doesn't allow dogs. Sophia cried when she found out he might have to go to a shelter. It's just for a couple of weeks."

"Huh. Famous last words."

"I figure the walks will do me good. Lately my hourglass figure has too many hours and too little glass."

Vega laughed then wished he could take it back. He never understood why a woman with a Harvard law degree couldn't accord her body the same confidence she accorded her mind. "I think you look beautiful, *nena*. Even if you are picking up steaming piles of—"

"Mock me, *mi amado*, and I'll make you do it. See you in—what? An hour?"

"Sure thing." Vega hung up and drove his unmarked

Pontiac Grand Am out of the parking lot. He'd pulled the short straw getting this silver hunk of junk this morning. It had four wheels and working brakes but the interior lights worked only intermittently and the heater was lukewarm at best. He preferred the cars he used to get when he worked undercover in narcotics: Humvees and Land Rovers and Escalades. Drug dealers drove in style.

He kept his police radio on and listened for any reports of car emergencies or accidents in the area. Wickford was a lousy place to break down, especially in winter after dark. There were almost no streetlights and the estates were set so far back from the road, it would be difficult for anyone to summon help. Vega was anxious to be off duty. But even so, he'd never leave someone stranded if he had the power to help.

The radio was quiet so he took a shortcut he knew through the back roads of Wickford that would put him on the highway. He made a left then a right down several narrow, winding streets, some of them unpaved, all of them no wider than a cow path. He passed huge, dark velvet expanses of lawns slashed by moonlight and shadowed by hundred-year-old trees. A few miles to the west where Adele lived, Lake Holly's downtown blazed with delis, pizzerias, and row frames strung with Christmas lights and inflatable Santas on thumbprint lawns. But here, the darkness was broken only by the occasional high beams of a car.

A dispatcher's voice broke the silence. "Ten-thirty-two in Wickford. Report of shots fired."

Vega sat up straight. A ten-thirty-two was local police code for a home invasion. From the sound of it, an *armed* home invasion. Vega listened for the address.

"Private residence at Six Oak Hill. Homeowner reports push-in robbery and assault. One confirmed suspect though there may be others. Suspect is male. Hispanic. Medium build and complexion. Late forties or early fifties. Wearing

a black puffy jacket, dark jeans, and a tan baseball cap. Suspect may be armed.”

*This is it. These are the guys we've been looking for.* All of Vega's senses turned razor-sharp, as if he'd just gulped a double espresso. He'd stood next to the body of that retired school principal, dead of a heart attack these bastards caused. He'd seen pictures of that poor teenage girl in Quaker Hills, her flesh a map of swellings and bruises that only hinted at the even greater violation beneath. He'd heard the water-cooler rumors that that poor rookie in Connecticut was so traumatized after his encounter; he'd quit the force. If Vega could be the guy to stop it all, right now, that would be an absolute high—the kind of high every cop lives for.

He typed Six Oak Hill into his GPS. He was two streets away. He could be on the scene long before any of the Wickford patrols or an ambulance responded. He grabbed the speaker on his department radio.

“County twenty-nine,” he said, identifying his unmarked vehicle to dispatchers. “I'm on Perkins Road in Wickford. I'll take this in. Alert local PD that a plainclothes Hispanic detective will be on scene in a silver Pontiac Grand Am.” Vega didn't want to get shot by some townie cop who mistook him for the perp.

He turned off Perkins Road and raced over to Oak Hill—a steep ridge of newly constructed estates on four-acre expanses of lawn. Deep pockets of woods blocked the road from any of its neighbors and its high elevation kept the trees on adjoining roads from spoiling the view. There were only a few houses on the cul-de-sac. Six Oak Hill was a sprawling red-tile-roofed hacienda at the end of a long circular driveway. There were no vehicles parked on the street but that didn't mean one wasn't parked nearby. From what Vega had learned about the gang's operations, they sent a forward party of one or two guys. Only after they'd secured the property did they bring a getaway car.

He pulled the Grand Am to the curb and switched on his police grill lights. They bathed the perfectly trimmed boxwood hedge and pale stucco arches of the house in alternating flashes of red and blue. There was a fountain at the center of the driveway but it looked as if it had been turned off for the winter. The night air was still and silent save for the voice of a female dispatcher over his police radio giving the estimated time of arrival for backup. It would be at least four minutes.

Vega sprang from his car and began walking briskly down the driveway. He tensed as a door along the side of the house swung open. A short, Hispanic-looking man in a puffy black jacket and jeans stumbled onto the driveway. Floodlights bounced off the brim of his tan baseball cap. The man's right hand clutched his left shoulder as he tried to regain his footing. On his heels was a taller, movie-star-handsome man, also Hispanic-looking, waving a gun.

Vega pulled his Glock 19 service pistol from his holster and sprinted down the driveway.

"Police!" he shouted, pointing his weapon at the good-looking man. "Drop the gun! Hands up!"

The man immediately obeyed. "I'm Ricardo Luis," he called out in a Spanish accent. "Don't shoot! This is my home." His name sounded vaguely familiar but Vega was too pumped up to remember where he'd heard it.

The man in the baseball cap pitched forward and ran into the rear yard, still clutching his left shoulder. Then he disappeared.

"Stay where you are," Vega ordered Luis. "Keep your hands where I can see them. More police are coming." Vega scooped Luis's weapon off the driveway and tucked it into his waistband next to his handcuffs. Then he took off after the other figure in the baseball cap.

Bright floodlights blinded Vega as he plastered his body up against the side of the house and scanned the backyard for movement. Colored strands of Christmas lights flashed

from a white columned pergola, illuminating a patio and pool covered over for the winter and a fenced tennis court to the far right. Nothing moved. Vega tried to catch his breath. He waited. And then he saw it—the shadow of a figure inching along the edge of the tennis courts. As soon as Vega took a step forward, the suspect broke from the bushes and began running straight for the woods in back.

“Police! Stop!” Vega shouted again. The man kept running. Even with a full moon out tonight, Vega knew the canopy of dense branches and pines would seal off the light. He had no idea how far the woods extended. In Wickford, it could easily go a half mile in any direction. Still, he couldn’t hang back. He couldn’t take the chance that once again, this gang would get away.

He ran to the pergola and took cover behind one of the columns. He felt like a pinball in an arcade game, zigzagging between bumpers, trying to stay out of the line of fire as he made his way across the lawn. His heart beat hard against his rib cage. Sweat poured down his body. The homeowner’s gun was digging into the small of Vega’s back. The cold had begun to numb his fingers around the handle of his gun. Vega wished he were back in uniform. At least he’d have a radio on his collar—not this bulky hand-held unit that only served to weigh him down. At least he’d be wearing his Kevlar vest. He still owned one but he hadn’t expected to need it today.

Vega was at the edge of the woods now. He’d lost the suspect entirely. The darkness was like a wool blanket. Overhead, bright moonlight dusted the tops of the trees. But on the ground, there were only shapes and silhouettes. Thorny branches snagged Vega’s pants and jacket. Logs and stumps half-hidden by leaves tripped up his feet. The cold made his nose run and his fingers tingle. He heard the whoosh of his own hard breathing in his ears. He couldn’t turn on his flashlight. He had to mute the volume on his radio. Both would give away his location. So he was forced

to stagger blindly across the uneven terrain, guided only by sound and shadow.

The land sloped steeply downward. Vega felt drawn by gravity and momentum. Ahead, he heard the snap of dry branches and the crunch of dead leaves. That made it easier to track the suspect's location but also for the suspect to track his. If there was a gang waiting to ambush Vega at the bottom of this hill, he was as good as dead.

Then Vega's right eye caught something in his peripheral vision. He swung his whole body in the direction of the movement and listened. He heard a crackle of dead branches. A scuff of pebbles. Vega's heart fisted up in his chest. He aimed his gun. The milliseconds felt like hours. Something darted out of the bushes. Something sleek and fast. Moonlight caught the white of its tail. A deer. It leapt over a log and scampered away. Was that all it was? Vega couldn't be sure. His own sandpaper breathing trumped every other sound.

And then—luck. Fifty feet farther down the hill, the suspect stumbled, his forward momentum carrying him right into a clearing that was lit up by a neighbor's floodlight. The man got to his feet, but before he could start running again, Vega caught up just short of the pool of light and took cover behind a tree.

“Police! Stop! Put your hands over your head!”

The suspect froze. He had his back to Vega but he was hunched over slightly, breathing hard, his jacket rising and falling with each intake of breath. Vega trained his gun on the man's torso and waited for him to straighten and put his hands in the air.

He didn't.

The suspect's left hand remained somewhere in front of him out of Vega's line of sight. His right one stayed planted on his left shoulder. *Was he shot? Reaching for a weapon?* From this angle, Vega couldn't be sure. In the time it would take to *be* sure, it could all be over. Several

years ago while working undercover, Vega had witnessed one drug dealer shoot and kill another. One minute, they were standing around arguing the disputed weight of the merchandise. The next, one of the dealers was lying on the ground, bleeding out. It had happened that fast. Vega never saw it coming.

“Let me see your hands!” Vega shouted again.

No response. No compliance. *Was he stalling?* Vega scanned the woods. This was just how that rookie in Connecticut got disarmed. He thought he’d gotten the drop on one of the gang only to find himself surrounded by three more.

Vega switched to Spanish. “*Soy el policía! Déjeme ver sus manos!*” *I’m the police! Let me see your hands!*

Nothing.

“Are you deaf, *pendejo?* *Está usted sordo?*”

The man straightened but kept his back to Vega and his hands hidden. “*Hay una razón*”—the man choked out between gasps of air—“*por la que . . . hice esto.*” *There’s a reason I did this.*

So they were going to conduct this interchange in Spanish. Fine. At least now Vega knew. But why wasn’t the suspect cooperating? What could he possibly hope to gain by refusing to obey a police officer with a gun pointed at him? “I don’t care about your reason, *pendejo,*” Vega replied in Spanish. “Put your hands where I can see them.”

“You are making a mistake,” said the man in Spanish.

*Was that a threat?* “Show me your hands! Now!”

Vega felt a burning in his gut—that fight or flight instinct that every officer has to conquer in order to survive. You can’t back down when you’re a cop. You can’t negotiate a command or turn it into a request—or, God forbid, a plea. You’re no good to anybody if you do. Not to other cops. Not to civilians. Not even to yourself. You have to own the situation or one way or another, it will own you.

“I’m not gonna tell you again,” shouted Vega.

“But you don’t understand. You can’t do this—”

The man lifted his right hand off his left shoulder. Vega thought he was going to raise it in the air. Instead, he shoved it into the right front pocket of his jeans and spun around to face Vega.

*One. Two.* Two seconds. That’s all the time a police officer has to make a decision.

*One. Two.* A lot can happen in two seconds.

An object can fall sixty-four feet.

A bullet can travel a mile.

And an indecisive cop can become a dead one.

Vega wasn’t aware of squeezing the trigger. But he heard the shots. Like burst balloons.

*Bam.*

*Bam.*

*Bam.*

*Bam.*

The man crumpled to the ground. The confrontation was over.

The pain had just begun.