

Parricide Podcast ◉
Bang, Pow, Boom Pt. 2
Tess Damm

Intro: Ring around the rosy; A pocket full of posies; Ashes, ashes; We all fall down.

Sherry: Welcome to the Parricide Podcast. I'm Sherry...

Marie: ...and I'm Marie. And this is Part 2 of Bang, Pow, Boom. Last week we talked about Linda and her work at the Rocky Flats plutonium plant, her relationship with her demanding daughter, Tess - and how Linda let a very ungrateful boyfriend, Bryan, move in with them. Both Tess and Bryan were Juggalos - so we explored a little bit about the Insane Clown Posse, too. You learned that Tess and Bryan had spent their three months of love going house shopping, complaining long and loud about Linda, and plotting Linda's murder. And you learned how they killed her. If you didn't listen to Part 1, you missed a lot. You should go check it out real fast because now we're moving forward with this sordid story.

Sherry: If you enjoy this story, please like us on your favorite podcast platform.

Marie: Thank you!

[Interlude Music]

Sherry: When we last left you, Bryan had murdered Linda while Tess and the other Jared drove around impatiently awaiting the signal that she was dead, and they could come back and watch a movie. After they returned, Bryan informed Jared he would need to help him move Linda's body. Jared demurred saying, "Dude, leave me out of it. I don't want to be involved in this."

But Bryan told him he was already involved; since he'd driven around town with Tess, waiting for Linda to be murdered that night. So, Jared shrugged his shoulders and said, "Oh, okay."

He helped wrap Linda and the knife up in one of Linda's nice, clean blankets. Then Jared closed his eyes (he claims), and they moved Linda's body to the back of Linda's light blue Subaru wagon.

Marie: I'm pretty sure that that didn't happen with his eyes closed.

Sherry: Exactly. It was total virtue signaling.

Marie: Yeah.

Sherry: Anyway. Afterwards the three got high and watched a movie.

Marie: Well, they've done a great job of showing a lack of remorse so far.

Sherry: Complete and total lack of remorse.

Later on, Jared took his real best friend, Jared, back to the IHOP - where Tess, Bryan, and the other buddy Jared had fomented their murder plans on the night Linda had been murdered. Bryan described a scene wherein Tess had called him one night, frantically proclaiming that her mom was drunk and chasing her around the house. When Bryan arrived at the house, he said he found Linda choking her daughter. Bryan went on, describing how he heroically threw Linda off of Tess. But a deranged Linda

grabbed a knife and went after him. And in a valiant fight for his and his true love's lives, he'd killed Linda.

Marie: Hm.

Sherry: Jared didn't believe him. So, of course there was the requisite trip to the house to view the body. And Jared was mortified.

This Jared actually gave Bryan some solid advice. He advised Bryan to turn himself into the police. But Bryan wasn't having it. He knew he was lying.

Marie: Yeah. He wasn't going to get off on self-defense.

Sherry: Um-mm. Not at all. Instead, Bryan wanted Jared to help him dispose of Linda's body and Jared - forgetting to be a friend to himself - agreed to help his friend.

Marie: That was not a good choice.

Sherry: Not at all. Tess wasn't afraid to get her hands dirty now that her mom was dead. The three of them were suddenly hard at work trying to find a place to ditch Linda's body. And they weren't good at this.

They decided to leave her body at a local landfill. They drove Linda's car - with Linda stuffed in the back - to the Erie Landfill. But the landfill was, of course, closed in the middle of the night - and they got stuck in the mud. So, they gave up and just took her body back home and parked her car in the garage. Later, the three of them took Linda for another little ride - to a local Cemetery; thinking they could just bury her along with all of those other bodies. But the ground was still frozen. It's February in Colorado. They dug a grave as deeply as a couple of lazy boys could, dragged Linda's body out of the car, and buried her as best they could in the cold.

Marie: I thought you said Tess was with them.

Sherry: Well, she was present. But Jared said she acted all squeamish. So, she laid in the back seat of the car; claiming she just couldn't look, and she didn't want to help.

Marie: Okay.

Sherry: They thought they saw a patrolman cruising - and they were sure they were caught. So, they hopped into the car and took off before they could finish up. As they fled, they noticed it was obvious that there was a dead body there. And Bryan was worried about that; even as he drove away. So, later that night - when he gave Jared a lift home - they took a little detour back to the cemetery, and they recovered Linda's body, stuffed her back into the car, and - like a boomerang - Linda again returned to her home where she'd been murdered. They parked Linda in the garage; unsure what to do next. But sure they would be having fun without her.

Marie: This is getting a little gruesome.

Sherry: They are pretty gruesome kids. But anyway, Tess and Bryan had started to settle into the life they'd been dreaming of. Bryan had taken a little break to go to Florida with his dad - after the murders - and Tess would text him regarding the mundane moments of her day - referring to herself as wifey and

promising to do the laundry in his absence. Of course, she didn't do the laundry although she was kind enough to wash his bloody clothes and set the bloody sheets on fire in the backyard.

Marie: Oh, that's nice!

Sherry: Um-hmm. Their nights were filled with parties, car surfing, getting high, and having fun. Thanks to her mom's credit card; they ran up about \$4,000 by some reports. They fought a lot. It seems Tess kind of liked fighting. And when you look at this, it seems Tess might be the one who was the problem. And it looks like, for this couple, the word, forever, meant about three weeks.

Marie: Wow!

Sherry: She'd apparently taken it upon herself to make him stop smoking - and it wasn't going well. They'd had a huge fight and he'd stormed out of the house to go hang with his friends. Tess took to her MySpace knowing he'd read it, writing (and this is a quote) "So how hard is it to keep a simple promise like that. How hard is it not to smoke for a little bit of time? How hard is it to suck it up around your friends and just tell them that you're not going to smoke." Further down in this rant she wrote, "Let's talk about this fighting everyday thing. It's just getting ridiculous by now. See, I don't understand how two people who are 'in love' can have so many fights in one day. We fight over everything. And don't tell me that we don't, because you know as well as I do that we both get really pissed off really easily. But I don't see how we can fight over such stupid things like cell phones and who can take the car."

Marie: Like adulting?

Sherry: Right! Adult relationship, adult problems, right?

Marie: Yeah.

Sherry: She went on, criticizing him for walking out on a fight to go hang with his boys. "I'm done giving you money to buy cigarettes. I'm no longer just your money source." This is what she was writing on February 24th.

Marie: Wow.

Sherry: And Bryan did read what she wrote, and what he wrote back was conciliatory. "I have no excuse for anything I do. I truly don't, and you know how I feel about a lot. The thing is, I'm stupid. If I were to change most of my habits, we wouldn't be in this mess. I'm sorry for everything. But I just want to say I love you."

Marie: Did that appease her?

Sherry: It did not! She responded "Is that going to be your excuse for everything that you are stupid or that you're retarded? Why don't you ever just - naughty word omitted - fixing things and maybe you wouldn't have to make up these gay little excuses. Whatever. I'm done!"

But she wasn't, and they made up. And he promised to do better.

Marie: She doesn't sound like a very nice girl.

Sherry: She sounds like someone who really likes high conflict.

Marie: Um-hmm.

Sherry: And Bryan. Bryan sounds like he was completely in love and - like most booty bumpers - she doesn't sound like she was *as* in love.

Marie: Yeah.

Sherry: She had goals.

Marie: Yeah.

Sherry: Yeah.

So, Bryan often posted more cryptic messages on his Myspace; like this one, "I did things I shouldn't have with my two hands. I just want to drink a barrel of cyanide to make this pain go away."

Marie: That's pretty dramatic.

Sherry: These kids are *very* dramatic, don't you think?

Marie: Um-hmm.

Sherry: But some people like to think of that as remorse. Saying, "Oh, he felt really, really sorry." But to me, the phrasing - the wording - the lack of subsequent action after the words, suggests he was just trying to be a bad boy. It was shallow and, like, he wished he could just turn it into an Insane Clown Posse song.

Marie: Yeah. Like a Hallmark murder movie.

Sherry: Yeah. Like that.

But people started noticing that Linda was absent. The neighbors noticed that the tidy, well-kept home with the mom and daughter living in it had turned into a party house - and no longer looked well-kept. Nights when the sounds of Tess screaming at her mother seemed to have stopped, but that could have been because it was February and people just weren't outside that much. Family noticed. Even Tess's friends noticed. The kids just kept telling everyone who asked, that Linda was just out of town. And no one ever followed up on that. But February is really a thaw and freeze month - more than it's just a freeze month - and the garage began to take on a smell. Eventually they decided that it would be a good idea to take her body to Wyoming.

Marie: Ah, what a fun road trip.

Sherry: Yeah, it would be pretty exciting. But they would need to do a little planning.

Marie: Ah.

Sherry: As they planned this fun road trip, a friend who had heard their murder story had different ideas regarding this couple's future. At approximately 10:15 p.m. on February 27th, some anonymous person snitched on them. This person accurately related the tale of the murder - and their attempts to ditch her body - so they could have her house. The caller made it clear that this had not been described as a self-defense situation. So, they must have known about Bryan 's story.

Marie: Um-hmm.

Sherry: They even told the police to check out her car if they wanted to find her body. But the caller didn't have an address. Just, kind of, a description of where the house was located and what it looked like. So, the police had a little work they had to do before they could make first contact.

Marie: Umm-kay. I wonder if this was the other Jared? He would know the story.

Sherry: He would know the story. I'm wondering if someone told their parent.

Marie: Ohhh.

Sherry: But it never does say who that caller was.

Marie: Interesting.

Sherry: Yeah. So, what happened next?

Marie: Well, the police reportedly stopped by the Damm's home the afternoon of February 28th. They found Tess and Bryan at home hanging with Jared. Tess and Bryan informed the police that they lived there together, and when asked they told the police what they'd been telling everyone else who asked where Linda was. They had no idea where Linda had gotten off to, but she'd probably show up at some point.

But remember, this was a well check. The police weren't about to just say, 'okay' and leave. They needed to have some type of contact with Linda before they were finished. Their noses definitely told them where Linda had been stowed, and all three kids were hauled into the police station. Jared Guy would be brought in a few days later as the story unfolded.

Sherry: Now...Jared Guy is the Buddy Jared, and Jared Smith is the other buddy, Jared?

Marie: Right.

Sherry: Okay.

Marie: Bryan was quick to confess.

Sherry: That surprises me!

Marie: Yeah! He told the investigators he would tell them everything if he could just see Tess one more time. They allowed a brief reunion, and Bryan made good on his promise. He was charged with First Degree Murder - but he made a plea deal. When the court asked him if he was guilty of committing Second Degree Murder, he said yes. When allowed to speak prior to sentencing he said, "I apologize for the pain and tears and grief I caused. I lay myself at your mercy and ask for it."

Sherry: It sounds like he does have remorse at this point.

Marie: Maybe yes. I think he also has this kind of idea of himself as a...gentleman...that is important to him. But, if you compare this to someone like Chandler Halderson, you see a big difference in character.

Sherry: That's really true. His was all about himself.

Marie: Um-hmm. And I think that - especially when you've murdered someone - a show of remorse is always a good idea.

Sherry: Indeed.

Marie: So, he was sentenced to 30 - 40 years in prison, and he's up for parole in January of 2032. But he didn't rat out Jared and his other buddy, Jared. Tess did that. Tess also swore up and down that Bryan did this on his own. She had no idea he was going to murder her mother.

Sherry: Classic Booty Bumper!

Marie: Um-hmm. But evidence of that phone call asking him what was taking so long - and the confessions of the Jareds - refuted her position.

Sherry: Good.

Marie: Yeah. Tess was charged as an adult with First Degree Murder and Solicitation to Commit Murder. She was also given a plea deal. When asked if she was guilty of committing Second Degree Murder as a Juvenile and Solicitation of Murder as an Adult, she said yes.

Sherry: So, she pled guilty.

Marie: She did.

Sherry: Good!

Marie: She was sentenced to serve 23 years under an odd sort of differentiated sentence. This meant that she would be placed in the Juvenile System for the first - in her case - five years. The number of years is determined strictly by the age of the child; because the juvenile system releases them when they reach the age majority.

Sherry: True.

Marie: And then she would be relocated to prison to serve the remainder of her time.

Sherry: Umm, why do they do it that way? Is it a less expensive way to have them serve as Juveniles first?

Marie: No. It's actually about twice as expensive to put a child through the Youth Offender system - rather than the Adult Prison system. The Youth Offender - or Juvenile System - is tailored specifically to children and it has more of a rehabilitative focus; because the system assumes children are more malleable than adults and should still have a chance at succeeding and having a good adult life. So, the kids have Intensive Counseling Services, Educational Services, and Rehabilitative Services focused on reintegrating the child back into the community - which is more expensive.

Sherry: Oh. Yeah.

Marie: The Adult system does have a rehabilitative component, but it's usually built into the last few years that an inmate is anticipated to be incarcerated. Most of a person's time in prison is not focused on rehabilitation, as far as educational and rehabilitative services - like therapy and education - are concerned. Plus, and maybe more importantly, it's generally a bad idea to house kids in prison if that can be avoided.

Sherry: I agree.

Marie: Yeah. They may have committed an adult-sized crime, but they are still a child and don't belong with adult inmates.

Sherry: I totally agree with that.

Marie: Me, too.

So, Tess was convicted at the age of 17, but that wasn't the only court date she'd set. Tess was still determined to get at her mother's money so she could have that good life she wanted. She believed that she should inherit, right? Which we know she can't - because of the Slayer Laws.

Sherry: Right. I think it's funny that these kids don't understand that if they kill their parent, they are not going to inherit.

Marie: Yeah, that's not how it works. Well, she appealed but her appeal was - of course – denied.

Sherry: Of course.

Marie: So, while at the Betty Marler Youth Services Center - a lockdown facility in Denver - Tess decided it wasn't going very well at all. She was going to attempt an escape.

Sherry: Oh no.

Marie: Yeah. She got herself a couple of accomplices, and they planned to strangle a guard, lock the guard in one of the rooms after stealing his keys, and then escape. Part of this plan involved strangling a guard with his shoelace.

But failure came with a price. The Colorado Attorney General's office decided it was time to forego the rest of her treatment in the Juvenile System and sent her to prison. She was over the age of 18, she'd incited other juveniles at her treatment facility to riot, and it was time.

Sherry: Oh! That's interesting.

Marie: Um-hmm. But the Juvenile Court - in a closed hearing - decided to keep her in place. Her Hearing was covered by the Children's Code (which we covered extensively in Episode 15: Anarchy 101) and the Children's Code provides a cloak of anonymity to children so that after they are treated and released, they can try to get a fresh start in life as an adult. So, these Hearings are closed, and it's impossible for us to know what happened. It's difficult to understand why they would decide to keep her there, but we do know that the Boulder County District Attorney's Office opposed the early transfer, saying they feared it would shorten the amount of total time she would serve on her criminal conviction.

Sherry: That's why I thought it was interesting.

Marie: Yeah.

Sherry: You keep them in Juvie as long as you can; because they can't get out for time served. They don't toll there.

Marie: Ah! That's interesting.

Sherry: Yeah.

Marie: That makes sense. That's why they wanted her to stay in Juvie for the full five years.

Sherry: Um-hmm. So, let's talk about this differentiated sentence for just a second. So, they kept her in Juvie for the entire time that they could, and then - at that point - she is sent to Adult Prison. And at that point, time starts to be tolled.

Marie: That's right. So, she can start to get time served.

Sherry: Um-hmm. And so, it's basically – well - it's literally a different kind of clock.

Marie: Yeah. So, when you're in the Juvenile System you can't get parole. You're there for exactly as long as the Judge sentences you. Which we know isn't how it works in the Adult System.

Sherry: Right.

Marie: And this can seem unfair to some people, because a 16-year-old who is sentenced in the Juvenile Courts will serve four years if the age of majority for that state is 20 - and a 17-year-old will serve three years for the exact same crime with the exact same circumstances - because they both have to be released at age 20.

Sherry: You're right. That doesn't seem fair.

Marie: You're correct. But not in the way you think you are. No, seriously! Remember, a child serving time in the Juvenile System is receiving an intense, rehabilitative treatment. They're trying to reform the child. An extra year of treatment can actually help to turn around a child's life and prepare them to be good adults.

Sherry: I guess I hadn't thought about it that way. I guess that could be a good thing, if it works.

Marie: Yeah. But that also means that a child who resists treatment, can simply let the clock run out and then leave if their sentence was not differentiated. But in the Adult Justice System - which is not completely focused on rehabilitation - you are incentivized to follow the rules if you want an early release.

Sherry: Okay. That makes sense.

Marie: So, she ended up appealing her sentence in April of 2010, but her conviction was upheld. So, she took her plea to the Colorado Supreme Court in August of 2010. But Cert was denied.

Tess came up for a Discretionary Parole in April of 2019. This meant one member of the Board of Pardons would interview her and review her records - and then decide if she should be released on probation. In her offender letter, she told the Parole Board she wanted to find a good job and then find a church to help her rebuild her life. She'd chosen the Red Rocks Church; trading a band for misfits for a church for Misfits. A move that seemed to serve her well. She was released in April of 2019 after serving 12 years.

Sherry: Oh! That's nice. I wonder how she's doing.

Marie: As far as we can see, she's staying out of trouble and doing well.

Sherry: Good!

[Interlude Music]

Marie: Bryan 's buddy, Jared Guy, was arrested a few days later - at a school dance. He wasn't lucky enough to still be a minor. He was charged with being an Accessory to Murder and Tampering With Evidence. This friend finally realized a couple of things. First, Bryan had lied to him about how the murder had occurred - there was no Bryan killing Linda trying to defend himself or Tess. There was simply a cold-blooded murder. And, in the end, he'd been duped into being an Accomplice After the Fact. Second, he needed to be a friend to himself. He made a plea deal wherein he pled guilty to the Tampering with Evidence charge and became a material witness for the Prosecutor.

Sherry: I'm glad he did that. It's good to be a friend to yourself in these cases.

Marie: Yeah. He was smart.

Sherry: What was he sentenced to?

Marie: He was sentenced to six months of Work Release, followed by six months of Home Detention, followed by three years of Probation.

Sherry: How does that work?

Marie: Well, he lives in jail for six months, but is let out to go to work. But then after work is over, he has to go right back to jail. After that, he was allowed to live at home and go to work. But he had to wear an ankle monitor for six months. If he successfully completes that year, he would be on Probation for three years. Guy would later be sent to prison for seven weeks for violating the terms of his parole.

Sherry: Wow. So, what's the difference between probation and parole?

Marie: Well, they're both a form of Supervision that is conditioned on good behavior. With either type of Supervision, the person will go back to jail or prison if they get caught being bad. But Probation is handed down by the Judge as part of the sentence. It could come with or without a period of time to be spent incarcerated. The Judge is the one to specify restrictions on the Offender's life and activities during the Probationary period and the length of Probation can't be changed. So, if a Judge says you're going to prison for 12 years and are to serve five years' Probation, she is saying she should have kept you in prison for 17 years but is confident that - after 12 years of prison - you'll be fit and able to live in a community. But you will need to spend the next five years proving the Judge right.

Sherry: Oh, okay.

Marie: Yeah. So, Parole is granted by a Parole Board after the Offender has spent a period of time incarcerated. If a Parole Board decides you appear to be rehabilitated, and you have behaved reasonably well while incarcerated, they might release you earlier than your sentence states. But you're still going to be supervised for a specified number of years. The Parole Board also has the power to specify restrictions on the Offender's life and activities during the terms of Parole. The goal of both Probation and Parole is to get them back on track within society, while minimizing the likelihood that they will offend again in the future.

Sherry: Thanks, again, for explaining that. I really didn't understand the difference.

Marie: Yeah. Most people don't. We just use them interchangeably casually.

Last of all - the other buddy, Jared Smith, was charged with being an Accessory to Murder for helping to load Linda in her car after the murder. He pled Responsible as a Juvenile Offender and was sentenced to two years in Juvenile Detention with six months of Probation to follow. He was released in April of 2004.

Sherry: Last of all? I thought we said something about dogs at the end of Part 1?

Marie: Good thing you remembered! So, Linda had three dogs – Buddy, Sparky, and a third dog whose name I don't know. When the police took the kids into custody, they followed protocol and took the three dogs who lived there to the Humane Society.

Sherry: Awww.

Marie: Yeah. Unfortunately, the third dog was terminally ill. He was placed in a doggy foster home, but died in June.

Sherry: That is so sad that it died confused and alone.

Marie: Um-hmm. That is a really sad ending.

Sherry: Ohh, these poor dogs.

Marie: Um-hmm. Sparky - he was a black lab - and he was placed with an old friend of Linda's from back in the day when they both worked at Rocky Flats.

Sherry: That's nice.

Marie: Yeah. This friend, whose name was Lynley Nichol, had gone on to open a llama rescue in Longmont, Colorado. Which is kind of cool, right?

Sherry: Yeah, I think so.

Marie: Yeah. Um, but she'd heard about what happened to her old friend and took in Sparky. And he did well the Llama rescue, but he always seemed kind of sad.

Sherry: (sad noise)

Marie: Almost like he'd witnessed the murder and was forever traumatized despite being all set to have a good life now - Part Two.

Sherry: Poor Sparky.

Marie: Yeah. I think that would be hard for a dog to get over.

Sherry: What about Buddy?

Marie: Well, Buddy was a Golden Retriever - and he wasn't as lucky - at first. He moved from home to home as his placements failed for one reason or another.

Sherry: Poor dog.

Marie: Yeah. But then one hot day he was sent to a new place. Events like murder are really hard on a dog, and Buddy was really showing the stress. He shuffled into his new home with his head hung low. Life had not been good to him for the last little bit, and he was coming to expect it would remain as such.

Sherry: That's so sad.

Marie: Mm-hmm. As his new owner completed the transaction that made him hers, he looked up at the other dog in the home - the one who was supposed to be his new friend - and he took a sniff. And really liked what he smelled. So, he sniffed again. And that dog sniffed right back. And the two began an intricate sniffing routine that most dog owners have seen. But what most owners haven't seen, was eyes brightening and tails spinning like the blades on a helicopter as these two dogs realized they already knew each other! Linley had arranged to adopt Buddy when she heard about his troubles.

Sherry: No way! That's so nice!

Marie: Yeah! So. Buddy and Sparky were, once again, forever together.

Sherry: Ahh. I'm glad we found that story.

Marie: Yeah! It's the best ending possible for those dogs, given the circumstances.

Sherry: Absolutely!

I guess we need to be done for this time, so we can go and heal - and start getting ready for our next episodes.

Marie: I agree.

Sherry: So, that's it for this time.

And we would be remiss if we didn't thank the Casper Star Tribune, Times Record News, The Denver Post, MySpace.com, thepostchronicle.com, lacp.org, the Boulder Daily Camera, NASA, NPR, the article by Siegfried Hecker and Joseph C. Martz called Aging of Plutonium and Its Alloys, livescience.com, the Insane Clown Posse, U.S Nuclear Regulatory Commission, and the World Nuclear Association. If you want to read a good book about the decades-long environmental scandal involving nuclear contamination in and around Rocky Flats, we've got you. Find the book, Full Body Burden - Growing Up in the Nuclear Shadow of Rocky Flats by Kristen Iverson. We'd also like to thank the mayoclinic.org, Kylie's True Crime, the Fort Collins Coloradoan, Time, the Billings Gazette, The Daily News, and rockandrollglobe.com. And - of course - we'd like to thank Jade Brown for our Music.

If you're interested in learning more about the history of plutonium production, check out the book - The Atomic City Girls by Janet Beard. That is an amazing book!

Marie: Isn't that the one about Oakridge - the secret city the government built in Tennessee to produce plutonium?

Sherry: Yes, it is! And we know that times are tough with inflation and such - but if you're able and would like to help support our research, please support us through a pledge on our Patreon page patreon.com/parricidepodcast. Your tax-deductible donations go directly toward research to prevent future parricides. We'd like to thank our two most recent Patreon Patrons - Mick and Brandon! We are over the moon grateful for your support!

And we'll see you in, probably, two weeks. This has been the Parricide Podcast, and remember...

Marie: ...always sleep with one eye open.

[Outro Music] Ashes, ashes; We all fall down.