

BROOKLYN YOUTH ACQUITTED IN SLAYING OF CATHOLIC PRIEST

By Jesus Rangel
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A Brooklyn youth who had told the police that he shot and killed a Roman Catholic priest during a sexual encounter last May was acquitted yesterday of murder charges in the slaying.

After deliberating seven hours over two days, a jury in State Supreme Court in Brooklyn found the defendant, Andre Nichols, 19 years old, not guilty of murder, felony murder and criminal possession of a gun.

The felony murder count was based on the allegation of the authorities that Mr. Nichols killed the priest, the Rev. Frederick Strianese, during the commission of another felony, a robbery. But the prosecution did not try him for robbery. The shooting occurred last May 10 in an area of warehouses and lofts near the Manhattan Bridge. Mr. Nichols contended that the priest had picked him up in a park and offered him \$10 to have sexual relations. Videotaped Confession Played

In a videotaped confession shown during the trial, which began Jan. 20, Mr. Nichols, of 120 Carlton Avenue in the Fort Greene section, described to the police how he shot Father Strianese. He said the 49-year-old priest had refused to let him out of his car.

"The district attorney's case was weak, very weak," said one juror, who asked to remain anonymous. "There was a confession but no motive was proved. They had to prove more than they did."

The prosecutor, Gerald Green, an assistant district attorney, declined to comment after the verdict.

William Schleicher, another juror, said that some jurors were leaning toward convicting the young man until the judge read the charges again at their request.

"If there had been some lesser charges, some jurors would have convicted him on that," Mr. Schleicher said. 'A Frightened Young Man'

The judge, Justice Philip E. Lagana, had instructed the jury to find the defendant guilty or not guilty of second-degree murder, felony murder and criminal possession of a weapon. The instructions did not permit the jury to determine whether the defendant committed lesser charges, and the jurors could convict him on the gun-possession charge only if they found that he had used it criminally, that is by finding he had committed murder.

Mr. Schleicher said jurors saw "a frightened young man who killed somebody," but that the central issue, that he intended to kill the priest, was not proven.

Mr. Nichols's lawyer, Alton H. Maddox Jr., had argued that the

prosecutor and the police lied about the defendant and that the charges were racially motivated. Mr. Nichols, who did not testify, is black and Father Strianese was white. Seven of the 12 jurors are black.

Mr. Maddox also represents two men who were assaulted in the Howard Beach racial incident, Cedric Sandiford and Timothy Grimes.

"It was a clear case of self-defense and that was a justification for the shooting," Mr. Maddox said after the verdict. "It was clearly a homosexual offer and our client attempted to resist." 'Homophobia' Called an Issue

David Wertheimer, executive director of the New York City Gay and Lesbian Anti-Violence Project, denounced the verdict, saying it was an example of the victim being blamed for a crime.

"The issue of homosexuality and homophobia clouded the picture," he said. "The verdict is a reflection of the pervasive force in our society that continues to denigrate gay people."

Father Strianese, who grew up in the East New York section of Brooklyn and was living in Coney Island, had spent the evening of his death with Auxiliary Bishop Joseph M. Sullivan of the Brooklyn diocese. In addition to serving as director of Catholic child-care services and director of a camp for the Catholic Youth Services, he was an aide to Bishop Sullivan.

He was not assigned to a parish but was to become a pastor for the first time the month after his death, at Sacred Hearts and St. Stephen Church in the Carroll Gardens section.

Bishop Francis Mugavero, head of the Diocese of Brooklyn, said:
"Because of my faith in the justice system, I accept the judgment of the jury. I regret that Father Strianese was not alive to defend himself. This has been a most difficult trial for both the Strianese family and the Nichols family."