

# BETWEEN THE LINES

December 20, 2019

## Did BIA Catch Lizzie Borden in the Axe?

### Introduction

As we enter the holiday season, we at BIA are enjoying the cozier things in winter: a mug of hot chocolate on a cold Boston night, a warm blanket by the fireplace... and a nice murder mystery. As most residents of Massachusetts know, Lizzie Borden was suspected of killing her father and stepmother with an axe in 1892. Although a jury found her innocent, she was shunned from Massachusetts society and the public considered her guilty. Her story and her parents' unsolved murder have become the stuff of legend, inspiring schoolyard rhymes and spooky tourism in her hometown of Fall River. Many believe she quite literally got away with murder because her confusing and contradictory inquest was ruled not admissible in court (because her lawyer was not present). To close out Q4 in an especially macabre fashion, we decided to take a look at her inquest transcript through our behavioral lens to see what the jury could have uncovered if they read it and had been trained in our Tactical Behavior Assessment® (TBA™) methodology. As you will see, our BIA techniques applied to the trial inquest testimony provide support for one theory and, after 127 years, we're here to tell you who did it, in the parlor, with the axe. Happy holidays!

### Borden Family Background: Money & Mother Drama

The Borden family was well-known in Fall River and Lizzie's father, Andrew, had amassed a sizable wealth (\$10 million in today's money) selling furniture and coffins. Yes, coffins. After his first wife's death, he married Abby Gray, who was not fully accepted by Lizzie and her sister Emma, causing a rift in the household. When Andrew started gifting properties to Abby's family members, his daughters were furious and demanded properties of their own. According to Lizzie's inquest, this incident is what caused her to start calling Abby "Mrs. Borden" instead of "mother."

District Attorney Hosea Knowlton, who conducted the inquest, asked Lizzie after the incident if she was on pleasant terms with her stepmother. Lizzie said "yes," that they were "*quite cordial. I do not mean the dearest of friends in the world, but very kindly feelings and pleasant. I do not know how to answer you any better than that.*" While Lizzie was attempting to give the impression that she and her stepmother were on good terms, the phrase "I do not know how to answer you any better than that" reflects that she was struggling to characterize the relationship in a way that would be perceived favorably. Mr. Knowlton pursued the topic by asking Lizzie if her relationship with Mrs. Borden was "that of daughter and mother." Lizzie responded that "*in some ways it was and in some it was not.*" Then she was asked, "In what respects were the relations between you and her that of mother and daughter?" Lizzie refused to answer. She repeatedly said, "*I decline to answer*" because "*I don't know how to answer*" and "*I do not know what to say.*" These consistent refusals to answer reflect Lizzie's ongoing struggle to characterize her relationship with her stepmother in a way that would be perceived favorably, suggesting that the relationship was not as "cordial" as she implied. Indeed, her refusal to characterize her relationship with Mrs. Borden as daughterly-motherly in any way indicated that Lizzie felt no familial connection with her stepmother at all. **Resentment towards her stepmother, stemming directly from greed for her father's money, has widely been considered the motive for Lizzie allegedly committing the gruesome murders. BIA's assessment of Lizzie's responses about her relationship with her stepmother provide behavioral evidence to support this motive.**

### A Step(mother) Too Far on the Case

On the morning of August 4, 1892, Lizzie told her father and the family maid, Bridget Sullivan, that Abby had gone into town after receiving a note asking her to visit a sick friend. Neither this note nor the sick friend were ever found. However, sometime between 9:30 and 10:30 in the morning, Abby Borden was definitely home, struck with an axe-like weapon 18 times in the family's guest bedroom upstairs. Only Lizzie and Bridget were in the house at the time and neither claimed to hear anything. Andrew returned home an hour later and at around 11:00 a.m. he was discovered by Lizzie in the sitting room, struck 11 times with a similar weapon. During Lizzie's inquest, she contradicted herself several times when asked whether or not she was upstairs between the times of the two murders. Specifically, the maid testified that Lizzie was on the staircase when her father returned home, notably laughing when her father was locked out and needed the maid's help to get in. This is significant

because if Lizzie had been upstairs or even near the top of the staircase, she would have seen Mrs. Borden's body lying in the guest room and, if she were innocent, likely would have reacted with alarm.

The first time Lizzie was asked if she was upstairs when her father came home, she replied, "*I was not upstairs when he came home, no sir.*" While this may seem like a straight-forward denial, it does not rule out the possibility that she was on the staircase when he came home, or that she was upstairs in the moments leading up to his arrival. When later asked where she was when her father rang the bell, she responded, "*I think in my room upstairs,*" and explained that she was mending a garment. When she was asked a third time where she was when her father came home, she answered, "*I think I was downstairs in the kitchen.*" Her final response was, "*I think, as nearly as I know, I think I was in the kitchen.*" The repeated equivocation of "I think" and the statement "as nearly as I know" allowed Lizzie to appear responsive while at the same time avoid committing to her whereabouts at the time between the murders. This suggests that if she were to admit where she was at that time, it would not bode well for her story. Based on this behavioral evidence, it is likely that Lizzie was indeed on the staircase or upstairs when the maid let her father in. **Lizzie's inability to keep her story straight and repeated efforts to avoid committing to her whereabouts suggest that she was trying to cover up the fact that she had been upstairs and able to see the murdered body of her stepmother. If this were the case, then her failure to raise an alarm would suggest she was culpable.**

### Lizzie's Story Goes Pear-Shaped

Lizzie's responses were equally strange when she was asked for her whereabouts during the time that her father was murdered. She claimed that after her father came home, she spent 15-20 minutes in the second floor of the family's barn searching a small box for a piece of lead to use on an upcoming fishing trip, before returning to the house and his bludgeoned body. When Mr. Knowlton questioned how such a simple task took her so long, she replied, "*I ate some pears up there.*" She goes on to say that she stood looking out the barn window and eating three pears, which filled the rest of the time in question. While eating pears in and of itself is not behaviorally concerning, this is significant because Lizzie had claimed to be feeling too ill to eat dinner the night before or breakfast that morning with the family – and she had already told her stepmother earlier that morning that she did not want dinner that day either. So, Mr. Knowlton asked her, "Were you then when you were eating those three pears in that hot loft, looking out that closed window, feeling better than you were in the morning when you ate no breakfast?" Lizzie failed to answer the question, stating only that "*I was feeling well enough to eat the pears.*" When the question was set to her again, she responded in a heavily qualified manner that, "*I don't think I felt very sick in the morning, only yes, I don't know but I did feel better. As I say, I don't know whether I ate any breakfast or not or whether I ate a cookie.*" Her final reply on the matter was that, "*I felt about the same.*" Lizzie's contradictions and recourse to use the phrases "I don't know" and "I don't think" again reflect an effort to avoid committing to whether she was feeling well enough to eat. Notably, no footprints were found in the dust of the barn floor, and the temperature on the second floor was said to be unbearably hot – not ideal pear-eating conditions. If she were innocent of the murders and just happened to be in the barn and feeling well enough to eat three pears, Lizzie would likely have just said so. **Her impulse to avoid accountability for her statements, however, suggests that Lizzie was unable to credibly support her claims, therefore raising the possibility that her explanation of how she spent her time in the barn is not what really happened.**

### The "I Don't Knows" Have It

Indeed, Lizzie relies on this strategy of equivocation throughout her inquest. Lizzie Borden was asked 849 questions. She responds 109 times with "I don't know," 18 times with "I don't remember" and 23 times with "I don't think." The frequency of these responses is troubling, particularly since the interview started just five days after the murders – a timeframe short enough that she should have remembered some basic information, such as how she was feeling or whether she was upstairs or downstairs when her father found himself locked out. **Lizzie's consistent inability to give straightforward answers suggests that the facts were not in her favor, and that she was trying to conceal her actions on that day.**

### So, Did Lizzie Borden Take an Axe?

It's tough to say whether the jury would have reached a different conclusion if Lizzie Borden's inquest had been admitted as evidence. She did not testify on her own behalf and she acted every part the gentlewoman in court, even fainting when her parents' skulls were brought out as evidence, contributing to the twelve men's belief that a woman simply could not commit such grisly murders.

There are many theories of other people being involved in the murders – Bridget the maid, Lizzie's sister Emma, or a third party. However, after examining court transcripts, we saw few BIA Indicators of deception in any other testimony. **Combined with Lizzie's consistent avoidance of committing to her whereabouts and what she was doing that day, we can conclude that Lizzie was likely culpable for the murders of her father and stepmother.**

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