

OCTOBER 6, 2015

KITTY GENOVESE'S BROTHER REEXAMINES HER FAMOUS MURDER

BY RICHARD BRODY

It's a familiar genre, the true-crime documentary that overturns received ideas about a notorious case. "The Witness," which screens tonight and tomorrow at the New York Film Festival (<http://www.filmlinc.org/nyff2015/films/the-witness/>), looks at one of the most infamous of all modern crime stories, the 1964 murder of Kitty Genovese. The film does so through the focus of another genre, the personal documentary. Its main character—its virtual auteur—is Bill Genovese, one of Kitty's three younger brothers, who was sixteen at the time of her murder; he was her favorite brother, and the two were very close.

The 1964 murder of Kitty Genovese, who is pictured here at her grandparents' home in Brooklyn, is the subject of James Solomon and Bill Genovese's documentary "The Witness."

PHOTOGRAPH COURTESY THE GENOVESE FAMILY / FIVE MORE MINUTES PRODUCTIONS



The murder of Kitty Genovese—as Bill details in the film, both in voiceover and on camera—became major news less for the specifics of the attack itself than for the circumstances surrounding it. Genovese was stabbed to death between three and four in the morning, on March 13, 1964; she was attacked twice by the same man, first near the Kew Gardens railroad station and then in front of her apartment. As reported by Martin Gansberg in the *Times*, Kitty's screams were heard by dozens of neighbors, who did nothing. The *Times* editor A. M. Rosenthal (later the paper's executive editor), who assigned the story to Gansberg and oversaw his reporting, reinforced this narrative in his own book about the case, published later that year. (Nicholas Lemann detailed the journalistic genesis (<http://www.newyorker.com/magazine/2014/03/10/a-call-for-help>) of the case in *The New Yorker* earlier this year.) As Bill says in the documentary, "My sister has been the symbol of bystander apathy for decades."

It took forty years for Bill—and he alone, among the members of Kitty's family—to look behind the headlines and try to find out for himself how so many of her neighbors managed to hide their heads and ignore her agony. The nominal director of the film is James Solomon, but Bill Genovese is its main author, and its prime virtues arise from his quest. Bill's on-camera investigation brings him back to the Kew Gardens station of the Long Island Rail Road, and to the apartment building where Kitty lived. He enters apartments and calculates sight lines, trying with the help of residents and former residents to figure out how many people could have seen the attacks or heard Kitty's cries and screams. Along the way, he

does extraordinary documentary research in the literal sense, consulting the trial transcripts and police records, as well as meta-journalistic research that involves reporters, editors, and producers involved with the creation and transmission of the original accounts of the events, as well as with later efforts to deepen or revise that story.

In the course of his research, Bill discovers that—despite well-documented individual cases of brazen indifference on the part of some witnesses—others indeed took action of many sorts. At least one witness yelled out the window to frighten off the attacker. Another ran after Kitty and held her, trying vainly to help, as Kitty died in her arms. And, in complete contradiction to published reports, several called the police. So Bill wonders: why did the original, flawed reports remain unchallenged?

Among the journalists with whom Bill speaks are Mike Wallace, who did a CBS radio broadcast about the case in August, 1964, and who explains that it became a worldwide phenomenon because of the *Times* reports, and Gabe Pressman, who looked at the case critically in his journalism class at Columbia. Pressman tells Bill that, after some of his students contacted Rosenthal, Rosenthal himself got in touch with Pressman and “essentially said, ‘Do you know that it’s discussed worldwide?’” Rosenthal (who died in 2006) also granted Bill an on-camera interview, and, while explaining his rationale for his original reporting—his outrage at the neighbors’ non-response—he also pays tribute to his own editorial acumen (whether it reflected the events or not), telling Bill, “People all over the world were affected by it.”

Bill turns up a wide range of critical reconsiderations of the original *Times* reporting and of Rosenthal’s book, including from the *Times* itself, which published a reexamination by Jim Rasenberger (<http://www.nytimes.com/2004/02/08/nyregion/kitty-40-years-later.html>), in 2004. (Interviewed by Bill, Rasenberger says, “If the story had been reported more accurately, it still would have been a two- or three-day, maybe even a four-day story, but it would not have been a fifty-year story. We would not still be sitting here talking about it today.”) Yet the mystery hidden in the apparent range of non-responses—by some, not all, who saw or heard the crime, and, even more surprising, by the police—seems to poke through the tangle of evidence to tell a clear, simple, and shocking story. As several journalists interviewed in “The Witness” say, the original *Times* account long went unquestioned precisely because of the power and the prestige of the *Times*. The apparent inaccuracies, taken as fact, also got in the way of other contemporary investigations that might have illuminated the actual societal—and institutional and political—issues that the failed responses to the attack on Kitty Genovese suggest.

In his 2004 report, Rasenberger—referring to the work of Joseph De May, an amateur historian from the neighborhood—writes, “Many witnesses claimed they thought it was a lovers’ quarrel or a drunken argument spilling out of the Old

Bailey,” a nearby bar. Rasenberger also says that De May “raises the possibility that several witnesses did call the police after the first attack, but that their calls were ignored and never recorded.” In the course of his investigation, Bill Genovese pores over the original police call log from the night of the attack. There, he discovers that in fact at least one person did call—and was told by the police that the precinct was already aware of the attack. Presumably, someone else had already called the department—which then invites the question, why did the police not head to the scene of the crime at once?

Bill never finds any evidence on the subject and never speculates on the reason. But one possible, and infuriatingly plausible, reason is the one suggested by Rasenberger’s report. Bill does learn of a handful of cavalierly indifferent neighbors who, becoming aware of the attack, simply closed their doors and walked away. But many more of the witnesses (ear-witnesses, who heard Kitty’s screams and cries for help) may well have done as Rasenberger suggests they did, and taken it as a domestic conflict, albeit one playing out in public—a conflict that they presumed was nobody else’s business, outside their purview and outside the purview of the law.

Though the movie offers no new hypotheses about the reasons for these original inconsistencies regarding the details of the case, Bill’s research nonetheless invites—and, I’d argue, suggests, even if unintentionally—a horrifying vision of what may have taken place behind the scenes, at the police station, while the crime was taking place. I found myself inevitably drawn, perhaps invidiously, to imagining desk officers deciding not to respond to the initial call, because they believed that the matter involved a domestic assault, a lovers’ fight. I imagined that, with a grumble or a chuckle, an officer hung up the phone and reacted with indifference to someone calling to complain that some guy was beating his wife. What else is new, and what are we supposed to do about it?

At the time of the killing of Kitty Genovese, marital rape was legal throughout the United States (https://en.wikipedia.org/wiki/Marital_rape_%28United_States_law%29#History_to_1993)—and it remained so in New York State until 1984. At the time of the killing of Kitty Genovese, were there any women police officers in the precinct that received the call? What was the record, there and citywide, of police response to assaults taken to be marital or domestic? At the very least, the movie serves as a call for such additional historical research.

Though Bill Genovese keeps his investigation close to the particulars of the Kitty Genovese case, the questions raised by the film reach far beyond it to society at large—and into the present day. In “The Witness” other questions of ongoing importance emerge, including ones relating to the penal system, in relation to Kitty Genovese’s killer, Winston Moseley, whom Bill sought to interview. (Moseley is still alive and imprisoned.) Other questions involve Kitty’s life—and, in particular, her relationship with her roommate at the time of her death, Mary Ann Zielonko,

who was her lover. Bill interviews Zielonko in the film, and the story that emerges—along with accounts of Kitty from friends and colleagues—is a moving, novelistic vision of gay life in New York at a time when homosexuality was still illegal.

The movie is far from perfect. Its pacing is clumsy, with too little sense of process, of action unfolding in the camera's presence, of interviews developing dramatically. The veer toward the sound bite and the video clip substitutes information for experience, which is all the more unfortunate given that the movie is centered on Bill's emotional exertions. The movie doesn't use reënactments or generic archival footage to fill screen time, relying instead on animated drawings on-screen to sketch action as described; they're hardly better than reënactments, and they serve the same purpose, to provide visual wallpaper while discussion takes place. I'm inclined to ascribe these choices to Solomon's—as well as to Bill Genovese's—inexperience.

But far more experienced—and heralded—documentarians have never come up with the masterstroke in which the movie culminates. It's the movie's sole reënactment, and it's an inspired one. It doesn't illustrate action, it *is* action; the scene is a drama in itself, it's inseparable from the practical and material circumstances of its creation, and it's filmed in a way that reveals the crucial behind-the-scenes details of that creation. This brief, brilliant, harrowing restaging is a directorial invention of analytical brilliance. It's a sort of forensic *reductio ad absurdum*, a cinematic experiment in social science. Though the sequence is awkwardly filmed and punitively edited, its idea and its effect come through powerfully. It's a magnificent object lesson in cinema as an art of ideas.

Watch: Richard Brody on Gregory La Cava's "Unfinished Business," from 1941.



Richard Brody began writing for *The New Yorker* in 1999, and has contributed articles about the directors François Truffaut, Jean-Luc Godard, and Samuel Fuller. He writes about movies in his blog (<http://www.newyorker.com/culture/richard-brody>) for newyorker.com.
