

New Witness Is Found In Mystery Pier Death

On July 5, Marshal P. Johnson's body was found in the Hudson River near the Christopher St. Pier. Within 24 hours, his death was classified as a suicide.

But nearly four months later, a man has come forward saying that, on July 4, the night Johnson, a transvestite, died, he saw him being taunted and possibly assaulted near the piers.

"Four guys tried to make him smoke a joint. He said, 'I don't want to smoke.' He told them to get away and he slapped them," said Bennie Toney, 43. "They grabbed him, four guys, they swung him around."

Toney, who says he knew Johnson from California and then in New York, says he told police about what he'd seen, but didn't take it seriously at the time, so he moved on.

Weeks later, though, when he found out that Johnson, also known as "Marsha," was dead, Toney says he connected the two. "The first thing that came to my mind when I found out was these four guys," he said.

Toney says he has seen the four men before and since and that they had regularly

roamed the piers, sometimes robbing and assaulting people.

Police say that Johnson's death, which is still officially classified as a suicide, remains under investigation. Although Toney has given an official deposition at the Sixth Precinct, police say it has not changed their investigation.

"A lot of people saw that person that night," said Lieut. John Fabey, of the Sixth Precinct. "We have a thick folder on that investigation. There's nothing that person could add that would change our investigation at all."

"They talked with me and one other person and, frankly, they misconstrued what I said," said Randy Wicker, Johnson's roommate, whose statements helped move police to declare the death a suicide.

The New York City Gay and Lesbian Anti-Violence Project is pushing to have the death reclassified. And they and others are pushing to have this classified as a bias incident. If that is done, the police's anti-bias unit could investigate.

THE VILLAGER ARTICLE ERRS ONLY IN SAYING "FOUR MONTHS LATER" WHEN IT WAS ONLY 2½ MONTHS. AND THE POIGNANT FACT THAT MARSHA'S BODY CAME UP FROM THE BOTTOM OF THE RIVER JUST TEN FEET FROM WHERE THIS WITNESS SAW HER BEING HARASSED WAS NOT STRESSED.

AFTER INITIALLY PRETENDING TO BE UNABLE TO FIND THE HOTEL & THE WITNESS, THE SIXTH PCT. COULDN'T BE BOTHERED EITHER SHOWING MUG SHOTS TO THE WITNESS OR PICKING UP THESE PROFESSIONAL MUGGERS, PROBABLE MURDERERS, FOR QUESTIONING OR TO APPEAR IN A LINE-UP FOR MUGGING VICTIMS.

MARSHA'S DEATH WAS UNIMPORTANT TO THE BIGOTED, CAREER SUBURBANITES WHO MOTOR IN EVERY DAY TO MAKE FAT SALARIES & MOCK THE CONCEPT OF "EQUALITY BEFORE THE LAW" AND/OR "JUSTICE FOR ALL." SHE WAS GAY, BLACK, A TRANSVESTITE, A PROSTITUTE (i.e.) A "NON-PERSON" IN THEIR EYES.

AND THINGS AREN'T GOING TO GET BETTER WITH THE NEW COMMISSIONER KELLY--AS YOU CAN SEE FROM THE QW NEWS STORY. UNLESS EVERYONE WORKS TOGETHER TO DOCUMENT ALL THE DIFFERENT WAYS THE 6th PCT. FAILS TO PROTECT EVERYONE. UNTIL THEN, MARSHA'S MURDERERS WAIT TO MUG YOU, MAYBE MURDER YOU. THEY'RE "EQUAL OPPORTUNITY" CRIMINALS.

randy wicker



Gary Terracino

Gigi Cohen

**Councilman Tom Duane rips into
Police Commish Kelly at City Hall**

Raising Hell Over Santiago Murder

Over nine months after Jesus "Jesse" Santiago was stabbed to death in the Bronx, activists are still fighting for justice in his name. At issue is the refusal of the New York City police department to classify the 24-year-old transvestite's murder as a bias crime and activists are fuming over a letter regarding the case from acting Police Commissioner Raymond Kelly.

Santiago was murdered on Feb. 9 after he went back to a john's apartment, who after killing Santiago with a screwdriver, hurled himself from a fourth window. However, despite the testimony of witnesses that Santiago's assailant, Augustin Rosado, made repeated homophobic remarks during the attack, the police refused to classify the crime as bias motivated.

Since then, the New York City Gay and Lesbian Anti-Violence Project (AVP) has spearheaded a campaign demanding that police re-evaluate their decision. And after City Council President Andrew Stein intervened with the same demand, Commissioner Kelly responded in a Sept. 18 letter that claimed, "Although the words 'Fag' and 'Faggot' may have been used by Mr. Rosado during the attack, he was known to use those terms indiscriminately as opposed to an explicit expression of anti-gay sentiments." Kelly further wrote that Rosado was intoxicated and not in control of his "cognitive process" when he made the remarks.

Neither Stein, Councilman Tom Duane or the AVP were impressed with Kelly's response and on Oct. 8, they held a joint City Hall press conference calling on the commissioner to withdraw his "insulting" response. "Kelly obviously does not understand that anti-gay hate comes from the same evils as racism and anti-Semitism," said AVP's Juan Mendez. "He would not have even thought of saying that a person's 'indiscriminate' use of racist epithets points away, rather than toward, a person's racism."

—Sean Hilditch