

MISCELLANY

Philadelphia Man Convicted of Killing and Robbing a Metro Transit Police Officer in June 2001

United States Attorney Roscoe C. Howard, Jr. announced that Walter O. Johnson, 36, of Philadelphia, PA, was convicted today by a Superior Court jury of murder of a law enforcement officer while armed, first degree murder (premeditated) while armed, three counts of possession of a firearm during a crime of violence, carrying a pistol without a license, and armed robbery. He faces a maximum sentence of life imprisonment without the possibility of release. Sentencing will take place on July 30, 2004, before Judge Ann O'Regan Keary.

The case involved the shooting death of rookie Metro Transit Officer Marlon Morales. Morales was on duty, in full uniform, on the evening of June 10, 2001, on routine assignment at the U Street Metro Station on the Green Line (PSA 305). Around 9 p.m. while in the kiosk on the west mezzanine level (near the 13th street exit), Off. Morales and station manager Fernando Ferguson spotted Johnson as he tried to exit the system without paying by parting the gates of the handicapped faregate. Ferguson first approached Johnson. Off. Morales later joined the two and took over from Ferguson. Off. Morales advised Johnson that the matter could be resolved, and directed Johnson to accompany him back to the kiosk, asking Johnson for his identification. Johnson responded by shooting Morales one time in the face. As Morales lay on the floor, conscious, wounded, and bleeding, Johnson stole Morales' 9mm semi-automatic service weapon and two fully loaded magazines. Johnson fled by running through the station and exiting through the east mezzanine at U St. and Vermont Ave.

Though the area was soon flooded with both Metropolitan Police and Metro Transit Police, Johnson got away, making his return to Philadelphia. Once outside the Metro station, however, he encountered several persons in the U Street area between 11th and 9th Streets. Many of these persons positively identified Johnson in pre-trial identification procedures as well as in court during the trial.

Off. Morales was taken to the Washington Hospital Center where he was joined by his wife, other family, friends and colleagues. Though his initial prognosis was favorable, his condition changed within several hours. Over the course of the next few days, he continued to deteriorate. He was pronounced dead on Wednesday, June 13, 2001. His wife, Jennifer, had given birth to his only daughter just three weeks earlier.

On Thursday, June 14, 2001, Johnson was driving a car belonging to his then-girlfriend, Geneva Pettway. Johnson was stopped by Philadelphia Police Department Officer Michael Harvey who had noticed that the car's inspection stickers had expired six months earlier. Johnson had no license and he gave Off. Harvey a false name. After the police dispatcher informed Harvey that the car was in "try and locate" status (it had been reported stolen by the girlfriend a week earlier), Off. Harvey had Johnson get out of the car. In the course of trying to search Johnson, Harvey noticed that Johnson was going for a gun. An intense struggle involving Johnson, Off. Harvey, and back up officers Lisa Heil and Jeremy Gruninger plus Off. Neil Wilson followed. After successfully getting control of the gun, Johnson was arrested by Harvey. An additional fully loaded magazine for the gun as well as \$2830 and some marijuana were also recovered.

The gun, a 9 mm semi-automatic Glock pistol, was run through the IBIS system by the PPD who then learned that the weapon had been taken during the shooting of Off. Morales. The PPD then notified Metro Transit, and local detectives traveled to Philadelphia where Johnson was questioned, photographed, and his clothing was taken. Additional evidence was recovered during the execution of search warrants for his girlfriend's apartment as well as at the home of a cousin; this evidence included Morales' additional fully loaded magazine.

PREVIOUS ROBBERY

A week earlier, on June 6, 2001, Ethan Means had been robbed and shot in the face one time by a stranger whom he and a friend, Michael Reynolds, had earlier encountered while leaving a fried chicken restaurant. That stranger, identified by both Reynolds and Means as Walter Johnson, had ridden with them to 1200 Lindley where Reynolds maintained an apartment. Means and Reynolds were involved in drug dealing. In the course of the car trip, Johnson had inquired about dealing drugs for them. Reynolds had told Johnson to return to 1200 Lindley around 5 p.m. the next day. Instead, Johnson returned about 20 minutes later and shot Means who was then alone. Means told Johnson to take money out of Means' pockets; Johnson did so and fled. Means left the apartment seeking help; he eventually spotted two Philadelphia police officers who took him to the hospital for treatment.

A spent bullet and shell casing were recovered by the PPD from the Lindley shooting scene. That evidence was examined the following week by PPD Off. Christopher Faber, a firearms examination expert, and entered in to the IBIS system. Similarly a spent bullet and shell casing were recovered from the Morales shooting scene, and entered into the same system here in Washington by MPD firearms examiner Lyndon Watkins. A positive match was made by the computer system. Watkins traveled to Philadelphia with his evidence which was compared alongside the Philadelphia evidence. It was the opinion of Watkins, Faber, and Off. John Finor, another expert, that the same gun that fired the bullet that killed Off. Morales had also fired the bullet which injured Ethan Means.

Johnson had been released from federal prison on May 15, 2001, after serving twelve years for armed bank robbery and related weapons offenses for the robbery of a bank in Cheltenham, PA, which netted Johnson \$92,000. Within days of that robbery—which was committed while Johnson was on escape from another facility—Johnson traveled to Washington with the robbery proceeds and the rifle. In Washington, he stopped by the home of a family friend, a woman who was a childhood friend of his mother's. That friend was not home, but her son allowed Johnson to leave his bag in the house. When the friend later called Johnson's parents to ask why Johnson had stopped by her home, Johnson's father advised her that Walter Johnson was wanted by the FBI for bank robbery. He instructed her to call the police if he returned. When Johnson returned around 2 a.m. the next morning, this friend refused him entry and called MPD instead. Johnson was arrested on the bank robbery and returned to Philadelphia where he was prosecuted and convicted. When asked by this friend, as he was being taken away, why she had called the police, she responded, "Because your father told me to." This friend's home is located two blocks from the Metro station where Off. Morales was shot.

PROBATION VIOLATIONS

When Johnson was released from the United States Penitentiary in Lewisburg, PA, he was ordered to report to U.S. Probation in Philadelphia within 72 hours. Johnson failed to do so, and the probation officer, Tom Miles, had reported the violation to the sentencing judge who issued an order for Johnson's release in late May 2001. Thus, when stopped by Off. Morales on June 10th, Johnson knew that a warrant had most likely been issued for his failure to report. He was also carrying a handgun which, in addition to being a violation of his supervised release, was a violation of both local D.C. and federal law. Further, that gun tied him to the shooting and robbery of Ethan Means. Thus, Johnson shot Off. Morales most likely to evade arrest for these matters.

In talking with MPD detectives on the evening of his arrest, Johnson said that he had never left Philadelphia since being released from prison on May 15, 2001. He claimed to have bought the murder weapon, magazines, and ammunition from someone in Philadelphia whose name he was afraid to disclose.

Through savvy investigation, the police later learned that Johnson had traveled to Washington on June 10th in the mid-afternoon by Greyhound bus. During the bus trip, he had borrowed and used the cell phones of two women. Three women from the bus testified at the trial including the owners of the cell phones. Copies of their phone bills with the calls made by Johnson to Philadelphia were introduced into evidence. Johnson had made calls to his girlfriend Pettway's apartment and to the Burger King where she was assistant manager, to the home of his cousin Jacqueline Lee (one of the search warrant locations), and also to Jacqueline Lee's daughter, Charmaine.

In announcing the convictions, United States Attorney Howard praised the efforts of the following: the Metropolitan Police Department's Violent Crime Unit including lead detective Eduardo Voysest, Loren Leadmon, Antonio Duval, Gregory Sullivan and Brett Smith; Detective Gary Padgett of the Metro Transit Police; MPD's Mobile Crime Unit and officers Joseph Anderson, Sgt. Deborah Hayes, and technician Dawn Leary; MPD firearms examiner Lyndon Watkins; the Metro Transit Police Department, including former chief Barry McDivitt and current chief Polly Hanson; the Special Projects Unit of the Federal Bureau of Investigation and specialist Wynn Warren; the Philadelphia Police Department and its Homicide Unit, Northwest Detectives Unit, Firearms Identification Unit, and Crime Scene Unit, as well as arresting Officers Michael Harvey, Lisa Heil, Jeremy Gruninger and Neil Wilson; the Washington Metropolitan Transit Authority, the U.S. Attorney's Office for the Eastern District of Pennsylvania, and the Philadelphia District Attorney's Office. United States Attorney Howard commended the work of Victim Witness Assistance Unit including David Foster and Advocate Yvonne Bryant as well as paralegal Nina Hammond for their administrative support and Assistant United States Attorneys June M. Jeffries and David J. Gorman who are prosecuting the case.

and more information of what you can do....

Walter O. Johnson will be sentenced on Friday, July 30, 2004, at 11 a.m. before Judge Ann O'Regan Keary, courtroom 214, D.C. Superior Court, 500 Indiana Ave., NW. The government will submit a written pre-sentence report to the Court one week prior to sentencing on July 23rd. You are welcome to attend sentencing. Additionally, you and/or any interested party are encouraged to write letters to the Judge addressing sentencing.

Walter was convicted of the following:

- *Murder of a law enforcement officer while armed* (automatic sentence of life without parole [LWOP])
- *First degree murder while armed* (premeditated) (up to 60 years with a minimum sentence of 30 years)

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