From: Michael D. Cutler, Brookline MA, Attorney for Carl H. Drew
RE: Decision by MA Superior Court Judge Connor,
denying Drew's motion for new trial

Disappointment hardly describes my reaction to the Court's ruling and underlying factfindings. The judge chose to discredit the testimony of new trial motion witnesses Fletcher, Sparda and Johnson, which (along with other corroborative evidence) exonerated Carl Drew. These women testified during the motion hearing about their troubled lives, both at the time of the killing and trial 25 years ago and today. The court relied upon these difficulties (among other stated reasons) in discrediting their testimony. I will never forget the courage these women revealed, however (perhaps to their own surprise), in volunteering to relive the worst moments of their lives (recounting the events around Murphy's admitted murder of Karen Marsden and the Drew trial) in an uncomfortable public forum. I also will never forget the dedication of retired Fall River police detective Paul Carey in pursuing justice on his own time and expense.

The evidence of Murphy and Fletcher's multiple (nine) pretrial versions of Drew's alleged participation, the prosecution witnesses' admitted pretrial collusion, and the dramatic variances between the physical evidence at the alleged murder scene and the ritual tales was never refuted and, in my humble opinion, is more important to the search for truth than the witnesses' acknowledged disabilities. At no time did the prosecution defend, nor did the motion judge make factfindings about, the apparent incredibility of the prosecution's version of the offense: Within an undisputed 110-minute time period, the prosecution witnesses claimed at trial that the victim (Marsden) and her admitted murderer (Murphy) hitch-hiked three miles, cruised in heavy traffic to pick up three conspirators and drove 50 minutes round-trip to the ritual murder scene where a one-to-two hour ritual transpired. Little if any of this evidence of innocence was argued to the trial jury by Drew's defense attorney, whose inept conduct was frequently criticized by the trial judge.

The motion judge chose to disbelieve the defense's motion witnesses. He also rejected the new trial motion's claim of Drew's trial defense counsel's incompetent defense performance, influenced by his decision to discredit the defense hearing witnesses. The motion judge apparently believes that Carl Drew murdered Karen Marsden. I know; Murphy, Fletcher and Sparda know; and Carl knows, that he is innocent.