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Times Square Spider-Man Found Not Guilty of Assault

By JAMES C. MCKINLEY Jr. JUNE 18, 2014

Extra! Extra! Read all about it: Spider-Man Is Not Guilty!

If there were a real newspaper in New York called The Daily Bugle, and were it to employ Spider-Man's alter ego, Peter Parker, perhaps the banner headline capturing the news on Wednesday might be appropriate. But since the Spider-Man in question works in Times Square, soliciting money mostly from tourists, the outcome in Manhattan Criminal Court was slightly less deserving of such treatment. Nonetheless, the two-day trial was not without its highlights, given that the evidence included a discarded Spider-Man suit and questions were raised about whether Batman had tried to break up the altercation.

The defendant, Philip Williams, was found not guilty in the assault of a woman during an altercation after she refused him a tip. In the same breath, however, Judge Anthony Ferrara slapped Mr. Williams with a \$250 fine for harassment, because he had used foul language in front of the woman's two young children. The judge chided Mr. Williams that Spider-Man should be a role model.

"You should know better; you should know better," Judge Ferrara said. "If you want to go back to Times Square, I hope you have learned your lesson from this proceeding: Be more courteous to the people you see." The judge's verdict followed a bizarre bench trial without a jury. Mr. Williams, 36, an aspiring actor, claimed he punched the woman in self-defense after she slugged him in the back of the head with a piece of ice and her husband grabbed him from behind.

The woman, Victoria Goreaciuc, 46, a technology expert, maintained she had only thrown some snow in Mr. Williams's face. She said she was walking by the costumed actor, headed toward a police car, when he punched her in the face. The argument had started an hour earlier, when Mr. Williams cursed Ms. Goreaciuc in front of her children after she refused to give him \$5 for snapping a photo.

The misdemeanor assault case against Mr. Williams was one of several recent prosecutions of costumed figures who make a living beguiling tourists in Times Square, generally without the approval of the character's copyright owners. In the last two years, a man dressed as the Cookie Monster was charged with shoving a 2-year-old, a person dressed as Super Mario was accused of groping a woman and an Elmo figure pleaded guilty to disorderly conduct after unleashing an anti-Semitic tirade.

It was hard for the lawyers and the judge to resist the comic book overtones of the case. Andrew Stengel, an assistant district attorney, argued in his summation that Mr. Williams's story that he was hit with a piece of ice was pure fiction. "The defendant is more supervillain than superhero," he said. Mr. Williams's lawyer, Rachel Black, asked the judge to set aside the cultural norm that a man should never hit a woman, even in self-defense. "Mr. Williams is not Spider-Man," she said. "He's just a human being who believed physical force was being used against him and acted in self-defense."