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## New film recounts Thurgood Marshall's role in sensational Greenwich case

By Robert Marchant

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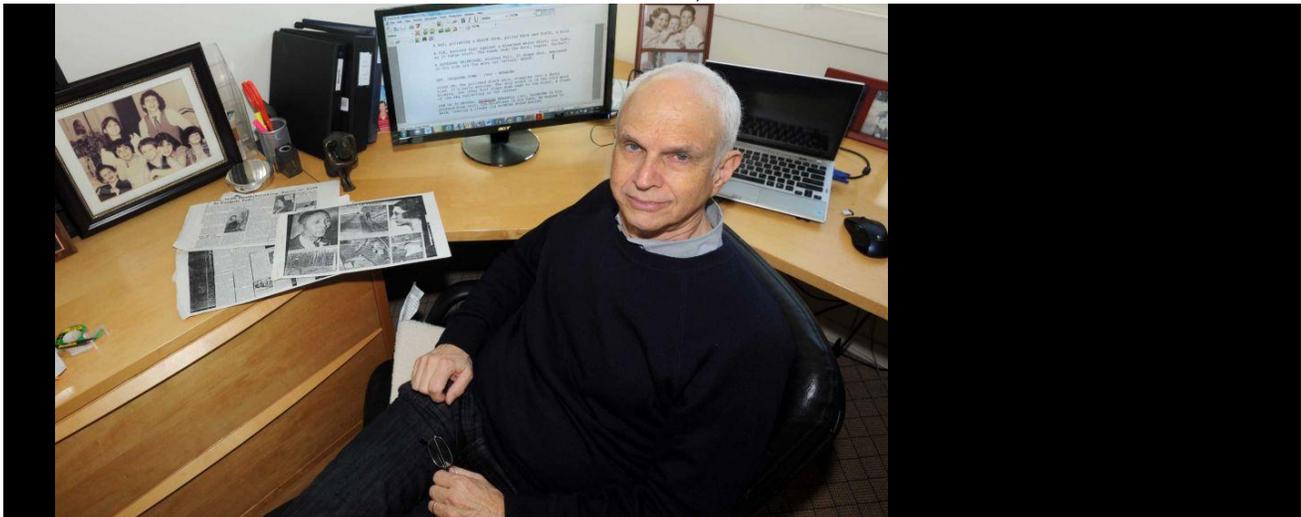


Photo: Cathy Zuraw / Hearst Connecticut Media **IMAGE 1 OF 14**

*Michael Koskoff in his home office in Westport. Koskoff, a longtime Bridgeport attorney has written a screenplay about Thurgood Marshall and his role in a 1940 criminal case in Greenwich.*

GREENWICH — The story of a sensational criminal case that rocked Greenwich and southern Connecticut is now being filmed for the big screen.

The original drama played out in 1941, a rape trial that pitted a Greenwich socialite and a black chauffeur against each other on the witness stand in a Bridgeport courtroom.

Representing the driver was a crusading young lawyer named **Thurgood Marshall**, who later became a **Supreme Court** justice and a monumental figure in the civil rights era.

Directed by **Reginald Hudlin**, “Marshall” will star **Chadwick Boseman**, who played **Jackie Robinson** in an HBO film.

The script is the product of a lawyer who lives in Westport, **Michael Koskoff**.

“We want people to be enormously entertained,” said Koskoff, who co-wrote the screenplay with his son, Jacob, “It’s a courtroom thriller: great characters, great dynamics and great lawyering. I bring to it my 50 years of trying cases — and I’ve been involved in a lot of political cases.”

Koskoff, 73, said he wanted to show how individual actions can make a big difference in history.

“The fight against racism is not necessarily an organizational fight, it’s an individual fight. That’s why it is so important for people to realize that there were people out there like Thurgood Marshall. It’s individual courage, that’s part of the message. Way before the civil rights movement in the 1950s he’s going through the South, by himself, and trying cases in front of judges who were members of the **Ku Klux Klan**.”

The movie also connects with a number of themes that are still relevant. “There’s so much that resonates today, with Black Lives Matter,” noted Koskoff, who litigates major catastrophic injuries at his Bridgeport firm.

The story follows closely the real-life criminal case that burst onto the front pages when it went to trial in 1941. It was full of strange and hard-to-explain behavior. **Ellie Strubing**, 33, was a former model married to a Princeton football star. **Joseph Spell**, 31, had been kicked out of the Army for smashing up an officer’s car in a drunken binge. Living out a meager existence on the margins of society, he took a job with his wife at the Strubing estate on Round Hill Road as a chauffeur and butler.

One frigid night in December, Strubing was found sopping wet alongside the Kensico Dam in Westchester County, N.Y., and Spell was soon under arrest. After a 16-hour interrogation by Greenwich police, it was claimed by authorities he had confessed to rape.

Enter Marshall, representing the **NAACP**. The negative publicity from the case was causing black servants to be fired all over New York and Connecticut. Marshall teamed up with a young Bridgeport lawyer, **Samuel Friedman**, an immigrant and a Jew, to try the case.

“In many ways, it was regarded as a footnote in the career of Thurgood Marshall,” said **Daniel Sharfstein**, a professor at **Vanderbilt University** Law School, who has written about the case. “At the same time, it was an important case for the NAACP. It was an important organizing tool, and it showed how racism was alive and well and thriving in New England.”

Though it was held in a Northern city, Sharfstein said, “The prosecutors were using the same kind of rhetoric that prosecutors in Mississippi were using at the time. The rhetoric used for lynching, it was very much alive in Bridgeport in 1940.”

When the case came to trial, the jury had to sort through conflicting and confusing accounts. Was it rape or consensual sex? Did she try to call police? Did Strubing walk intentionally into the waters of the dam or was she thrown in by Spell. What about a supposed ransom note?

The trial raised a lot of points about American society, Koskoff said, some good, some bad.

“In Europe at this time, they were pulling people right off the streets,” the lawyer said. “And here in this country, there’s this enormous trial over the rights of this one man. I want people to come away with an understanding of how precious the trial by jury it is. And how much perseverance it takes to make it work and to keep it.”

The judge did not allow Marshall, an experienced criminal lawyer, to even speak in the courtroom. “It gives you a sense of the times, the Northern racism that existed. So **Sam Friedman** had to do the whole trial, while Thurgood basically had to teach him how to try the case,” Koskoff said.

The story also reveals Marshall to a wider audience and displays the man behind a rumpled old barrister in black robes.

“Everyone thinks of him as old and jolly. At this point in this career, 32, he was tall, handsome and fit, a charismatic character,” Koskoff said. “He was outgoing and garrulous. He liked staying up late drinking bourbon with friends; he liked going to night clubs. He lived in this great Harlem community, and we were able to bring some of that into the mix, to set the character there, and to tell Thurgood as he really was.”

As with the portrayal of Marshall as a young man, Koskoff said the movie avoids clichéd treatments, and promises audiences will find complexity, doubt and ambiguity. “We didn’t want this to be a movie where people get preached to,” he said. “I’m not into moralizing.”

The lawyer-turned-screenwriter is no stranger to complexity, ambiguity and alternative narratives. Koskoff assisted in the defense of a 1970 trial of **Black Panthers** militants in New Haven, and he later filed suit to promote job opportunities for black cops, firefighters and civil servants in Connecticut cities. “I consider myself a lifelong member of the civil rights movement,” he said.

Koskoff, who trained as an actor as a young man, tried his hand at writing screenplays when he was 60. A son and a daughter are in the entertainment field. A lawyer friend of his, **Jack Zeldes**, who died in 2013, told him about the Marshall case and suggested he write about it for the screen. Koskoff wrote several early drafts and eventually persuaded his son to team up with him on the project, which then led to the interest of producer **Paula Wagner** and then director Reginald Hudlin. The black director came close to naming his son Thurgood.

“He is a man who made America fulfill its promise of being a great nation. He’s one of our country’s greatest heroes because he’s a fighter for justice — it’s an important story to tell.” Hudlin recently told People magazine.

It’s a remarkable piece of Connecticut history, but not a single frame will be filmed here.

“Unfortunately, Connecticut does not have any rebates or tax incentives to shoot there,” said Wagner, the producer.

The state suspended its tax credit program for motion pictures in 2013.

“It’s unfortunate,” she said. “Connecticut would have been the perfect place to shoot. We were disappointed. Connecticut is so much a character in this film.”

Wherever it’s filmed, Wagner said she believes the story will connect with a wide audience. “It’s pertinent to all the issues we’re confronting now,” she said.