

SUSAN BROWN MILLER

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# RAPE



A TRUE STORY OF  
VIOLENCE & NEGLECT

Susan Brownmiller

# Waverly Place

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WAVERLY PLACE

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# Waverly Place

A woman opened the door. She looked like she'd run into a train, that was Ruggieri's first thought. He stared past her into a dark void. The place stank, what the hell was going on?

"Where are the fucking lights?" yelled one of the cops. Ruggieri pulled out his pocket flash.

Four or five pinpoints of light picked out overturned chairs, piles of clothes, bags of garbage. In a corner a baby sat on the floor, tethered to a wooden cage by a three-foot rope. Its diaper was soaked with urine and feces.

From the shadows of a hallway, a burly man in black came toward them carrying the limp, naked body of a larger child. She wasn't breathing. The diagnostic part of Ruggieri's brain did a flip as his stomach kicked over.

She looked dead.

*Also by Susan Brownmiller*

**Against Our Will: Men, Women and Rape  
Femininity**

*For Holly Forsman and Joan Corrigan,  
and with gratitude and affection to  
Florence Rush, Barbara Milbauer,  
Pearl Broder, Minda Bikman,  
and Neal Johnston.*

# Foreword

Early one morning in November 1987 the silence was broken on a quiet residential street in Greenwich Village. In response to an emergency call, police and paramedics entered a dark apartment and found an unconscious six-year-old girl. Three days later she died.

It couldn't have happened here. But it did. The day the child died, I began to write, to imagine how the couple from my neighborhood whose image flashed repeatedly across the television screen—a lawyer and a woman with a bashed-in face who had once been a writer—could have traveled the distance from people I *might* have known to such a nightmare, and why the ample warning signs were misperceived and misinterpreted by those in a position to sound the alarm. Aberrant in the extreme—in the following weeks, there were more headlines and revelations—this story nonetheless seemed to be a paradigm for a thousand case histories and clinical studies of family violence.

I chose to write fiction because I wanted the freedom to invent dialogue, motivations, events, and characters based on my own understanding of battery and abuse, a perspective frequently at variance with the scenarios created by the prosecution or the defense in courts of law. I did, of course, read everything that appeared in print about the case, and borrowed freely from these public accounts. The journalists assigned to cover the story did



yeoman work; I am in their debt. I also read, or reread, the pertinent literature on battery and child abuse.

All the characters in this novel, central and peripheral, are products of my personal vision. I gave them names, biographies, and plausible interactions that fitted my own interpretation of the publicly reported events. I invented conversations for them and put them in situations of my own choosing. I imagined what they thought, and what others thought of them. I entered the delusional world of my protagonists to understand their *folie à deux* and to choreograph their scenes of violence, impelled from start to finish by the haunting face of a spirited little girl with red hair.

As one who has devoted her professional career to research and scholarship, with its double-checked sources and citations, I know and respect the difference between fact and fiction. I hope that my readers will respect that difference as well. No reader should assume (and neither I nor my publisher suggests) that any of the characters in this novel are accurate portraits of real people, or that the events described actually occurred. To the extent that any of the events depicted here may resemble reported incidents, my treatment generally differs in substance, detail, or motivation. This is, after all, a work of fiction.

What unquestionably did happen is that a child died and a woman was battered. I have tried to imagine how it might have been.

Susan Brownmiller  
July 18, 1988



# Waverly Place



MONDAY, NOVEMBER 2, 1987, 6:33 A.M.

A high-priority call dumps the whole system. This one, logged by the EMS receiving operator in Maspeth, Queens, at 6:33 a.m., was a hi-pri.

Monday morning on the second of November a half-hour before dawn, *Child not breathing, request emergency aid* came in over 911. Operators in two separate locations, police and medical, took the complaint and fed the data into their computers.

In Maspeth the message jumped to the top of the queue. A blip on the screen. *Cardiac arrest. Kantor. 104 Waverly Place, Apt. 3-A, in Greenwich Village.* The EMS dispatcher read the one-line message and punched up the complaint history. *Six-year-old child not breathing.*

She called Twelve X-Ray on the two-way radio.

John Ruggieri and Brian Mahoney, St. Vincent's paramedics, were nearing the end of their tour. Two cracks on the head, a drunk in the gutter, a slow, uneventful night. Their mobile unit covered a long swath of Manhattan from West Twenty-sixth to the Battery, but eleven p.m. Sunday to seven a.m. Monday doesn't get much action in the lower end of the city.

This was a job for single men, Ruggieri liked to say. He'd been at it for nineteen years, ever since dropping out of Columbia after the student riots. Emergency work was sophisticated now, and Ruggieri reveled in the new techniques, but lately he'd been feeling burned out, unfit for human company after a tour. With twenty minutes to go,

he made a turn at Sixteenth Street and headed for the garage.

The ambulance was cruising down Seventh Avenue when *Twelve X-Ray, Twelve X-Ray, Child not breathing, 104 Waverly Place, west of the park* crackled over the radio.

Mahoney whistled. "That's us, the winning ticket."

Ruggieri flipped on his lights and siren. His adrenaline surged. He shot down Seventh into Waverly, ignoring the one-way sign. The narrow, tree-lined street was empty of traffic, and he reached the house in under a minute. An unfamiliar address, not a fixed point on his mental list of every-few-months-and-they're-at-it-again calls.

Four wailing police cars and the paramedic van converged in front of the old Village brownstone in the pre-dawn gloom. Someone rang all the buzzers. A cop from the Sixth slipped the downstairs door with plastic. A tight herd of cops and paramedics, six men and a woman, stampeded up the stairs.

No doors opened and no inquisitive neighbors peered out as they made their noisy ascent. Two apartments to a floor, each black metal door with an eagle-crest knocker, minuscule peephole, and nameplate. "Where the hell are the apartment numbers?" somebody shouted. In the confusion it took them a while to find 3-A.

A woman opened the door. She looked like she'd run into a train, that was Ruggieri's first thought. He stared past her into a dark void. The place stank, what the hell was going on?

"Where are the fucking lights?" yelled one of the cops. Ruggieri pulled out his pocket flash.

Four or five pinpoints of light picked out overturned chairs, piles of clothes, bags of garbage. In a corner a baby sat on the floor, tethered to a wooden cage by a three-foot rope. Its diaper was soaked with urine and feces.

From the shadows of a hallway, a burly man in black came toward them carrying the limp, naked body of a larger child. She wasn't breathing. The diagnostic part of Ruggieri's brain did a flip as his stomach kicked over.

She looked dead.

The cops and the paramedics in New York have a formal understanding. In a medical emergency the cops take a back seat and the paramedics run the show.

Ruggieri put the little girl on the floor and started to work her over. His fingers probed her head. No fracture. He pulled a pediatric Ambu bag from his trauma box and placed the resuscitator over her nose and mouth, pushing away the matted strands of reddish hair. He pumped the valve. The air wasn't going in freely.

"What happened?" he shouted.

"She was fine till a half-hour ago," the father said in a flat, gravelly voice. "She got into the refrigerator and ate some fried chicken for breakfast. Must have choked on a wing. When I came out of the bathroom, she was throwing up."

Mahoney ran down to the van for a suction machine.

The woman was mute, a shadow hugging the wall. Ruggieri figured she might be the grandmother. The father trailed the cops through the dark apartment, talking a blue streak. All the lightbulbs in the house were burned out or missing from their sockets.

Ruggieri worked in the dark with a flashlight in his teeth. He tore off the Ambu mask and did a Heimlich maneuver on the motionless body. A little gob of phlegm and food came up, not enough to have blocked the passage.

"I'm getting air in and out," he yelled, checking the pulse in the child's neck. It was rapid but strong. The

father stood over him, a detached observer. Ruggieri could see his legs.

“Your story doesn’t make sense, buddy. It wasn’t a chicken wing. What really happened?”

“Last night, not this morning, you misunderstood me. She told us last night her tummy was hurting. We sat up with her all night. I don’t understand, she suddenly stopped breathing.”

Ruggieri racked his brains. He’d been on a case where the child got into a jar of methadone mixed with Tang. “Check the refrigerator,” he called to one of the cops.

An eerie glow from the refrigerator light suffused the kitchen. The officer came back with something moldy. “That’s all that was in there.”

By the time his partner returned with the suction machine, Ruggieri was on the phone to the ER. “Bringing in a six-year-old female. Not breathing. Has a pulse and blood pressure.”

He packed his equipment while Mahoney carried the child in his arms down the three flights of stairs. The soles of her feet were black with dirt.

A small crowd of curious onlookers had gathered on the street. They stared impassively as the little body was placed in the back of the van. The father suddenly appeared and climbed in without asking. One of the cops offered to drive. He slid into the front seat and gunned the six blocks to St. Vincent’s while the kneeling paramedics continued to work over the child’s inert form.

The father was still talking when they wheeled the gurney into the ER. He strolled around the brightly lit room while the gowned-up trauma team went into action.

Most people get hysterical, Ruggieri pondered. This guy’s acting like he turned in a broken appliance.

I have been in the presence of evil, the paramedic thought as he left the ER.



7:00 A.M.

Under the emergency room lights, the pediatric resident found the dried blood in her matted hair.

"When did this child get hit on the head?"

The father didn't answer.

"Order CAT scan."

"Have security get the elevator."

They rushed the comatose child to the elevator bank.

One of the police officers motioned to his buddy as the father slipped out the door.

"Hard to stay in the same room with him—with a gun in my belt," the cop said out loud before he called the precinct from a hospital phone.

7:30 A.M.

The CAT scan showed blood pressing on the brain. A subdural hematoma, the kind of seepage that usually develops over four to six hours. The little girl was hooked up to a life-support system now, but she wasn't going to make it. It was only a matter of time before they would make the official pronouncement. Brain-dead.

8:00 A.M.—6:30 P.M.

The West Tenth Street stationhouse between Bleecker and Hudson was designed with Greenwich Village in mind. A visitor approaching the modern front entrance was momentarily diverted—and, it was hoped, charmed—by two rectangular stone troughs planted with English



ivy and seasonal flowers. The Sixth Precinct's community liaison faithfully watered the troughs and pinched off the spent blooms, a grudging concession to a hypersensitive neighborhood of hysterical preservationists, touchy civil libertarians, militant gay activists, and other bohemian weirdos who drove cops bananas.

Despite the brisk weather on this early November morning, the Sixth Precinct's orange marigolds and ruffled petunias were putting on a resplendent show. In the second-floor squad room, four detectives proceeded with methodical caution. The squad commander gave out assignments to the tour coming on; the night tour had been held over.

Three cars went to 104 Waverly Place to pick up Barry Kantor and a woman identified as Judith Winograd for questioning. Nice and easy. Just come with us to straighten out some inconsistencies and clear up the investigation.

Over Kantor's objections, a female officer from the sex crimes unit untied the other child, a baby boy, and took a whiff of the rancid milk in his bottle. By daylight the "wooden cage" described in the memo books of the first cops on the scene turned out to be an inverted playpen. Aside from the filth he was wallowing in, the baby appeared unharmed. She took him to Special Services for Children.

Kantor kicked up a fuss in the stationhouse when he and Winograd were put in separate rooms. It was going to be a long day—at that point the cops didn't know how long. Everything had to go by the book. Kantor was a criminal lawyer and not entirely unknown to the precinct. A month ago two officers had been called to his apartment on a neighbor's complaint. Wife beating. They spoke to Winograd, but she refused to press charges. The cops on the call wrote her off as a nut case.

Four detectives stayed at Waverly Place all morning to

videotape the apartment, collect and tag material evidence, and interview neighbors. Two went to P.S. 55 around the corner to see what they could get from the principal and the child's teachers. St. Vincent's was being cautious as to the nature of the injury beyond confirming that it was a blow to the head and likely to be fatal; the hospital expected to release a definitive medical statement in the afternoon.

The case grew more bizarre by the minute. Several neighbors told detectives that the suspects weren't married and the two children were adopted. Kantor and Winograd confirmed the story, but the state's computers drew a blank on the adoption papers.

Kantor sounded like a broken record. He hugged his arms and repeated, "I'm a good father, I'm a good father. Ask the school." By lunchtime the cops had given up on him in disgust.

In the other room, Winograd was a pathetic puzzle. She looked old enough to be Kantor's mother, but she gave her age as forty-five. Somebody in the last twenty-four hours had given her a good going-over. She had a bloodied scalp, blackened eyes, a smashed nose, a split lip, probably some cracked ribs she didn't know about. Most but not all of the injuries were fresh. She shook her head frantically when they asked if she was in pain. The way she stuck to her story drove them crazy: the little girl fell down a lot on her roller skates, early this morning she had choked on her breakfast. In frustration the detectives left her alone under guard.

By early afternoon there was enough for probable cause, and they got the green light for a lockup. But the problem was Winograd. The DA wanted a statement, it would tidy things up. The detectives went in and tried one last time—maybe she'd break if they told her the child was dead. She peered at them blankly through puffy eyes. One of the detectives happened to glance at her