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Motivational Speaker's Killer Convicted of Murder

By LIZ ROBBINS MARCH 3, 2011

A Manhattan jury convicted a man Thursday in a bizarre, fatal stabbing of a despondent motivational speaker, determining that his death was not assisted suicide, as the defense had insisted, but murder.

Jeffrey Locker, 52, a married father of three from Long Island, was found dead and bound in his car, with multiple stab wounds in July 2009. The defendant, Kenneth Minor, 38, told the police that Mr. Locker had hired him that night to “do a Kevorkian,” and said that he had held a knife to the steering wheel while Mr. Locker thrust his chest into the blade.

Evidence showed that Mr. Locker had taken out life insurance policies worth nearly \$18 million in the months before his death, had told witnesses that he wanted to die, and had gone as far as researching funeral homes on the Internet.

During the trial, which lasted nearly three weeks, Mr. Minor's lawyer said his client had later used Mr. Locker's A.T.M. card to withdraw money as payment for the killing, which he said was part of an agreement.

No matter the contract or the circumstances, though, prosecutors said Mr. Minor had still been an active, intentional participant who had been

compensated for his role in Mr. Locker's death.

The jury agreed, after four hours of deliberation in Manhattan Supreme Court: it found Mr. Minor guilty of murder in the second degree, which carries a sentence of 25 years to life.

The Manhattan district attorney, Cyrus R. Vance Jr., said the jury recognized the act of violence for what it was.

"This was murder for money," Mr. Vance said in a statement, "not a mercy killing, which is why we prosecuted the case as an intentional murder."

Mr. Minor, whose criminal record included previous drug and robbery arrests, said nothing as he was led away from the courtroom in handcuffs.

"He's very upset," said Daniel Gotlin, his lawyer. "Mr. Minor, from Day 1, knew that he had done something he shouldn't have."

Mr. Gotlin said that his client had originally sought to make a deal for a lesser charge, but that the government had rebuffed him because prosecutors believed the case was "to be an example."

Mr. Gotlin said he intended to appeal, and, outside the courtroom, criticized Justice Carol Berkman for making "a mistake" in the definition of assisted suicide she gave to the jury.

In her instructions, Justice Berkman told the jury that if the defendant "actively caused Jeffrey Locker's death, even with Locker's consent, then that is not assisted suicide."

"The consent of the victim," the judge continued, "is not a defense to murder."

Mr. Gotlin said the New York law on assisted suicide made no distinction between passive or active participation; it only states that a person "causes or

aids” in another person’s death. (In that case, he said the charge would be manslaughter in the second degree and not murder.)

Justice Berkman, Mr. Gotlin said, made a distinction that was not representative of the law by using the word “active.”

Their verdict, he said, “was clearly based on her charge to the jury.”

Shortly after the verdict, as Mr. Minor’s wife conferred with Mr. Gotlin in the hallway, looking dazed and upset, the jurors walked briskly out of the courtroom, declining to discuss the case. Earlier in the morning, two alternate jurors who had been dismissed told reporters that they would have convicted Mr. Minor of murder.

One of the alternates, Aneicia Smikle, said, “These two men are victims of the system and their own greed and choices.”

The other alternate, Will Schoenmaker, said, “I can’t feel bad for anybody in this case.”

The prosecutors dropped their initial charge of first-degree murder because, they conceded, there was a preponderance of evidence showing that Mr. Locker had been trying to end his life. Melvin Fleming, a drug addict, testified that Mr. Locker had approached him and offered him money to kill him.

But during the trial, prosecutors introduced testimony from the pathologist in the medical examiner’s office who had performed the autopsy. He said the wound pattern was consistent with repeated stabbing, not self-inflicted thrusts.

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