

## THREATS TO WITNESSES PUT JUSTICE IN DANGER

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Most of the **threats** are just so much talk, but there is always the late James Lee (Watusi Slim) Newton, who was found with the mark of the double cross carved **in** his eyelids, **to** remind authorities that protecting **witnesses** can be deadly serious.

Detroit police officials and the Wayne County Prosecutor's Office are expressing increasing concern about the number of criminal cases marked by attempts **to** intimidate **witnesses** .

Whether the **threats** are so-called "wolf-tickets" -- mere blustering and braggadocio -- or warnings from those with the will and ability **to** carry them out, at least eight recent Recorder's Court cases have been affected by harassment or intimidation.

Authorities said that, although statistics are not kept, serious **threats to witnesses** appear **to** be increasing.

"It is a very real concern of ours," said Detroit police homicide Inspector Gilbert Hill. "And it is directly affecting the work we do. More people are scared."

Prosecutor John O'Hair called the situation "an insidious attack at the core of our system of criminal **justice** ."

ONE VETERAN assistant prosecutor said he tries **to** assure his **witnesses threats** are "wolf-tickets, just plain old b.s., because that's what most of this stuff is. I tell them I've never had a **witness** killed or beaten up."

But other law enforcement officials recall the 1975 murder of Newton as a lesson not **to** be forgotten. Newton had said he agreed **to** testify against reputed hitman Chester Wheeler Campbell because "I figured that they would kill me anyway."

Murder charges against Campbell were dropped after Newton, who was serving a robbery sentence at the Lucasville, Ohio, maximum-security prison, was murdered before he could testify. Guards found his body -- his throat slit and X's cut into his eyelids as the sign of the double cross -- behind the gymnasium bleachers after a recreation period.

O'Hair said he promises frightened **witnesses** the fullest protection possible from his office and local police agencies but admitted he does not have resources **to** match the Federal **Witness** Protection program, which relocates **witnesses** and gives them new identities.

U.S. Attorney Leonard Gilman, who declined **to** discuss specific cases, said his office has helped **witnesses in** local cases enter the federal program.

"We have **put** state **witnesses** into it," Gilman said. "The criteria is that it is a major kind of case -- such as a murder or a major drug case -- and the **threat** is real."

BUT USUALLY, the local options are limited **to** providing police protection for the **witness** , sometimes jailing the **witness in** extreme cases, or when possible, prosecuting those making the **threats** on the ground of obstruction of **justice** .

O'Hair said locking up **witnesses** is unlikely **to** produce goodwill. "You can't be putting people **in** jail and expect them **to** fully participate," he said.

An alternative could be a smaller version of the federal protection plan, he said.

"If this problem becomes larger, we are simply going **to** have **to** respond **to** that need. I know money is critical these days, but we may have **to** go **to** the county executive and the county commissioners **to** seek whatever funds are necessary **to** provide reasonable protection.

"The system can only work with participation. The public is indebted **to** those individuals who come forward and take part. It is up **to** us **to** make sure they are protected."

THE **THREATS** taken most seriously occur **in** murder cases involving gang members or **in** cases against major narcotics dealers, said chief trial attorney Timothy Kenny, head of the prosecutor's repeat offenders bureau, which handles many of the more publicized trials.

"First, you must discern the difference between generalized anxiety and the **witness** who tells you, 'Hey, I'm afraid of this guy and here's why,' " Kenny said.

"People do have **to** go back **to** live **in** the neighborhoods where these things have happened, but **in** most instances the **threat** is over when the case is over. . . . But sometimes there is just no alternative **to** locking them up . . . "

The murder trial of alleged Young Boys Inc. hitman Maurice (Mohawk) Gibbs, which ended with his acquittal **in** Joseph Brown's slaying, featured testimony from " **witnesses** who are frightened **to** death," Assistant Prosecutor Paul Bruno told the jurors.

Young Boys Inc. is a gang that used children as drug dealers and whose members have been blamed for several murders, including that of Detroit Police Officer William Green last year.

One **witness in** the Gibbs trial testified that he feared he was being set up for his own murder by people who allegedly offered him \$1,000 **to** change his story.

Kurt (Kurt McGurk) Napier, another Young Boys figure, is awaiting trial for his alleged role **in** the Brown murder. His preliminary examination on the charge was held under extraordinary security measures after Detroit District Judge Leon Jenkins' life was threatened.

PAULETTE DONALD, a key **witness** against two men accused **in** the gangland-style slaying of reputed drug chieftain Adolph (Doc Holliday) Powell, dropped out of sight just before the trial started two weeks ago. Her testimony from earlier hearings, including her statement that "my life has been threatened," was read **to** the jury over defense objections.

Another **witness in** the case, awaiting sentencing on another crime, spent nine months **in** the ninth-floor police headquarters lockup before testifying.

The case went **to** the jury last week, and one of Powell's accused killers, Roy Walker, was acquitted. A mistrial was declared Monday **in** the trial of co-defendant Gregory Barnett when jurors failed **to** reach a verdict after more than two days of deliberation. Barnett will be tried again **in** February.

Pre-trial testimony also was used against Paul (Rocky) Dye, president of the Forbidden Wheels motorcycle club, when three **witnesses** could not be found for his trial **in** a double murder. The three, all former club members, went underground when Dye was freed on bond, and did not resurface until he was convicted **in** September.

But the less sensational killings also can generate **threats** .

The case against Patrick Liggins, 17, sentenced Dec. 9 **to** a year **in** the Detroit House of Corrections for obstruction of **justice** , is an example.

Liggins was arrested after he threatened **to** kill two men scheduled **to** testify against his older brother and another man accused of beating a person **to** death with a baseball bat.

One of those **witnesses** , testifying against the younger Liggins, explained **to** Detroit District Judge William Hathaway why he initially balked at testifying **in** the murder case.

"I live three doors down from them," the **witness** said. "When this is all over, I still have **to** look at them. There has already been one murder, so why should I **put** my head on the chopping block?"

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