

March 14, 2011

Garry E. Danussi, FPO II
NYS Division of Parole
Clinton Correctional Facility
PO Box 768
Dannemora, NY 12929

Kevin Ryan

RE: MOSELEY, WINSTON
DIN No.: 64-A-0102
NYSID: 00773761Z
Ind No.: 977/1964

Dear Parole Officer:

It has come to the attention of the Queens County District Attorney's Office that the defendant is to reappear before the New York State Parole Board for his 15th Parole Hearing in November, 2011. The People strenuously oppose the defendant's release. Winston Moseley is a callous, vicious, violent man who is a serial rapist, burglar and multiple murderer. This defendant did not have any compassion or sorrow for his victims and is not capable of living a law-abiding life. Our society needs to be protected from this predator.

An examination of selected segments of the inmate's past Parole Hearings show that he is self-centered to the point of being delusional. During one appearance before the Parole Board, the defendant stated that "for a victim outside, it's a one-time or one hour or one-minute affair. But for the person who's caught, its forever." During the defendant's Parole Hearing in 2009, Mosley blamed his wife-beating father for a vicious murder he had committed. He stated "my father at the time was stalking my mother and thinking about killing her." In a statement issued by the New York State Parole Board, officials stated that the defendant is still capable of violence and will be a danger to society if released. That statement is as true today as the day it was made.

On March 13, 1964, between 2:00 a.m. and 3:00 a.m., the defendant was cruising the streets of Queens County, New York in his car, looking for a woman alone, contemplating murder, rape and robbery. He saw his intended victim, 28 year old Catherine "Kitty" Susan Genovese, as she drove home alone from her job as manager of Ev's 11th Hour Sports Bar, located at 193-14 Jamaica Avenue, Queens County, New York. Kitty Genovese parked her red Fiat approximately 100 feet from her apartment door in Kew Gardens, New York and exited her vehicle when she was approached by the defendant. She started to run and the defendant caught her and stabbed her twice in the back. She screamed "oh my God, he stabbed me! Please help me! Please Help me." Her screams awakened several residents and one yelled out the window to "let that girl alone." Frightened, the defendant jumped into his car and backed into a nearby street.

After a few minutes, the defendant returned to the scene when no one came out to see what was happening. The defendant had removed his stocking cap, replaced it with a fedora and returned to Kitty Genovese to finish what he set out to do, commit murder. Kitty Genovese was seriously injured but was out of view of those who may have come to her aid. Moseley followed her blood trail, found Miss Genovese lying in a hallway adjoining her home and attacked her anew, raping, robbing and finally mortally wounding her. The defendant stabbed the victim several times including in her throat to stop her from screaming. After leaving her for dead, the defendant got into his car and drove home to the house he shared with his wife and children. On his way he threw the victim's personal property onto the street. The defendant had scored all of \$49 and some personal property. Catherine "Kitty" Genovese was pronounced dead upon her arrival at a local Queens County hospital.

On March 19, 1964, Winston Moseley was arrested for the murder of Catherine "Kitty" Genovese. The defendant confessed to killing the victim and stated that he and "an uncontrollable urge to kill." Furthermore, Winston Moseley claimed to have committed at least five rapes and thirty-five burglaries in addition to the killing. On June 11, 1964, the defendant was convicted after a jury trial of Murder 1^o and other related charges. There was no attempt by defense to dispute the defendant's commission of the crime and his defense was based solely on a plea of insanity. The defendant stated during his own trial testimony that he went out on the night of March 13th for the purpose of killing someone. The defendant's conviction was based upon overwhelming evidence. Winston Mosley was sentenced by the Court to death but, on June 28, 1967, his death sentence was commuted to life imprisonment.

Kitty Genovese was the eldest of 5 children and grew up in King's County, New York. Her family moved out of state when she was 19 years old after her mother witnessed a shooting near their home but Miss Genovese chose to stay in New York and moved to Queens County, New York where her life was later taken in 1963. The vicious premeditated attack, sexual assault, robbery and murder of Kitty Genovese took approximately 35 minutes. The victim had been stabbed approximately 17 times. She had been living in Queens for less than a year.

On February 20, 1964, days before the murder of Kitty Genovese, the defendant unlawfully entered the residence of 24 year old Annie Mae Johnson. The defendant shot her approximately six times with a rifle causing her death. After killing Annie Mae Johnson, he burglarized her home, had sex with her lifeless body and then started a fire in her house knowing that Ms. Johnson's children were upstairs. The Fire Department responded before the children were injured. Originally it was determined by the Medical Examiner's Office that the victim's cause of death was puncture wounds caused by a sharp object. After the defendant's arrest, when he confessed to shooting Annie Mae Johnson, her body was exhumed and a second autopsy was performed, revealing that she had sustained six bullet wounds. Four bullets were removed from her body. The defendant was indicted and charged with the murder of Annie Mae Johnson but was never prosecuted on this indictment because the death sentence he had received for the murder of Miss Genovese had made further prosecution seem pointless at that time.

Winston Moseley's predations against women continued after his conviction. After several years of incarceration, the defendant inflicted an injury on himself that necessitated treatment at a medical facility separate from the prison. The defendant overpowered a guard, grabbed his gun, beat him to the point that his eyes were bloody and escaped. During the defendant's week at liberty, he took a family hostage and raped a woman in front of her husband whom he had tied up. After a prolonged standoff, the defendant eventually surrendered to an agent of the Federal Bureau of Investigation. During a Parole Hearing years later, the defendant stated he had made a "conscious decision" not to kill anyone during that week. On November 20, 1970, the defendant upon a plea of guilty to Robbery 2° and Attempted Kidnapping 2° was sentenced to 15 years.

In September 1971 while being housed at Attica Correctional Facility he was one of approximately 1,500 inmates who attempted to take over the prison. In the end, after 4 days, approximately 33 inmates and 10 hostages were dead.

The defendant has a overwhelming compulsion to commit acts of violence. The passage of 47 years in no way diminishes the horrendous and incomprehensible nature of the crimes he has committed. He is a deadly predator and the Queens County District Attorney strenuously requests that this defendant never be released from prison. There is no question that if Winston Moseley is released he will again commit crimes against society and the citizens of New York.

Very truly yours,

By: _____
Charles A. Testagrossa
Executive Assistant District Attorney

CAT/jma