

Michael Connelly:

Citizen sleuth Alex Baber believed he had identified the killer responsible for two of the most infamous crimes in history, the Black Dahlia and Zodiac murders. But his case was built on circumstantial evidence: the breaking of a code left behind by the Zodiac more than 50 years ago. Baber knew that over the decades there had been many like him, people who claimed to have solved these cases only to have their theories be dismissed or ignored for lack of evidence. He knew that unraveling the Zodiac code was one thing. Getting hard evidence to go with it would be another.

Baber had built what he called the Forensic Linguistic Database containing the largest collection in the world of the writings of serial killers and other infamous murderers. BTK, Son of Sam, the Atlanta child murderer, and so on. He had handwriting exemplars, as they call them, from both the Zodiac and Black Dahlia killers in the database, and a program using artificial intelligence to compare the two had found linguistic similarities in terms of the use of words and phrases. For example, the Zodiac had promised in a letter to a San Francisco newspaper to supply even more "material" in regard to the murders he had committed. Twenty plus years earlier, the so called Black Dahlia Avenger had promised a Los Angeles newspaper editor that he would assist by providing additional "material" about the horrific murder of Elizabeth Short. It's just one simple word, but odd and significant when used in context to describe the giving of forensic evidence in two seemingly unrelated cases.

Still, it was proof of nothing. It was what would be considered circumstantial evidence at best. The more linguistic connections that could be made was all the better, but still not good enough. To make his case and persuade the skeptics he knew would come out of the woodwork once he made his claims, Baber knew he would need direct evidence.

He would need to find a smoking gun if he were to credibly connect the two cases to the same killer.

I'm Michael Connelly and you are listening to *Killer In The Code: Solving the Black Dahlia and Zodiac Killer Cases*. This is chapter two, so let's recap where we are.

On the morning of January 15th, 1947, the desecrated body of 22-year-old Elizabeth Short was found in a vacant lot in Los Angeles.

She had been mercilessly tortured and murdered. Her body had been neatly cut in two, severed at the midriff and drained of blood. It was a crime that horrified the world and has remained unsolved for nearly 80 years. In death, Elizabeth Short became better known as the Black Dahlia.

Her killer, calling himself the Black Dahlia Avenger, sent a package to a local newspaper following the murder that contained the property she carried with her, including her birth certificate and an address book.

Twenty-two years after her murder and almost 400 miles north of Los Angeles, the self-proclaimed Zodiac Killer took five lives, in a spree that terrorized Northern California with seemingly random murders committed across a wide swath of geography.

The Zodiac stoked the terror with repeated written communications with newspapers, claiming more victims in the past and future. In four of the notes, the Zodiac provided coded messages, three of which remained unbroken for a half a century. The most tantalizing of these was the "My name is" cipher, in which the Zodiac boldly claimed to reveal his name in a 13-character cipher. Because of its brevity, the so called Z13 code was believed to be unbreakable. That is until 50-year-old Alex Baber came along.

Baber is not a cop and not a private detective. He's the founder of Cold Case Consultants Of America. He devised a computer program that used artificial intelligence to weed through 71 million possible names that fit the Z13 cipher and knock it down to a handful of manageable possibilities. Traditional gumshoe work followed and Baber focused on one man whose name fit the cipher, Marvin Merrill. An alias that

belonged to a man originally named Marvin Margolis, one of the prime suspects in the Black Dahlia case. Now, to be clear, this was not the first time the Dahlia and Zodiac cases had been linked. A retired homicide detective from the Los Angeles Police Department named Steve Hodel had connected the cases through his father, Dr. George Hodel, who was also a suspect in the murder of Elizabeth Short. Hodel wrote a book about it that I felt at the time was so convincing that I even endorsed it with a blurb put on the back cover. I lived to regret that because a subsequent investigation by the LAPD Cold Case Unit determined that the son's investigation of his father was flawed and the conclusion was not valid. So now, had Alex Baber wandered down the same wrong path as he connected the two infamous cases to a different suspect? He believed in the cryptography that identified Marvin Merrill, but he knew that as groundbreaking as it was, it wasn't enough.

Alex Baber:

The Z13 solution was never viewed as a piece of evidence. It was always viewed as an investigative tool. And looking at it from that standpoint, I knew that I would need some additional evidence to confirm the solution because I couldn't expect experts to support my findings based on a possible solution has numerous variables. Literally, there's thousands and thousands of possible solutions. We needed to have something that was physical that could confirm it ultimately. I needed to have something that I can say, "Okay, let me show you what I have that shows that this name can be associated with a real world individual that we can attach to the case, not by speculation, but by physical evidence."

Michael Connelly:

He started with the FLD, the forensic linguistic database he had created. He had the handwritten notes from both the Zodiac and Black Dahlia Avenger in the FLD. The handwriting in the messages is very distinctive, and you can go to killerinthecode.com to see them. Baber knew that if he could locate writings authored by Marvin Merrill, then he could have an expert handwriting analyst do a comparison to see if they had come from Merrill's hand. I have to say the use of handwriting analysis in investigation is on the wane, but still it would be a start. Problem was Marvin Merrill was long gone. He died of cancer in 1993 in Santa Barbara.

Would it be possible to even find an example of his handwriting after so many years? Baber had made a deep dive into the life of Marvin Merrill after the name was identified as fitting the Z13 cipher. While it was documented that Merrill, using his real name, Margolis, had shared an apartment with Elizabeth Short three months before her death, he had gotten married shortly after and had started a family, becoming a father in 1948. Baber uncovered marriage and birth records indicating he had been married twice during his lifetime and had fathered four children. Not all the children were still alive. Baber focused on Merrill's youngest surviving child. A son born in the early 1960s, who he had located at an address in Southern California. Baber decided to reach out, but knew that contacting someone out of the blue and saying your father was a serial killer was not the best way to gain cooperation and a handwriting example.

Alex Baber:

In order to get him to respond, I had to present myself from a different perspective than an investigator or an investigative consultant. What I did was I reached out and I said, "Hey, I'm doing some background into World War II and the Battle of Okinawa is a turning point in World War II that your father was involved in. I was able to come to this conclusion based on a 1945 Chicago interview, where he gives details about his experiences in Okinawa." I opened the door that way, hoping that he might be able to provide me some additional background on Marvin, and he was open to that.

Michael Connelly:

The son agreed to meet Baber and a member of his team, but he was not in Southern California. He was in upstate New York. They set up a meeting in a local restaurant near his home there. Baber went to the meeting with his partner, Lori Halstead, and they recorded the conversation. The restaurant was loud and the recording was not so good, but the surprises as they exchanged information were clearly audible. By the way, we're not going to name Marvin Merrill's son on the podcast because he eventually agreed to cooperate with Alex and his investigation if his privacy was protected. But Baber quickly came clean and revealed the real reason for the meeting -- Marvin Merrill's connection to the Black Dahlia and Zodiac murder cases. It became clear in the conversation that while the son grew up with a worldview that was quite different from his father's, he had no idea about the depth of the darkness in which his father dwelled. Baber had brought a binder with him that contained copies of the 22 different letters sent by the Zodiac to newspapers during his reign of terror. The son started flipping through.

Alex Baber:

He immediately recognized the handwriting as that of his father's. There was a point where he reached across the table and actually grabbed my hand and made the statement that it's going to be all right, that we're going to be all right. His reaction was not that of a normal individual looking at a letter that they did not recognize the handwriting off. He definitely zoned in and identified it, and it moved him.

Michael Connelly:

The son revealed he had a storage location in Southern California where he kept the things left to him when his father died. He said this included letters and journals and business documents such as handwritten checks that could be compared by experts to the Zodiac letters. He agreed to turn it all over to Baber.

Alex Baber:

I actually exposed the connection to Elizabeth Short, the Black Dahlia, that we had discovered. I said, "Are you aware that your father was the last known boyfriend of Elizabeth Short?" He said, "Elizabeth?" I said, "Yes, Elizabeth." He said, "I have something I need to show you." He pulls out his phone and he starts clicking through it. My mind went to the fact that his father had a background with art and I said in the audio, I say, "Do you have a painting?" He said, "No, a sketch." At that point, he pulled it up on his phone. "Oh my fucking God. Wow." I'm looking at a sketch of a nude woman from the waist up that appears to have puncture wounds to the torso area with smeared blood, and it has Elizabeth in bold writing. The biggest writing on the entire sketch just says Elizabeth. This was a piece of evidence and it was the smoking gun I was searching for.

Michael Connelly:

The sketch is clearly dated 1992, the last full year of Merrill's life when he was dealing with a diagnosis of terminal cancer. It is signed Marty Merrill, which was one of the aliases he was known to have used along with Marvin, Skip, and Skipton. Among his many different avocations in life, Merrill was both an artist and an art dealer. The sketch is as Baber described it, a striking image of a nude woman from the waist up, eerily mirroring the bisection of the Black Dahlia. There are contour lines on the torso and smear marks that also mirror some of the injuries Elizabeth Short suffered. It is titled Elizabeth, in large letters that crossed the entire piece.

The mutilation of her mouth and breasts are not evident, but it would stand to reason that including such tortures would've been an immediate and major giveaway engendering automatic questions of the

dying artist. Alex Baber believed he had found a piece of evidence that was a game changer and Marvin Merrill's son was willing to take him back to his residence where he had the sketch framed and hanging on a wall.

Alex Baber:

Well, I couldn't believe what we were staring at. It was a smoking gun. We knew that this sketch was a piece of evidence. It was physical evidence for the first time since the package was mailed to the local newspapers in L.A. on January 24th, 1947. Since then, there's been no physical evidence discovered in her case. Here I am looking at it with the offer to go back and physically see it myself in his residence, knowing that it's there, that it still exists. It's not a photo of something that's been destroyed. It was a moment where I knew at that point that it was game over. There's nothing that can refute that sketch being signed and dated by Marvin Margolis under his alias that contains guilty evidence. If Marvin Merrill was alive today, we could prosecute him based on the evidence within that sketch. We were caught in a moment of almost disbelief, what we were looking at. He handed his phone to me, and I zoomed in on it, on the torso area in particular, and to see the stab wounds and the smeared blood image, at that moment I knew what I was looking at. As soon as I turned the phone to Lori, Lori knew what she was looking at as well. It was instant. It was almost like, in all honesty, it was almost like time froze for a moment and everything around us just went mute. It was one of those moments in your life where you realize what you're looking at shouldn't be there, but you know it's a reality. It's in your hands. You know it exists.

We arrived to share the Zodiac's letters with him to see if he recognized them, which he did. Then, all of a sudden we get the smoking gun that's in our hands. At that moment, we knew it was game over. I do believe that the term that I used with Lori when we exited the restaurant, I said to her, "This is game over. Do you realize what we have?" Lori said, "Absolutely."

Michael Connelly:

You can go to our website, killerinthecode.com, to view the sketch of Elizabeth and other documents and photos relating to Alex Baber's investigation. We are not providing autopsy photos for comparison to the sketch because they are extremely graphic and available elsewhere on the internet.

I have to say, when I first saw this sketch, I felt a chill go down my spine. And I was not alone. Mitzi Roberts, the former LAPD homicide investigator who ran the cold case unit until her retirement last year, was the keeper of the Black Dahlia case for the last 16 years of her career. She believes the sketch is direct evidence of Marvin Merrill's culpability in the murder.

Mitzi Roberts:

If I was still at the LAPD, I would've been in New York already knocking on the door and retrieving that evidence, because we don't have a lot of physical evidence in this case and that is crucial evidence.

Michael Connelly:

Robert's former partner and longtime cold case investigator Rick Jackson agrees.

Rick Jackson:

It's almost like a calling card, something left behind, a deathbed confession, if you will.

Michael Connelly:

Roberts and Jackson were part of the team Baber assembled after the discovery of the sketch. This included a retired FBI supervisory agent, several seasoned cold case homicide investigators, and a prosecutor. One by one, they were briefed on Baber's code breaking and follow-up investigation. One by one, they were turned from skeptics to believers that after all these decades, two of the greatest crime mysteries in history had finally been solved.

Rick Jackson:

It's totally overwhelming, circumstantial evidence, and now it has become mixed in with some physical evidence that supports Alex's suspect as being the Dahlia and Zodiac killers.

Michael Connelly:

I need to say here that after Marvin Merrill's son agreed to cooperate with Alex Baber's investigation, and even turned over the sketch as well as two boxes of his father's documents, he is not convinced his father is the infamous Zodiac and Black Dahlia killer. And of course, that is the son's prerogative.

Moving on. The value of the Elizabeth sketch went beyond it being evidence that connected Merrill to the Black Dahlia murder. Remember what Alex Baber said to me the first day we met? He boldly claimed that he had the ability to find the hidden beneath the hidden. Now, as he studied the Elizabeth sketch and thought about that long history of the Zodiac's cryptic clues and the "I'm smarter than you" taunts to the public and the police, Baber started thinking about the hidden beneath the hidden.

Alex Baber:

If Marvin was who we suspected he was, then that sketch itself wasn't just something he created. It was a message. It was a means to an end for him. He knew his life was short. He knew that he wouldn't be on the face of the earth much longer. It was, in my eyes, it was a deathbed confession. It was his way of releasing whatever guilt or whatever that was in him, if there was guilt, by putting it out there, knowing that one day somebody would come along and discover it and say, "Look, this is a piece of history that connects directly to his former girlfriend who was murdered." That's the idea, once I knew that the Zodiac was connected to the Z13 and the son identifying some of the evidence. I knew at that moment that there could be something more to the sketch than just Elizabeth. At that moment, that's when I decided that we would look at the sketch from a different perspective and run it through a light spectrum in contrast, peel off layers so I could see if there was anything beneath that.

Michael Connelly:

This non-invasive imaging is technically known as infrared reflectography and is a technique used by art historians to study the layers of paintings and sketches, to find what is hidden below the surface, to identify the creative steps and changes made by the artist. When Baber applied this technique to the Elizabeth sketch using color and contrast filters, he found a single word hidden beneath the dark shading that outlined the central image of the woman. That hidden word was Zodiac.

Alex Baber:

I just think that it was his way of saying, "Here I am. I'm dying. I got away with it, but I'm hoping someday somebody will come along that will discover this sketch and identify me as the perpetrator." One thing that we're absolutely sure about is the fact that the Zodiac was egotistical, and he was a genius level intellect. That being said, there's no way that the individual that committed these crimes would've left this planet without leaving behind some source of identifying him. He couldn't do that. It's like Jack the Ripper, right? Whether it's ever solved or not, Jack the Ripper will go down as being

probably the most infamous serial killer with the exception of this case once we're done. But he'll never be identified. There's just no DNA left. There's no evidence there. With Zodiac, it's different circumstances. He wants to be known. In order to be known, you have to give him a name and a face. I believe that's what the sketch represents.

Mitzi Roberts:

It 100% concretely ties the two cases together.

Michael Connelly:

In case you are wondering, the Elizabeth sketch has been secured for further analysis by an independent art expert. We will have a report on that in the episodes that follow. The sketch of course energized the whole investigation, but Alex Baber did not drop his focus on the angle of investigation that led him to the sketch in the first place, the handwriting analysis. We'll have more on that in future episodes of the podcast. We will be back with the continuing story of the investigation on January 15th, the 79th anniversary of Elizabeth Short's murder. We'll tell you then about breaking the final Zodiac code and its direct connection to the Black Dahlia.

For more information go to our website at killerinthecode.com. This podcast was written and produced by Michael Connelly. It was edited by Terrill Lee Lankford and Mark Henry Phillips with sound design and scoring by Mark Henry Phillips, as well. Thank you for listening.