



PHILADELPHIA INQUIRER
(Philadelphia, PA)
July 28, 2003, n.p.

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Father and Son on Death Row: Nature or Nurture

By Oliver Prichard
Knight Ridder Newspapers (KRT)

PHILADELPHIA--Landon May already was an angry, violent boy of 13 when he found out who his father was and what he had done.

At the urging of a child psychiatrist, his mother dug out newspaper clippings she had been hiding since 1982, the year of Landon's birth, and spread them across the kitchen table of their mobile home in rural Berks County, Pa. The stories detailed the monstrous crimes of Freeman May, who stabbed two teenage girls 44 times, raped one of them, and later was linked to the murder of a young woman, putting him on Pennsylvania's death row.

If the revelation was meant to help the troubled Landon, it failed. He became convinced that he was infected with "bad blood," and even as he professed to hate his father for his crimes, his own life careened in the same direction.

At 2 a.m. on Sept. 6, 2001, 19-year-old Landon and a friend forced their way into the Ephrata, Pa., home of a school principal and her husband. The couple were duct-taped, stabbed, shot, bludgeoned with a claw hammer, and smothered.

With a Lancaster County jury's guilty verdict against Landon in December, the two Mays became the first father and son on death row in Pennsylvania, and one of only a few such pairs in the country.

Was it a fluke that their paths had intersected in capital crime? Or had they shared the same road all along--a perverse pedigree that extended back beyond Freeman May to his father, Sidney May, who beat his sons and raped his daughters, and by some indications, back beyond even him?

Having shielded Landon from any knowledge of his paternal lineage for most of his childhood, his maternal family "never, ever thought he would turn out anything like Freeman," said Landon's aunt, Donna Huyett. "We still don't understand why this happened."

No one does. The existence of "bad blood" has long been a hotly argued question in criminology. Researchers have sought to settle the debate--the age-old nature vs. nurture--through statistical studies, typically of twins or adoptees. They have produced some evidence pointing to an inherited

tendency to violent behavior, but nothing approaching a conclusion.

That could change as science explores the human genome.

A decade ago, Dutch researchers said they had identified a mutant gene across an extended family of criminals that made them prone to aggression. Last year, a study of 442 New Zealand men reported that those with the same genetic mutation, combined with early-childhood abuse, were more likely to be violent than those without it.

Even in the genetics camp, however, the prevailing view of criminal behavior is not of a single outlaw gene but of a jumble of genes and environmental influences. Efforts to untangle it have been so controversial, "I would label it 'not ready for prime time,'" said Irving Gottesman, a behavioral geneticist at the University of Minnesota.

That has not stopped a genetics defense from being used in a few recent capital cases, without success. Now it is part of Landon May's newly filed appeal of his death sentence. In the appeal, attorney Christopher Lyden argues that a genetic predisposition to mental instability, along with the psychological damage of learning his father's identity, is reason to spare Landon's life.

It is a risky tactic. Gerald Lord, who represented Landon in the penalty phase of his trial, chose not to focus on the May genealogy and its bloody streak.

"I was very concerned about a jury--especially a conservative, mid-state jury--seeing evidence that someone is so genetically unsound that they cannot change," Lord said. "I thought the jury would think: 'If his father's on death row, maybe he belongs on death row, too.'" Yet even Landon May's appeal discloses only part of the story.

What emerges from family interviews, police records and court testimony is a generational trilogy of almost unfathomable violence--one that the state intends to end with two lethal injections.

Sidney May, the Grandfather

Sidney May was driving through the dreary Schuylkill County coal town of Tower City, Pa., in 1951 when he first laid eyes on Betty Wesner, walking home from a swimming excursion. He stopped and asked her out.

Two years later, Sidney, 24, and Betty, 19, were wed--not for better, but for worse.

"I didn't know what Sidney was like when I married him," Betty said in a recent interview. "But I found out soon enough."

They settled into a three-room bungalow with no plumbing, on a country road seven miles outside Lebanon, Pa. It would become Sidney May's house of horrors.

He held jobs in a steel foundry and a sawmill, drank away what he earned, and enjoyed no greater pleasure than degrading his wife and seven children. Relatives and friends were not allowed into the house; his family was not allowed out except for work, school and groceries.

In winter, there rarely was coal for the furnace. When food ran low, he sent his children to a neighbor's farm to steal corn.

"Sidney had a split personality--mean and worse," Winnie Perez, the eldest of his three daughters, recalled in an affidavit for one of Freeman May's death-sentence appeals. "Worse came out when he was drunk."

No one could predict what might send Sidney into a rage. One Christmas, he beat Betty for buying the children gifts.

He required no special occasion to pummel and belt-whip his four boys, often until he was too tired to go on. "His face would get beet-red, and he would flail uncontrollably with his fists," Perez, now 55, remembered. "The marks and bruises never seemed to go away."

For the girls, there was something extra: sexual assaults and rapes, which began when they were toddlers and continued into adolescence. They told Betty. But for years, she said: "I simply could not accept the fact that my husband was having sexual relations" with their daughters, and she accused them of "leading him on."

In 1965, however, Betty confronted Sidney about his abuse of their 10-year-old daughter. He responded by forcing them both to lie naked on the kitchen floor and whipping and molesting them, declaring that he would do whatever he pleased with his children.

"He was a sexual pervert," said that daughter, Sandy Koppenhaver, now 47, in an affidavit. "His only love seemed to be for the physical pain he caused us, and the sexual gratification he got."

Betty finally went to the police in 1968. Sidney was convicted of sexually abusing his two oldest daughters and sent to the Lebanon County Prison.

He was not locked up for long. One day in 1969, Betty walked into the house to find him sitting there. He told her he had devised a foolproof plan to kill her and get away with it, but had decided against it because, she recalled him saying: "I love you too much." Too scared to do otherwise, she let him stay.

Within months, though, Betty could take no more and announced she was leaving. At that moment, Sidney was behind the wheel of their car, and the family at his mercy. He stepped on the gas, swerving off the road and into the woods.

Everyone walked away without a scratch, save for Betty, whose back was broken. Sidney sent his bedridden wife to live with his sister and installed a girlfriend in her stead.

By 1970, Betty had learned to walk again. With a child-welfare agency threatening to take custody of the children if they continued living with Sidney, Betty sneaked into the house while he was at work and fled with them back to Tower City. Three years later, she divorced him.

During the 1970s, Sidney was convicted of more sex crimes, against two daughters he had with another woman. He drifted between jails and mental institutions, checking himself in and out "like it was a motel," Betty said.

It was an eerie echo of her sole encounter with Sidney's elderly father, Lawson May, about whom she had been told virtually nothing. They drove only once to Virginia to visit him, in an asylum.

In 1994 at age 65, Sidney May died, alone.

As son Gregory May observed, it was the only time the man made his family happy.

Freeman May, the Father

Freeman May was born in the summer of 1957, the third of the four sons and another punching bag for Sidney. He and three siblings shared a bed, into which their drunken father crawled to prey on the girls.

By age 6, Freeman had found a pleasure of his own: huffing glue. Over time, he developed such an intense habit that local stores refused to sell it to him. Psychiatrists would later testify that the hallucinations were his only escape from a hellish life.

"Sidney beat the feelings out of Freeman," Sandy Koppenhaver said in an affidavit for one of her brother's appeals. "(He) never showed any emotion--wouldn't show if he was happy or sad. It was almost as if Freeman was dead inside."

In school, he exhibited severe learning disabilities, testing at an IQ of 82. Other children called him "Sped," for "special ed," and mocked his tattered clothes. Complicating matters, he had bowel and bladder incontinence that lasted well into adolescence, earning him a second nickname, "Stinky."

In eighth grade, Freeman was sent to a boys home after he damaged a car by rolling a large spool of wire down a hill. The structured setting seemed to do him some good, but it was too little too late. Efforts to mainstream him into 10th grade failed, and he dropped out. At 16, he moved away from home.

"All of my children left as soon as they could," said Betty, who did not see much of him afterward. As far as she knew, he was living in nearby Millersburg, Pa., working in a shoe factory.

In 1982, Freeman, 25, married Denise White, 23, and they moved in with her parents in Narvon, a speck of a town on the Lancaster-Chester County border. Although he smoked marijuana daily, he distinguished himself as a prolific worker, putting in 12-hour days, six days a week at his father-in-law's livestock-feed company.

Still, "just by talking to Freeman, you could tell he was a little off," his former sister-in-law, Deb Thompson, said recently. "Actually, he was a lot off."

The couple's only child, Landon, was born on Independence Day 1982. With the family's attention fixed on the baby and his new marriage fraying, Freeman bolted for the wild side, spending more and more nights out partying.

When Landon was about 6 months old, his father disappeared for good from his life. Freeman was arrested for the attempted murder of two girls, 15 and 18, and the rape of the younger, in woods along Dead End Road in southern Lebanon County. Although stabbed a total of 44 times, the teens survived, and Freeman was sentenced to 15 years to 35 years in state prison.

In 1990, investigators linked him to the death of Kathy Lynn Fair, a 22-year-old woman whose skeletal remains were found by two men chopping wood in the same thicket. Fair, who dabbled in prostitution and drug dealing, had vanished after leaving a party three months before Freeman had attacked the two teens.

He was convicted in 1991 of Fair's murder and sentenced to death, a fate he awaits from the state prison in Greene County, near the West Virginia border.

Freeman May has appealed his sentence three times, without success. In a new appeal pending before the Pennsylvania Supreme Court, his attorneys are seeking access to what they consider key documents, which lower-court judges have refused to open: the psychiatric records of Sidney May.

Landon May, the Son

With Freeman behind bars 300 miles away, Denise tried for a fresh start. She divorced him, cut all contact with her former in-laws, remarried, and moved more than once in Central Pennsylvania. Her new husband, a rock driller named Walter "Whip" DeHaven, began raising Landon as his own son.

A court order required her to take the child to the prison for twice-yearly visits, but she complied only once. Landon was 4, and never realized who the man in the brown coveralls was.

"Freeman wanted so badly to see his son," said his mother, Betty, now 70 and remarried, with the last name Rhoades. She made a few trips from Tower City to Lancaster County in the 1980s to search elementary schools for Landon, "but I could never find him. I think that's the way Denise wanted it."

His maternal relatives remember Landon playing with pet rabbits and accompanying Whip on fishing trips--a normal little boy, if only for a short while.

After Denise and Whip had a baby daughter in 1986, Landon was "put on the back burner," his aunt, Dori Groff, testified at his trial.

By age 5, he was showing signs of depression and aggression, acting out against schoolmates. As he neared puberty, his mother and stepfather struggled with his increasingly erratic behavior. Denise spent hours locked in her bedroom in their mobile home in Mohnton, Berks County, Pa. That's "how (she) deals with things," Groff said.

Whip expressed his frustration more directly. According to a psychiatric report, he one day blurted to Landon: "You're going to be just like your father, a killer and in prison."

A school psychiatrist advised Denise to give Landon, then 13, the whole truth. Out came the newspaper clippings.

"It wasn't the best way to tell him," Donna Huyett, his aunt, said in a recent interview.

Although he "thought his father was the scum of the Earth," she said, his behavior did not reflect revulsion for violence.

He abused alcohol and drugs, fought, cut himself with knives, and reported hearing voices. He threatened suicide twice in junior high--once by bringing bullets to school and vowing to shoot himself, and again by climbing onto a window ledge.

By eighth grade, he was on his fourth psychiatric hospitalization and a battery of medications for, among other things, bipolar and borderline personality disorders.

At 17, Landon left school and home. During the next two years, he worked menial-labor jobs while living with a series of aunts, friends and girlfriends.

"He went from place to place," Huyett said, "looking for somewhere he belonged."

In the summer of 2001, Landon met Michael Bourgeois, the 17-year-old adopted son of respected elementary school principal Lucy Smith, 51, and her new husband, Terry, 49, head of a high-tech firm.

Bourgeois also was the lover of Dreneia "Mama Dee" Rodriguez, a 34-year-old mother of four whose Akron, Pa., home, police said, was a "flophouse" where teens gathered to use drugs. That August, Landon moved in.

With Rodriguez as the mastermind, Landon, Bourgeois and a friend went on a two-week crime rampage through Lancaster County, police said. They stole cars, burglarized homes, held up convenience stores, and shot a bicyclist in the neck, though not fatally. But they were far from finished.

The Smiths disapproved of their son's relationship with Rodriguez, which so angered Rodriguez that she directed Bourgeois and Landon to break into the couple's townhouse in Ephrata, a well-kept borough of 14,000.

Having never met the intended victims, "Landon May had less motive than anyone," said Ephrata Police Detective David Shupp in an interview. "For him, it was an opportunity for a thrill to go out and kill someone."

Ambushed at gunpoint in their bedroom, the Smiths were tortured for two hours. They were shot a total of seven times in their heads, were cut more than 100 times, and slashed across the throats--even a TV was dropped on Lucy Smith's head--but they did not die until smothered with pillows.

"It was despicable," said Lancaster County Assistant District Attorney Craig Stedman. "Not just the killing of them, but the absolute terror they faced before they died."

Bourgeois and Rodriguez got life without parole. Landon May pleaded not guilty to first-degree murder, with his attorneys saying he had meant only to rob the Smiths--an argument the jury did not buy. DNA testing showed he also had forced Lucy Smith to perform a sex act on him, an aggravating circumstance that led to his death sentence.

In Tower City, Betty Rhoades heard it on the evening news.

"I never knew the boy," she said, "but it was Freeman that I felt sorry for, because he really loved his son."

Freeman May did not respond to requests for an interview for this story, but in a letter last year to the Lancaster New Era newspaper, he wrote: "I would have loved (to have) been a part of his life and in hopes to have made a difference, if possible."

He still harbors the dream, Betty said, that the two will meet and forge a relationship.

For the time being, Landon, who also declined to be interviewed, is at the state prison at Camp Hill, Pa. Corrections officials say they have yet to determine whether father and son will end up on the same death row.

More than a year after the murders, when Landon May had been convicted but not yet sentenced, Terry Smith's daughters paid him a prison visit.

Megan and Linell Smith, 23 and 21, had not attended the trial. They were seeking peace of mind, to see the face that had been projected from newspapers into their nightmares. They also hoped to spare their father's killer from capital punishment, which they opposed.

They had been told not to expect any expression of remorse. Attorney Gerald Lord, who accompanied them, said he doubted his client would say much of anything. Landon had been withdrawn during his trial, barely participating in his defense.

Seconds after they sat down at a glass partition and picked up telephones, Landon spoke.

"I'm really sorry," he said.

What followed was a 20-minute conversation, weighted with awkward silences and averted eyes.

Megan Smith asked him why he did it.

He said he did not know.

"If you could have three wishes," Linell Smith asked, "what would they be?"

"I would take everything back," Landon May replied. "Not just the murders, but everything else in my life before that....If I had that wish, I wouldn't need the other two."

Researchers Explore Link Between Violence and Genetics

Jeff Landrigan was handed the keys to a good life when he was adopted in infancy by a loving, well-off Oklahoma couple.

By 10, however, he developed a raging temper and a thirst for alcohol and before long was lost to drugs and crime.

At 18, during the first of Landrigan's many incarcerations, a fellow inmate mentioned he was a dead ringer for a double murderer named Darrel Wayne Hill, who was on death row in Arkansas.

Landrigan soon learned that Hill was his biological father, descended from a long line of Oklahoma outlaws.

The family tradition lived on in Landrigan, who later murdered a childhood friend, escaped from prison, and killed a bartender in Phoenix. Now 41, he exchanges letters with his 62-year-old father from his own cell on Arizona's death row.

Cases such as Landrigan's and Landon May's tantalize researchers who believe that the twisted underpinnings of violent criminality are, at least in part, genetic. Establishing that link, they say, could lead to more effective drug therapies and social policies emphasizing treatment over punishment.

The theory has been pursued in dozens of studies over the years. In analyzing 13 surveys involving identical twins, for instance, researchers found that when one twin was a violent criminal, there was a 51.5 percent chance that the other would be too. Fraternal twins, less genetically similar, had a concordance rate of only 20.6 percent.

Other research has shown that when a biological parent is criminally violent, "you are much more likely yourself to become criminal--even if you don't know anything about your parents and are raised in a completely different home," said Adrian Raine, a neuropsychologist, at the University of Southern California, who studies the biology of violence.

"Some people, even from birth, have a raised rate of becoming violent," Raine said.

That notion sparks a firestorm across the sociopolitical spectrum. Liberals say it minimizes the impact of poverty, inadequate education and poor parenting; conservatives say it serves up a handy excuse by discounting free will.

For many critics, the biology-as-destiny argument harkens back to misguided experiments in social engineering, such as the U.S. eugenics movement of the 1920s when forced sterilizations were administered to the "feeble-minded." It also has been condemned as racist, particularly in a nation in which the incarceration rate for black males is roughly eight times the rate for white men.

Although environment and experience may prove to be "the overwhelming influence on crime," there probably is a genetic component as well, said Irving Gottesman, a behavioral geneticist at the University of Minnesota. But he warned that so little was known of the equation that it was "dangerous to discuss in a superficial manner."

He added another caveat: Even when criminality seems to run in the family, it is impossible "to rule out coincidence."

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Prichard, Oliver. "Father and Son on Death Row: Nature or Nurture." *Philadelphia Inquirer (Philadelphia, PA)*. 28 Jul 2003: n.p. *SIRS Issues Researcher*. Web. 14 Sep 2012.

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