

What's Up & Coming This Week, Pages 9-11

October 14, 1992  
Volume 62, Number 22

50 Cents

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# The New AVIATION

## 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 Fahey, 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.