

Grand Jury Weighing Shooting By Officer

By Tommy Robertson
Of the Post-Dispatch Staff

St. Louis Circuit Attorney George Peach says a manslaughter indictment against Officer Joseph Ferrario would be the strongest action the grand jury could take after it concludes its investigation of the policeman.

The grand jury is investigating Ferrario's fatal shooting of Marilyn Banks, a bystander, as he chased a 16-year-old girl July 19. Peach said the grand jury would conclude its investigation today after listening to at least two more witnesses.

The grand jury spent 6½ hours considering the case Wednesday, and heard from 16 witnesses.

Peach said the fleeing girl had testified and had given the grand jury a better idea of "the precipitating factors of Ferrario getting into the chase in the first place."

Peach said Ferrario had been invited to testify but was not subpoenaed. Ferrario did not attend the session, Peach said, adding that he doubted whether the officer would come in for questioning.

Ferrario has been suspended without pay pending the conclusion of the investigation. He has said he will resign from the department when all investigations are concluded.

In a related incident, about 25 people held a news conference Wednesday on the steps of the Municipal Courts Building, 1320 Market Street. They announced the formation of a citizens committee to review Police Department activities and monitor allegations of police brutality.

One member of the group wore a flier depicting Ferrario's picture on a wanted poster. The co-chairwoman of the group, Jamala Rogers, said the fliers were being distributed throughout the city to rally support for punitive action against Ferrario.

The group is called the Coalition Against Police Crime and Repression. Miss Rogers said the group was demanding the immediate firing of Ferrario and his indictment on murder charges. The group also wants a citizens review board to monitor Police Department policies and increased hiring of black patrolmen.

"This group will go well beyond Marilyn Banks," Miss Rogers said.

Miss Banks, 20, was shot as she sat on the front steps of her aunt's house at 5077 Geraldine Avenue. She was hit in the side and died of the wound two days later.

Ferrario told police investigators that he had been chasing and had fired at a 16-year-old girl who earlier had threatened him with a knife and later fired a couple of shots at him with a pistol.

The incident occurred while Ferrario was investigating a street dispute in the 5000 block of Union Boulevard. An empty .25-caliber pistol was found at the scene. The fleeing girl was arrested a short time later by other officers.

Among the witnesses testifying before the grand jury were several homicide detectives who investigated the shooting, the police officer who questioned the fleeing girl shortly after her arrest and a police laboratory specialist who examined the gun found at the scene.

Also testifying, Peach said, were two girls who said they saw the shooting. The girls, Tammy Morgan and Lavette Owens, are friends of the 16-year-old girl. They have disputed many of the statements Ferrario has made about the incident.

In interviews with the Post-Dispatch a week after the shooting, the girls disputed that the fleeing 16-year-old had carried a gun when Ferrario fired at her, or had threatened Ferrario with a knife. They said the officer did not fire a warning shot, as he contended, but had aimed both shots at the fleeing girl.



Ted Dargan/Post-Dispatch
Dorothy Williams with a poster of Officer Joseph Ferrario outside the Municipal Courts building where a grand jury heard testimony Wednesday about Ferrario's fatal shooting last month of Marilyn Banks.