

DAGON

#12

APA-F Mailing #24

18 December 1964

SUBWAY INCIDENT

For several years, there had been much concern in New York about the unwillingness of New Yorkers to become involved when others are in trouble. Frequently reports would appear in the newspapers, of women who had been robbed or raped while dozens of bystanders refused to heed calls of help because they "didn't want to get involved". Newspaper editors, politicians, and other amateur sociologists put forth various theories to account for this callousness, but the people whose inaction was being criticized were seldom questioned about it. When asked, their reaction generally followed this line:

1. If you get involved, the newspapers will print your name and address, and then the criminal or his friends know where to find you.

2. The police cannot be trusted to protect you if this happens. Several incidents of recent years were cited in support of this latter point: the Brooklyn youth who had provided information which led to the arrest of a bank robber, and later been murdered by others of the gang; the informer who had been pushed out a hotel window by the police who were supposed to guard him; Police Department cover-ups for policemen themselves involved in criminal activity.

In 1965 this impasse was finally broken. The chain of events began late on the evening of Thursday 23 June, on the last car of an IRT White Plains express between 96th Street and 110th Street. The only occupants of the car were Mrs. Rachel Banahan, 24, a stenographer who was returning home to the Bronx after a long day of end-of-the-fiscal-year clerical work; Mr. Heinz Stoessel, 37, a swing-shift bartender at a Manhattan hotel; and the Rev. Dr. Woodward Henry, 74, a pastor of the Free Total Immersionist Pentecostal Church, on his way back to his apartment over his store-front Harlem church after a call on a parishoner. To understand the subsequent events the reader should know that Mrs. Banahan was just over five feet tall and weighed 95 pounds, Mr. Stoessel was 6 foot 2 and weighed close to 250 pounds, and the Rev. Dr. Henry was a frail, elderly man whose right leg had been severed just above the knee in a sawmill accident in North Carolina in 1916.

As the train passed through the long tunnel under Central Park, Nepomuceno Ruiz, 17, entered this car. Ruiz, who had come to New York from Cuba with his parents and five brothers and sisters in 1961, grabbed Mrs. Banahan's purse with one hand and ripped off her blouse with the other. Stoessel hid himself behind the city edition of the Herald-Tribune and pretended to ignore what was going on. Henry made an effort to protest, but Ruiz, a tough wiry youth of some 150 pounds, knocked him down and threw his crutch out the car window, effectively immobilizing him. He then proceeded to rape Mrs. Banahan with such despatch that, when the train pulled into 110th Street, he leaped out of the car fully clothed and disappeared. Stoessel also departed in the other direction.

(over)

By this time Henry had struggled to an upright position, and pulled the car's emergency brake. A TA patrolman and a conductor came, and assisted Mrs. Banahan to a hospital. The minister gave a thorough description of her attacker, including an unusually located birthmark which he had seen while the youth was assaulting the woman. The police proceeded to take down the trousers of six thousand teen-agers in three boroughs, and within five days Ruiz was in custody.

The case might have ended here, except that on the evening of Tuesday 5 July Henry was traveling the same subway line with a friend who was a reporter for the Amsterdam News. He spotted the heavy-set man who had ignored Mrs. Banahan's plight, and pointed him out to his companion. The reporter approached Stoessel for an interview, and was rebuffed with a blunt racial epithet. The reporter then promptly went to a policeman at the other end of the car and told him that here was a witness to the Banahan rape. Anxious to strengthen the case against Ruiz, the officer asked Stoessel to accompany him to the station house for questioning.

When the public read that a man of Stoessel's size had failed to come to Mrs. Banahan's aid against her unarmed assailant, there was a revival of the outcry that had been made at the time of the Genovese murder and other incidents of public apathy. But there were also voices to excuse him; the Daily News's Inquiring Reporter found several people who recalled what had happened to the man who had identified Arnold Schuster. Another example of the New Yorker's proverbial unconcern for his fellow man would have passed into history - but on the following Monday night, Stoessel's doorbell rang.

A short, florid, red-headed man in his middle twenties stood on the doorstep. "Are you Heinz Stoessel?" he asked.

"Yeah."

"Well, I'm Brian Banahan. And if you didn't want to get involved in saving my wife, I'm going to involve you right here and now." Banahan then took out a lead pipe and proceeded to beat Stoessel into unconsciousness.

The police found Banahan later, at his apartment. The arresting patrolman made the first contribution to his defense fund, which was later taken up by a daily newspaper. He now awaits trial, but is expected to get off with a fine and probation even though Stoessel is still hospitalized and will probably never fully regain his hearing.

The first fruits of Banahan's rage were gathered about a month later, when three teen-age youths returning from the beach with their dates broke up an attempted mugging on the Coney Island BMT, and held the muggers for police. As one of them later told a reporter. "If those hoods' pals came after us, the cops could protect us, but the hoods sure ain't going to protect us from a guy like Banahan!"

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FISTFA/P noelast members are reminded of the next meeting at our place on Christmas Eve - John and Perdita Boardman, 592 16th Street, Brooklyn. Take the IND D-train to 15th Street, and walk 3 blocks East.