



A film by James Solomon

Shortlisted for the 2016 Academy Award for Best Documentary Feature



NY Publicity

Susan Norget & Keaton Kail susan@norget.com keaton@norget.com 212.431.0090 LA Publicity

Nancy Willen Acme PR nancywillen@acmepr.net 310.963.3433

USA | 89 min. | 2015 Twitter: @thewitnessfilm / <u>www.facebook.com/thewitnessfilm /</u> www.kittygenovesefilm.com

WITNESS

 "Best Films of 2016"

 —David Edelstein
 —Richard Brody

 New York
 THE NEW YORKER

"Best Documentaries of 2016" Indiewire Holligwood VOGUE FILMMAKER PLAYLIST

"What constitutes a big film? James Solomon's stunning documentary was produced on a tiny fraction of a Hollywood spectacular's budget...Yet it topples what we've come to accept as a pillar of contemporary wisdom, and brings news about human nature in the process. By any measure that is big indeed."

> —Joe Morgenstern THE WALL STREET JOURNAL

"This extraordinary documentary looks at one of the most infamous of all modern crime stories—the 1964 murder, in Queens, of Kitty Genovese, while her screams were reportedly ignored by dozens of neighbors—through the focus of another genre, the personal documentary."

> —Richard Brody THE NEW YORKER

"As gripping as true-crime procedurals Serial and Making a Murderer, but with more intimacy and heartache."

—Stephanie Merry The Washington Post



Los Angeles Times CRITICS' PICK



SHORT SYNOPSIS

The name Kitty Genovese became synonymous with bystander apathy after *The New York Times* reported that 38 witnesses watched her being murdered – and did nothing to help. THE WITNESS, which premiered to critical-acclaim at the 2015 New York Film Festival, follows her brother Bill's search for the truth. In the process, he unravels a myth that transformed his life, condemned a city, and defined an era. THE WITNESS debunks one of America's most chilling crime stories as a brother reclaims his sister's forgotten life from her infamous death.

LONG SYNOPSIS

The New York Times 37 Who Saw Murder Didn't Call the Police MARTIN GANSBERG MARCH 27, 1964

For more than half an hour 38 respectable, law-abiding citizens in Queens watched a killer stalk and stab a woman in three separate attacks in Kew Gardens... Not one person telephoned - the police during the assault; one witness called after the woman was dead.

The name Kitty Genovese became synonymous with bystander apathy after The New York Times reported that 38 witnesses watched her being murdered – and did nothing to help. This version of events went largely unchallenged for half a century. The horrifying implications of the Times story reached across the city and the country, and would eventually impact lawmakers and lecture halls across the globe. At home, determined to prove he wasn't like the 38 witnesses who watched and did nothing, Kitty's younger brother Bill volunteered to serve in Vietnam where he would lose both his legs in combat.

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DIRECTOR'S STATEMENT

I grew up in New York during the 1970's when the name Kitty Genovese still hung over the city. The gruesome details of her murder, which took place the year before I was born, were familiar to me from a young age: 38 neighbors watched a young woman being repeatedly stabbed to death while none called the police.

As with many, the story shaped my view of the city, and I internalized its message: New York is a dangerous place and if you get in trouble, you're on your own.

I also grew up with the films of Sidney Lumet and absorbed his depictions of a city rife with corruption and criminality redeemed only by the stubborn nobility of ordinary men willing to confront powerful institutions in order to exact a small measure of justice.

I became a screenwriter and would eventually find myself with the opportunity to write a script about the Genovese murder for HBO. The story stayed with me, undeniable as it was for what it said about human nature. I saw the movie as a morality play and wanted to explore what happened in those apartments. I had no reason to doubt the popular narrative of the 38 witnesses who watched.

My research for that script led me to Bill Genovese and from there I began meeting the people most affected by what happened that night. Then, in 2004, *The New York Times* published an article on the 40th anniversary of the murder that raised questions about the accuracy of its original account, what the witnesses actually saw and heard, and whether there were indeed "38 witnesses."

Bill, who had been close to his big sister, became determined to find out for himself what actually took place that night and I proposed the idea of documenting his investigation. We were united in the belief that there had been enough fictionalizing of the Genovese story and that a documentary would bring us closer to the truth.

Kitty's death cast a shadow over New York City for a generation. It is credited with leading to the creation of the 9-1-1 Emergency System, Good Samaritan Laws and Neighborhood Watch Groups like the Guardian Angels. It spawned countless studies on bystander inaction ("Kitty Genovese syndrome") and inspired songs, books, dramas, an opera and a graphic novel. It became a plot line for television shows and a talking point for politicians. And yet, when I started making this film it shocked me how little was known about Kitty Genovese, who she was, and how she lived her life, apart from her last 30 minutes.

For more than half an hour 38 respectable, law-abiding citizens in Queens watched a killer stalk and stab a woman in three separate attacks in Kew Gardens.

This account, published by *The New York Times* on March 27, 1964, all but guaranteed that the name Kitty Genovese would live on in infamy and that her family and friends would spend the next fifty years having their grief compounded by a terrible lie.

For me, *The Witness* is about many things. At its heart, it's the story of a brother reclaiming his sister's life from her infamous death. In the course of making the film, I lost my only sibling John to leukemia. Watching Bill wrestle with his profound sense of loss, I began to comprehend my own.

Just as crucially, the film is about false narratives—about the stories we not only tell others but also ourselves, be it in the middle of the night or across a half century. It's about the personal consequences of flawed journalism, what it can do to family, a neighborhood, and a city. The revered institution that created the story and allowed it to live on in the public imagination for over a half-century owes a debt to Bill Genovese and his family's capacity for forgiveness.

Finally, it's about Bill Genovese, whose stubborn and ennobling search for the truth would, I believe, have made Sidney Lumet proud. His determination to see this through, and his unending devotion to Kitty, transformed what was a cautionary tale of man's inhumanity to his fellow man into an affirmation of our shared humanity.

-James Solomon

LETTER TO THE EDITOR OF THE NEW YORK TIMES

On March 28, 2016, Winston Moseley, 81, died at the maximum security Clinton Correctional Facility in Dannemora, NY. He had been imprisoned since July 7, 1964. *The New York Times* published the following "Letter to the Editor" from Bill Genovese:

From Kitty Genovese's Brother: 'The Final Chapter' April 7, 2016

To the Editor:

Re "Winston Moseley, Unsparing Killer of Kitty Genovese, Dies in Prison at 81" (obituary, April 5):

With Winston Moseley's death comes, maybe, the final chapter in the tragic story of the events of the early morning of Friday, March 13, 1964.

As my mother would have wished, my family's "better angels" do now express our condolences to the Moseley family, most especially to the Rev. Steven Moseley, one of Winston's sons, a man of faith, love and courage who struggled in his formative years with a stain and dilemma undeservedly forced onto his being.

May the Spirit, in whom I believe that Kitty, and now Winston, reside, help resolve the eternal question: What do we owe to all our fellow beings? This is a question that each human being must strive to answer, one moment at a time. Let us join with the hope of shared egalitarian equanimity.

WILLIAM J. GENOVESE Washington, Conn.

KEY INTERVIEW SUBJECTS

| Charles Skoller | Former Queens Assistant District Attorney who helped prosecute Moseley in 1964. |
|---|--|
| Michael Farrar | Kitty's neighbor was 13 years old when his mother, Sophia, raced from her home to try to save Kitty. |
| Vincent Genovese | Kitty's younger brother (by two years). |
| Frank Genovese | Kitty's youngest brother (by 16 years). |
| Lynne & Tod TillotsonThe siblings, 18 and 15 years old at the time, were residents awoken by Kitty's screams. | |
| Hattie Grund | A Kew Gardens resident awoken by Kitty's screams, early in the morning of March 13, 1964. |
| Dale Genovese | Bill's wife. |

- A.M. Rosenthal......The former Executive Editor of *The New York Times* (1977-88), Mr. Rosenthal was the paper's Metropolitan Editor in 1964 when he broke the story that dozens had witnessed Kitty Genovese's murder two weeks earlier. Later that year, Rosenthal wrote a book about the case entitled, "Thirty-Eight Witnesses."
- Joseph De May......A long-time resident of Kew Gardens, the amateur historian's blogging on the website, "A Picture History of Kew Gardens," challenged the accuracy of the original story in *The New York Times*.
- Jim Rasenberger......A journalist / author who, 40 years after the original story in *The New York Times* appeared, wrote a follow-up article for the paper questioning its 1964 account.
- Mike WallaceThe legendary correspondent hosted a 30-minute long nationally broadcast CBS Radio special on the case in 1964 entitled, "The Apathetic American."
- Joseph Lelyveld......The former Executive Editor of *The New York Times* (1994-2001, 2003), Mr. Lelyveld began working at the paper in 1963.
- Richard Wald......In 1964, Mr. Wald was Managing Editor of the New York Herald Tribune, a daily newspaper largely considered the main competi- tor of The New York Times.
- Gabe Pressman......The venerable local reporter has covered New York City for more than a half-century, mostly for WNBC-TV.
- Michael Daly......A correspondent and columnist, Mr. Daly reported on Winston Moseley's unsuccessful appeal for a new trial in 1995.
- Josh, Maegan, and
- Matthew GenoveseBill and Dale Genovese's children.
- Ilse Hirsch MetchekA Prospect Heights High School classmate of Kitty's in Brooklyn (Class of 1953).

Victor Horan and

- Walter BrosnanAt the time of her death, Kitty was the bar manager at Ev's Eleventh Hour in Hollis, Queens, where Mr. Horan and Mr. Brosnan were a bartender and customer, respectively.
- Angelo Lanzone......A close friend of Kitty's in Queens, NY.
- Mary Ann Zielonko.......Kitty's roommate and girlfriend, the pair moved to Kew Gardens the year before Kitty's death after meeting in Greenwich Village.
- Kensworth Cleare.......His father was a "Good Samaritan" whose actions directly led to the arrest of Winston Moseley in Queens, NY, five days after Kitty's murder.

an attempt to save Kitty's life.

BIOS

James Solomon – DIRECTOR / PRODUCER

Eleven years in the making, THE WITNESS is James Solomon's directorial debut. As a screenwriter, Solomon is drawn to stories that delve into the truth behind legends. Most recently, he wrote the feature film "The Conspirator", directed by Robert Redford. The legal thriller about the Lincoln assassination starred James McAvoy, Robin Wright, Kevin Kline, and Tom Wilkinson. Solomon's original screenplay received the Humanitas Prize.

Previously, Solomon was a lead writer and executive producer of ESPN's critically acclaimed eight-hour mini-series, "The Bronx is Burning", starring John Turturro and Oliver Platt, which, like THE WITNESS, is about a seminal moment in New York City history.

Solomon began as a writer on several television series including Sidney Lumet's "100 Centre Street" and the Emmy Award-winning "The Practice". He graduated from Harvard College and was a directing fellow at the American Film Institute before assisting directors on two Oscar-nominated films: Barry Levinson's "Avalon" and Arne Glimcher's "The Mambo Kings." Prior to working in film and television, he was a journalist based in Asia and Australia. Solomon grew up and lives in New York City.

William Genovese – SUBJECT / EXECUTIVE PRODUCER

Bill was 16 years old at the time of his sister Kitty's murder. Their parents, Vincent and Rachel Genovese, had five children (in order): Kitty, Vincent, Susan, Bill and Frank. Though 12 years younger, Bill and Kitty were very close. A self-described "amateur ethologist," Bill was until his retirement the Chief Operating Officer to various mental health and educational organizations. He and his wife, Dale, have three children and four grandchildren.

Melissa Jacobson – CO-PRODUCER

Melissa Jacobson is the head of development for Five More Minutes Productions. In addition, she over saw research for the film "The Conspirator," and the ESPN limited series, "The Bronx is Burning."

Gabriel Rhodes – EDITOR

Gabriel Rhodes is both an editor and a filmmaker. His theatrical documentary credits include "The Tillman Story," "Without Shepherds," "1971," and, most recently, "Newtown." His work has premiered at Sundance and Cannes and has been broadcast on Sundance Channel, A&E, Animal Planet, CNN, PBS, and on the NPR radio show "This AmericanLife." In 2011, two of his edited films ("The Tillman Story" and "Quest for Honor") were shortlisted for Academy Awards.

Russell Greene – EDITOR

Russell Greene is a film editor and director based in Brooklyn, NY. His feature film credits include "Famous Nathan," "Harry Dean Stanton: Partly Fiction," "Ordinary Miracles: The Photo League's New York," "Hungry is the Tiger," and "2B." His assistant editor credits include the Academy Award-nominated "Nerakhoon: The Betrayal" and the Sundance award-winning "Patti Smith: Dream of Life."

Trish Govoni – DIRECTOR OF PHOTOGRAPHY

A graduate of NYU's Tisch School of the Arts and the American Film Institute, Trish Govoni has previously collaborated with acclaimed directors Joe Berlinger ("Iconoclasts") and iconic experimental filmmaker Godfrey Reggio ("Visitors"). Govoni's documentary credits also include "The Wrecking Crew," "Operation Fine Girl," and "Pretty Old."

Nathan Halpern – COMPOSER

Nathan Halpern is a Brooklyn-based composer, recently named one of Indiewire's "Composers to Watch" in 2015. His film scores include "Rich Hill," winner of the 2014 Sundance Film Festival Grand Jury Prize for Best Documentary. He is also known for his original score for the Emmy Award winning "Marina Abramovic: The Artist is Present," and "Kehinde Wiley: An Economy of Grace," which won the 2014 SXSW Grand Jury Prize.

Moth Collective – ANIMATOR

Moth Collective is a multi-award winning animation studio formed by Daniel Chester, Dave Prosser and Marie-Margaux Tsakiri-Scanatovits. They formed in 2010 after meeting at the Royal College of Art to share a collective passion for all things drawn. Moth's work made their feature debut in "Maidentrip," which won the Audience Visions Award at the 2013 SXSW Film Festival. Moth are acclaimed for their sensitive and thought provoking hand- drawn work with an emphasis on design and story.

CREDITS

Directed and Produced by James Solomon

Executive Produced by William Genovese

> **Co-Produced by** Melissa Jacobson

Edited by Gabriel Rhodes

Edited by Russell Greene

Cinematography by Trish Govoni

Original Music by Nathan Halpern

Animations by Moth Collective

Post-Production Supervisor Steven Bennett

> Archival Producer Chris Cliadakis

Associate Producer Maria Valva

Production Associate Karen Wheeler

Featuring in Order of Appearance

William Genovese Aaron Adler Charles Skoller Bill Hirsch Michael Farrar Vincent Genovese Frank Genovese Aram Boyajian Lynne Tillotson Tod Tillotson Hattie Grund Dale Genovese A.M. Rosenthal Joseph De May Jim Rasenberger Mike Wallace Joseph Lelyveld **Richard Wald**

Gabe Pressman Michael Daly Janet Genovese Josh Genovese Maegan Genovese Jordan Genovese Jaime Genovese Justin Genovese Matthew Genovese Ilse Hirsch Metchek Walter Brosnan Victor Horan Angelo Lanzone Marv Ann Zielonko Kensworth Cleare Albert Seedman **Robert Sparrow** Neil Welch

Mark Collins Janet Koupash Steven Moseley Linda Ellen Bonekoskey Sandra Brooks Christine King Sophia Farrar Melissa Genovese Avery Genovese Brooke Genovese Kayla Connolly Christopher Wakeman Ronan Genovese-Flaherty Harold Takooshian Kevin Cook Catherine Pelonaro Curtis Sliwa

Narration Written by

William Genovese Russell Greene Gabriel Rhodes James Solomon

Camera Operators

Jonathan Nelson Chris Besecker Mike Debbie

Sound Recordists

Mike Silvestri Mike Gassert

First Assistant Editor Alex Bayer

Second Assistant Editors

Hannah Buck Erin Taylor Kennedy Michael Peterson

Post-Production Assistants

Claire Ave'Lallemant Glen Loreio Chris Radcliff

2D Animation

Ignatz Johnson Higham Daniela Negrin Ochoa Marie-Margaux Tsakiri-Scanatovits

Compositing

Harj Bains Joe Bichard Leo Brindle Daniel Chester Aaron Lampert Claudio Salas Ian Sargent

Title Design / After Effects Artist

Scott Strange

Voice-Over Casting

ACM Talent Billy Hopkins Casting

Voice-Over Artists

Nelson Avidon Alison Fraser Nadette Stasa

Picture Post-Production Facility Prime Focus Colorist Alex Berman

Online Editor David Gauff

Post-Producer for Prime Focus Anthony Matt

Compositing/ VFX Eugene Lenhert

Archival Image Enhancement Lowry Digital (a Prime Focus Company)

> Additional Online Editing Larry Schmitt

Audio Post-Production Facility Creative Audio Post

Sound Design and Re-recording mixer Jacques Boulanger

Post-Producer for Creative Audio Post Holly Grace

Additional Mixing and Dialogue Editing

Prime Focus NYC Kevin Wilson Paul Levin

Consulting Editor Penelope Falk

Music Consultant

Abigail Kende Beth Amy Rosenblatt

Archival Material Courtesy of

Aram Boyajian, 1978-1979 Cecile Starr Papers, Rare Book & Manuscript Library, Columbia University in the City of New York CBS News Classic Images Stock Footage Critical Past Corbis Kensworth Cleare Kenny Cyr Joseph De May Michael Farrar The Genovese Family Lucille Giordano Robert Giordano

GLBT Historical Society, SF Syd and Beverly Greenberg **Bill Hirsch Ilse Hirsch Metchek** Angelo Lanzone Leonard Lopate Show – WNYC Radio Library of Congress Dan Meenan Kathy Mikolasy June Murley NBC Universal Archives ©1964. New York City Police Department. All rights reserved. Used with permission of the New York City Police Department

Gabe Pressman Daniel M. Rosenthal Bob Sparrow Lynne Tillotson Wazee Digital Neil Welch Peggy Wilburn William J. Clinton Presidential Library & Museum Interview of Chief Albert A. Seedman Footage courtesy of Fredric King, Fountainhead Transmedia, Inc.

Original Score by Nathan Halpern

Courtesy of Copticon Music (ASCAP)

Additional Music Chris Ruggiero

"Intent", "Nina and Oscar", "Guarding The Invitations", "Tourbillon", "Salute", "Only Child", "Overlook", "Ailanthus", "Transportation" & "Idlewild" Written by Julia Kent Published by Kobalt Music Services America, Inc.

> "Exurgency" Written and performed by Zoe Keating 020202 Music (ASCAP) All rights reserved. Zoekeating.com

"Unsayable" & "Such Owls As You" Written and performed by Brambles © Copyright 2012 Courtesy of Serein Records

"Lullaby for Sue" Written by Padma Newsome Performed by Clogs on the album Lullaby For Sue (2003) Courtesy of Brassland

"Nocturne" Composed by Edvard Grieg Performed by Sandra Matthews Courtesy of Sandra Matthews

"Pachuco Boogie" Written by Enzo Villaparedes Performed by Cosme Courtesy of LMS Records

"The Bear and the Squirrel" Written by Jeremy B. Turner Published by Jankycello (ASCAP) Worldwide rights administered by Soundrights Music (ASCAP), a division of "A"Side Music, LLC d/b/a Modern Works Music Publishing

"God Is In The Roses" Performed by Rosanne Cash Courtesy of Capitol Records, LLC under license from Universal Music Enterprises

The Filmmakers Are Grateful to Those Who Were Also Interviewed

Richard Beauvais Jimmy Breslin Joe Cardinale Mike Chernetsky **Bill Corrado** Tony Corrado Kenny and Mary Cyr John Darley Ronnie Eldridge TJ English **Rosemary Festo** Irwin Friedman Marcia Gallo Alan Gansberg Kitty Gatto Lucille Giordano

Robert Giordano Brooke Gladstone Beverly and Syd Greenberg Harriet Haims Peter Hellman Diane Hoffman Chris Hussey Dorothy Kahaner Edith Kauffman Barry Lewis Betty Lorenzo Vinnie Lorenzo John Melia Tara Mendez Kathy Mikolasy Owen Moritz

June Murley Phil and Cynthia Muth Hera Navassardian Butch Peterson Winnie Ringers Constance Rosenblum Curtis Sliwa John Tartaglia Ed Timmons Martin Tolchin Bonnie Underwood Christopher Wakeman Paul Wolfowitz Rayna Zeidenberg

The Filmmakers Wish to Thank

Susan Acheson Aaron Adler Ascend Day Spa Afia Atakora Austin Ale House Victoria Bader Sabina Barach Leslie Berger Isaac Berkowitz Joe Berlinger **Robert Benton** Carlie Bergman **Michael Bonfiglio** Audrey Bouton Cathy Boyes Ben Braun Dan Braun Josh Braun Howard Braunstein Sandra Buechler Rosanne Cash Alexandra Cass John Castellano Jordan Cerf Tatiana Chegal Angelo Corrao Collegiate School Nick Davis Mark Diker Joseph De May Mark Dobosz Laurie Duchovny Gary Edelstein Joseph Farrar Linda Foglia

Fordham University **Cheryl Furjanic** Marcia Gallo Jacob Ganz Arthur Gelb Gigantic Post Masha Ginder Arne Glimcher Josh Green Heather Greene Carter and Harper Lee Greene Lauren Greenfield Karina Hemsani Michael Hoffman **Billy Hopkins** Andrew Hurwitz Ashley Ingram The Irish Pub, Atlantic City Justin Israels Howard and Sheryl Jacobson Danny Kahn Joe Kahn Aliza Kaplan Judy Kelsey Austin Kennedy Deen Khan Marina King Dick Knight Lauren Kritzer Rona Kugler Adella Ladjevardi Caroline Libresco Robert Lipsyte Carol Littleton Shirley Lord

Lotas Productions Michael Lucas Bill Lynch Joseph Maggio Devin Mann Manor Care of Sarasota Ethan Mantel **Charles Martella** Mavor's Office of Film. Theatre and Broadcasting Sean McGraw Dan Meenan Tara Mendez Claude Meyers Jennifer Miller Mark Monroe Robb Moss **Brittany Myers** Andrea Nevins **Daniel Rosenthal Odradeks Coffee House** Rachel Olson Jonathan Oppenheim Erin Owens Pace Editions Ink Pace Prints Kari Patey Michael Patzig Paula Dupre Pesman Nicholas Pileggi Selwyn Raab Kris Rajan Jen Reed Joseph Regnerus Max Rhodes

Emmett Rhodes Margery Riker Winnie Ringers M Monica Rivera Nancy Benowitz Rosenberg R Daniel Rosenthal Ron Rubin Society Matthew Saal Rebecca Sydney Schanberg At Terissa Schor Sour Sgt. John Schroeder N John Burnham Schwartz Da

Toko Serita Hemel Shah Mort Sheinman Kyle Simon Robert Simone May Sisk Society Library of New York Rebecca and Sara Solomon Abigail Solomon Soundtrack New York Nadette Stasa David Sympatico Harold Takooshian J.R. Teeter Rachelle Thurow Will Todd Sarah Tofte Donald Traver Alfred Uhry Peggy Wilburn Nancy Willen Naomi Wolfensohn Adam Wolfensohn Rayna Zeidenberg

A Very Special Thanks to

Andrew Blauner Ann and Richard Solomon Lincoln, Menemsha and Vanita Solomon

The filmmakers are deeply grateful to The Genovese Family for their kindness, generosity, trust and friendship.

For Kitty and For John

FIVE MORE MINUTES PRODUCTIONS

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