



On the same day of his sentencing, protesters outside of the Middlesex County Courthouse express their displeasure with the outcome of the murder trial of William Palmer in the death of Chanelle Pickett.

## Judge imposes maximum sentence in Pickett case

by Loren King  
 Bay Windows staff

Middlesex Superior Court Judge Robert A. Barton on May 16 imposed the harshest possible sentence on William Palmer, acquitted May 2 of murder in the death of Chanelle Pickett, giving the gay, lesbian and transgender activists who packed the courtroom some sense of vindication after he had escaped a first-degree murder conviction.

Judge Barton sentenced Palmer, convicted by a jury of assault and battery in the death of Pickett, a transsexual he picked up at a bar in 1995, to two years in jail and five

years probation upon his release. That sentence exceeded what the prosecution requested. Assistant District Attorney Adrienne Lynch had asked Barton to sentence Palmer, who had no prior criminal record, to the maximum two and one-half years, with the last year suspended.

Barton, however, ordered Palmer, now 35, to serve the maximum two and one-half years, and suspended only the last six months.

The sentencing followed a demonstration outside the Middlesex Superior Courthouse in Cambridge attended by 50 members of the gay, lesbian and transgender community

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PHOTO: MARTIN HUGHES

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who held signs and handed out flyers denouncing the verdict. The prosecution had pushed for a first-degree murder conviction, armed with medical evidence that Pickett, 23, was strangled in Palmer's Watertown apartment on November 19, 1995. Other options open to the jury were second degree murder, voluntary manslaughter and assault and battery. After deliberating two days, the jury convicted Palmer of the least serious offense.

Robb Johnson of Boston's Victim Recovery Program attended much of the two-week trial as well as the sentencing hearing. Johnson said the judge's tough sentence was "especially validating and reassuring." But beyond that were Barton's remarks about the viciousness of Palmer's crime which, said Johnson, "communicated [Barton's] position on the verdict. And that position was that Palmer was a lucky S.O.B. to get off."

Walter Prince, Palmer's lawyer, argued for leniency for his client, reading aloud from letters written by friends and relatives that extolled Palmer's character. Prince also reminded Barton that state sentencing guidelines suggest that a first-time offender be given no time behind bars.

But Barton told Prince, "This defendant should kiss the earth that you walk on," for the defense that Prince mounted.

Barton also told the courtroom, packed with about 20 demonstrators, as well as friends and relatives of the victim, "I have seen the [crime scene] pictures. One was cropped so it wouldn't show the head. It was a vicious beating."

Nancy Nangeroni, a transgender activist who attended the trial and helped organize several demonstrations in honor of Pickett, said the judge may have regretted his decision not to allow the prosecution to display the photos to the jury.

"I think he recognized it was a mistake not to show the pictures to the jury," said

Nangeroni. "But his sentence sent a message."

Lynch, the prosecutor, called Barton's sentence "an appropriate one." Palmer will likely be sent to the Billerica House of Correction and will be eligible for parole in one year, after half his time is served.

"We were understandably disappointed with the verdict," said Lynch. "We thought we put together a case that showed a factual basis for a first-degree murder conviction. But we stand by the jury's decision."

Nangeroni said Palmer, a computer programmer, was "stone-faced" as Barton handed down his sentence. Barton's decision came after Chanelle Pickett's twin, Gabrielle Pickett who is also a transsexual, delivered a victim-impact statement that expressed outrage at the verdict.

"I don't think it is fair that someone should lose their life and assault and battery is the verdict," Gabrielle Pickett said.

During the trial, Gabrielle Pickett was a key prosecution witness, testifying that she and Chanelle met Palmer at Boston's Playland Cafe. The three then went to the Picketts' Chelsea apartment where they ingested cocaine, Pickett testified. Then Palmer and Chanelle Pickett left for Palmer's Watertown apartment.

Pickett was pronounced dead in the apartment the following morning. Dr. Stanton Kessler, the medical examiner, testified that the cause of death was strangulation and that Pickett had been badly beaten about the head and face. Kessler rejected the defense's notion that the cocaine use caused Pickett's death. He said although an autopsy found cocaine in Pickett's system, the levels were low and had nothing to do with the death.

Prince raised questions about the strangulation and cocaine use. He also told the jury that Palmer hit Pickett only in an attempt to calm her after Pickett flew into a rage, according to Palmer's statement. ▼