

OCTOBER 3,1992

COMMANDER KENNEDY  
6th PRECINCT  
233 W. 10th ST.  
NYC, NY 10014

SIR:

I'M WRITING YOU THIS LETTER AND SENDING YOU THE ENCLOSED VIDEO TAPES TO ACQUAINT YOU WITH A MOST SERIOUS MATTER WHICH AT THIS TIME HAS ENDANGERED THE LIFE OF A VIRTUAL EYEWITNESS TO A MURDER, HAS ENRAGED THE ENTIRE LOCAL VILLAGE COMMUNITY & THE GAY COMMUNITY AT LARGE AND THREATENS TO TOTALLY UNDERMINE THE CREDIBILITY OF THE SIXTH PRECINCT. I HOPE YOU WILL CORRECT THIS SITUATION & PREVENT DEMONSTRATIONS, PROTESTS AND/OR SOCIAL UNREST FROM MARRING THIS YEAR'S HALLOWEEN.

A SUMMARY OF EVENTS LEADING UP THE THE CURRENT CRISIS - MARSHA P. JOHNSON WAS FOUND DEAD IN THE RIVER AT THE FOOT OF CHRISTOPHER ST. ON JULY 6th,1992. AFTER MAKING JUST TWO OR THREE PHONE CALLS & WITH NO REAL EVIDENCE TO WARRANT IT, JAMES ABRIEU (WHO WAS ASSIGNED TO 'INVESTIGATE' MARSHA'S DEATH) HAD THE MEDICAL EXAMINER LIST "SUICIDE" AS THE CAUSE OF DEATH ON THE DEATH CERTIFICATE THE DAY AFTER THE BODY WAS FOUND.

DURING THE NEXT FEW WEEKS, FRIENDS OF MARSHA NOT ONLY PROTESTED THIS INSULTING, UNTRUE, STEREOTYPICALLY-BIGOTED LABELING OF HER DEATH (ALL HOMOSEXUALS, ESPECIALLY FAMOUS ONES LIKE MARSHA ARE MISERABLE CREATURES PRONE TO SUICIDE) THEY EVEN MARCHED ON THE PRECINCT DEMANDING THE DEATH CERTIFICATE BE CHANGED FROM "SUICIDE" TO "CAUSE UNKNOWN" & THAT A REAL INVESTIGATION BE DONE REGARDING HER DEATH. ATTACHED YOU WILL FIND A COPY OF THE NEWSDAY STORY ON THAT PROTEST & THE LEAFLET LISTING THE DEMANDS MADE THAT DAY.

IF YOU WATCH THE VIDEOTAPE OF THAT PROTEST WHICH IS ENCLOSED, YOU WILL SEE THAT YOUR PRECINCT HAD SOME TWENTY POLICE OFFICERS STANDING GUARD FOR AN HOUR TO AN HOUR AND A HALF TO KEEP THE THIRTY OR SO PROTESTERS FROM EVEN GETTING TO THE FRONT OF THE PRECINCT. YOU WILL ALSO SEE & HEAR OFFICER McSHANE PROMISE TO ARRANGE A MEETING BETWEEN THOSE OF US INVOLVED AND YOURSELF--A PROMISE WHICH WAS NOT KEPT.

JAMES ABRIEU DID NOT INVESTIGATE THE DEATH OF MARSHA P. JOHNSON. HE PUT A STEREOTYPICALLY-BIGOTED LABEL, "SUICIDE", ON IT AND DISMISSED IT. DESPITE A GROWING BODY OF EVIDENCE THAT SHE WAS ALIVE & IN DANGEROUS TERRITORY ON JULY 4TH & IN A STATE OF MENTAL CONFUSION--AND DISREGARDING THE OUTRAGE & PAIN INFLICTED ON MARSHA'S SURVIVING BROTHERS & SISTERS & FAMILY MEMBERS WHO TRAVELED IN FROM ELIZABETH, N.J., TO CONFRONT JAMES ABRIEU & DEMAND THE CERTIFICATE BE CHANGED--DESPITE ALL THIS, JAMES ABRIEU SMUGLY INSISTED HE KNEW

HOW MARSHA HAD DIED, "SUICIDE", AND REFUSED TO CHANGE IT EVEN TO "CAUSE UNKNOWN" (THE ACTUAL FACT OF THE MATTER AT THAT TIME) UNLESS, AND I QUOTE HIM EXACTLY: "YOU CAN BRING ME SOMEONE WHO SAW SOMEONE ACTUALLY THROW HIM INTO THE RIVER." WE HAD ALREADY SHOWN REASON TO SUSPECT FOUL PLAY BUT THAT WAS NOT ENOUGH. WE WERE BEING TOLD WE HAD TO PROVE "MURDER" TO GET THE DEATH CERTIFICATE CHANGED. WE WERE WORKING ON ARRANGING A MEETING WITH THE SUPERVISOR ABOVE THE DETECTIVES IN THE SIXTH PRECINCT TO DISCUSS THIS MATTER WHEN A REAL BREAK CAME IN THE CASE IN LATE SEPTEMBER.

BENNIE TONEY, AN EYEWITNESS, CAME FORWARD & TOLD OF SEEING FOUR DRUG-DEALERS/MUGGERS/CRIMINALS HARASSING MARSHA THE NIGHT OF JULY 4th, PICKING HER UP INTO THE AIR AND SPINNING HER AROUND, CALLING HER "FAGGOT" & OTHER NAMES. HE WENT TO THE POLICEMAN WHO WAS CONTROLLING THE CROWDS NEARBY & SAID: "I THINK THERE IS SOME VIOLENCE BEGINNING OVER THERE. YOU SHOULD COME LOOK."--AND THE POLICEMAN, WHO HE ADMITS HAD HIS HANDS FULL ALREADY, ASKED: "ARE THEY GAY?" And AFTER TONEY SAID "YES," THE POLICEMAN REPLIED, "WELL, MAYBE THEY ARE JUST FOOLIN AROUND. THEY DO THAT A LOT DOWN HERE. I REALLY CAN'T LEAVE HERE ANYWAY RIGHT NOW."

TONEY RETURNED TO THE AREA. MARSHA WAS ON THE GROUND AGAIN, STANDING & TALKING WITH HER TORMENTORS. TONEY WENT OUT TO THE END OF THE PIER TO WATCH THE FIREWORKS & DID NOT SEE ANYONE AROUND AN HOUR OR SO LATER WHEN HE LEFT. HE IS CONVINCED THAT THESE ARE THE PEOPLE WHO MURDERED MARSHA.

THESE SAME FOUR HOODLUMS - ONE OLDER (25 to 30) AND THREE YOUNGER (16 to 18 years old & all six feet tall or taller) DEAL DRUGS & MUG PEOPLE DOWN BY THE PIERS, USUALLY USING THEIR FISTS TO BEAT UP OLDER WHITE OR BLACK MEN WHO HAVE BEEN SO FOOLISH AS TO WANDER OVER BY THE WATER. TONEY HAS SEEN THEM DO THIS A COUPLE TIMES DURING THE PAST COUPLE MONTHS. HE KNOWS WHERE THEY LIVE. HE CAN IDENTIFY THEM.

WITNESS TONEY, ACCOMPANIED BY MYSELF, CAME TO THE SIXTH PRECINCT ON SUNDAY, SEPTEMBER 27th, AND MADE A DEPOSITION ON ALL THIS TO A WOMAN DETECTIVE BY THE NAME "MORJELLO" (PRONOUNCED, SHE TOLD ME, LIKE 'more jello'). AT THAT TIME, HE TOLD HER HE WAS WILLING TO GO IN A DARK GLASSED VAN & POINT THESE FOUR SUSPECTS OUT TO THE POLICE & TESTIFY AGAINST THEM IN COURT. SHE SUBJECTED HIM TO A GRUELING CROSS-EXAMINATION WHICH LEFT HIM FEELING THAT SHE WAS MORE INTERESTED IN QUESTIONING HIM THAN IN QUESTIONING MARSHA'S MURDERERS.

I UNDERSTAND THAT IT IS IMPORTANT TO VERIFY AN EYEWITNESSES CREDIBILITY BUT WHEN DET. MARJELLO IMPLIED TONEY WAS LYING ABOUT HIS HEIGHT BEING 6ft. 3" & MARCHED US ACROSS INTO ANOTHER ROOM TO PROVE HE WAS LYING ONLY TO FIND OUT THAT HE WAS 6' 3", I THOUGHT THAT WAS BEING A BIT REDICULOUS & UNBELIEVING & CYNICAL.

EYEWITNESS TONEY DID EVERYTHING A FORTHRIGHT PERSON TELLING THE TRUTH COULD BE EXPECTED TO DO. HE TOLD HIS STORY. HE FILED THE DEPOSITION. HE ALLOWED DET. MORJELLO TO TAKE HIS PHOTOGRAPH. HE WAS A FRIEND OF MARSHA'S WHO WANTED JUSTICE TO BE DONE. HE WAS NOT INTERESTED IN, WOULD NOT EVEN BE ELIGIBLE FOR THE \$5000 REWARD POSTED FOR THE CAPTURE OF MARSHA'S MURDERS BY THE ANTI-VIOLENCE PROJECT(SEE ATTACHED LEAFLET).

TONEY HAS FULL BLOWN AIDS, LIVES IN A DEPARTMENT OF AIDS SERVICES HOTEL, AND IS BEGINNING TRAINING TO BE A HEALTH CARE WORKER. HE HAS HAD TWO BOUTS OF PCP & HIS CONTINUED GOOD HEALTH/ABILITY TO TESTIFY & ASSIST IN THIS INVESTIGATION IS TENUOUS. ALL THE MORE REASON THAT THE CURRENT DELAY IS OUTRAGEOUS.

THE DAY AFTER FILING HIS DEPOSITION, WITNESS TONEY RECEIVED A DEATH THREAT OVER THE TELEPHONE WHERE HE LIVES. HE HAD ONLY GIVEN THAT NUMBER TO DET. MARJELLO, BEA HANSON OF THE ANTI-VIOLENCE PROJECT & MYSELF. HE BELIEVES THAT DET. MARJELLO OR SOMEONE FROM THE 6th PRECINCT SHOWED HIS PICTURE AROUND HIS NEIGHBORHOOD TO THE "WRONG" PEOPLE, TOLD THEM ABOUT HIS FILING A DEPOSITION, AND THAT THIS IS WHY HIS LIFE WAS THREATENED. THE ANTI-VIOLENCE PROJECT HAS AGREED TO BE HIS LEGAL COUNSEL IN HIS DEALING WITH THE POLICE AND YOU SHOULD CONTACT THEM TO PURSUE THIS MATTER.

FINALLY, I WANT TO INFORM YOU THAT JAMES ABRIEU IS UNFIT TO BE A MEMBER OF THE N.Y. POLICE DEPARTMENT, MUCH LESS SOMEONE WITH A CARD SAYING "DETECTIVE" FROM YOUR PRECINCT. I WISH TO FILE CHARGES OF MALFEASANCE IN OFFICE AGAINST THIS MAN. HE IS NOT ONLY DERELICT IN HIS DUTY, BUT HE HAS ACTIVELY UNDERMINED THE REAL INVESTIGATION OF THIS CASE BY LYING AND BETRAYING THOSE OF US WHO UNWITTINGLY PLACED SOME TRUST & CREDIBILITY IN WHAT HE TOLD US.

I GAVE JAMES ABRIEU THE NAME OF THE WITNESS, THE NAME OF THE HOTEL WHERE HE LIVED, THE ROOM NUMBER IN THE HOTEL WHERE THE WITNESS LIVED, AND THE STREET ADDRESS OF THE HOTEL. ABRIEU TOLD ME: "I SHOULD GO RIGHT UP THERE AND TALK TO THIS GUY." THIS WAS FRIDAY AFTERNOON, 9/25/92. AN HOUR LATER, ABRIEU CALLED ME BACK TO SAY THAT HE HADN'T BEEN ABLE TO FIND THE HOTEL, READING THE NAME & ADDRESS OF THE HOTEL BACK TO ME. NEVER DREAMING THAT A POLICE OFFICER WOULD LIE ABOUT THE VERY EXISTENCE OF A HOTEL, I BELIEVED HIM.

WHEN I FOUND OUT THAT THE HOTEL & THE WITNESS WERE EXACTLY WHERE I TOLD ABRIEU THEY WOULD BE, THAT THE HOTEL WAS CLEARLY MARKED BY ADDRESS OVER THE DOORWAY, THAT A LARGE NEON SIGN HUNG OUT IN FRONT, I REALIZED HOW TRULY GROSS ABRIEU'S MISHANDLING OF THIS CASE HAD BEEN. HE HAD LIED & BETRAYED ME. THAT WAS THE LAST STRAW. OBVIOUSLY, A SO-CALLED "DETECTIVE" (I REFUSE TO CALL HIM BY THAT TITLE) WHO CAN'T FIND A VIRTUAL EYEWITNESS TO A MURDER EVEN AFTER HE HAS THE NAME, ADDRESS & ROOM NUMBER OF THE WITNESS CAN HARDLY BE TRUSTED TO FIND FOUR KILLERS.

FINALLY, I DEMAND THAT JAMES ABRIEU BE REMOVED FROM THIS CASE AND SOMEONE COMPETENT BE PUT IN CHARGE. THOSE OF US CONCERNED ABOUT THIS MATTER HAVE COMMENCED TABLING & PETITIONING IN THE NEIGHBORHOOD. THE SAMPLE TEXT OF WHICH I'LL ENCLOSE HERE SINCE IT SPEAKS FOR ITSELF.

# DEMAND JUSTICE FOR MARSHA

WE, THE UNDERSIGNED, DEMAND THE POLICE ARREST & QUESTION THE FOUR MALES WHO WERE SEEN HARASSING MARSHA P. JOHNSON, PHYSICALLY ABUSING HER, SPINNING HER AROUND IN THE AIR, CALLING HER "FAGGOT" & OTHER NAMES ON THE NIGHT OF JULY 4TH, 1992, JUST 15 FEET FROM WHERE HER BODY CAME UP FROM THE BOTTOM OF THE RIVER 36 HOURS LATER.

WE ALSO DEMAND THESE FOUR MALES BE PLACED IN A LINE-UP FOR IDENTIFICATION BY THOSE MUGGING VICTIMS WHO, DURING THE PAST SEVERAL MONTHS, HAVE BEEN MUGGED BY PERPETRATORS MATCHING THEIR DESCRIPTION & USING PUNCHING, SLUGGING, & PHYSICAL ATTACK AS THEIR WEAPONS SINCE THE SAME EYEWITNESS TO MARSHA'S MURDER HAS SEEN THESE SAME PEOPLE COMMIT MUGGINGS IN THIS MANNER.

SIGNATURE

PLEASE PRINT NAME AND ADDRESS.

THIS LETTER WILL BE REPRODUCED & CIRCULATED AS WIDELY AS POSSIBLE TO BRING ATTENTION TO THIS OUTRAGEOUS STATE OF AFFAIRS. IT'S TRULY REGRETTABLE THAT IT EVEN HAD TO BE WRITTEN. JAMES ABRIEU IS A DISGRACE TO THE NYPD. ARE YOU GOING TO LET THIS ONE BAD APPLE RUIN THE BARREL OR ARE YOU GOING TO REMOVE HIM?

cc: MAYOR DINKINS  
TOM DUANE  
COMMUNITY BOARD # 2  
ALL MEMBERS:  
6TH PRECINCT  
THE MEDIA  
QUEER NATION  
MARJORIE HILL  
ANTI-BIAS UNIT NYPD  
POLICE COMMISSIONER  
CIVILIAN COMPLAINT REVIEW BOARD  
NYPD INTERNAL AFFAIRS  
GOAL

ANTICIPATORIALY YOURS,

*Randy Wicker*  
RANDY WICKER  
MARSHA'S ROOMMATE  
PROPRIETOR  
UPLIFT LIGHTING  
506 HUDSON ST.  
NYC, NY 10014  
(212) 929-3632 (100-8:00 p.m.)  
(201) 656-3280 (before noon)

& all appropriate others