

Justice Denied: The Hurricane Carter Story

A & E television series examines wrongful conviction and incarceration in the US

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The A & E cable television network is airing a five-part series entitled "Justice Denied" as part of its "American Justice" program, hosted by Bill Kurtis. The series investigates wrongfully accused and convicted individuals in the American judicial system.

The first part—"The Hurricane Carter Story"—examines the famous case of Rubin "Hurricane" Carter and John Artis, who were framed up for a triple murder at the Lafayette Bar and Grill in Paterson, New Jersey on June 17, 1966. Carter, a well-known middleweight boxer, spent a total of 19 years behind bars; Artis 15 years. (The episode will be rebroadcast on Saturday, June 19, 7 p.m. EDT.)

The "American Justice" program, which often sensationalizes brutal crimes and serial murders, has chosen to focus on injustice in the US judicial system, and for this the current series deserves attention. The incidence of prosecutorial misconduct has not declined, but rather increased, since the time of the frame-up of Carter and Artis. One of the series episodes concerns the case of Rolando Cruz and Alex Hernandez, who were wrongfully convicted for the 1983 kidnapping and murder of a 10-year-old girl in an affluent suburb of Chicago. Earlier this month the DuPage County, Illinois prosecutor and sheriff's officers were acquitted of charges that they conspired to frame up Cruz, despite overwhelming evidence to the contrary. Cruz spent a decade on death row before he was finally acquitted in his third trial.

"The Hurricane Carter Story" relies heavily on news footage and new interviews with those connected with the case, including Carter and Artis, as well as defense attorneys, prosecutors and reporters who covered the story at the time. The interviews with Carter show a

man who understands the racist and reactionary nature of the case brought against him, and remains defiant towards those who sent him to prison for a crime he did not commit. He currently resides in Canada and is a member of the Association in Defence of the Wrongfully Convicted in Toronto, and is an opponent of the death penalty, lecturing on the topic.

The political nature of the frame-up of Carter and Artis comes across clearly in the program. The arrest and trial took place at a time of civil unrest and police repression in cities across the country. In the summer of 1964 ghetto riots broke out in Harlem and Philadelphia, as well as in the New Jersey cities of Jersey City, Elizabeth and, on August 11, in Paterson. A riot took place in Newark, New Jersey the summer following the first conviction of Carter and Artis in May 1967. The program explains that before his arrest Hurricane Carter spoke out against police brutality and racism and was well known in the New York-New Jersey area for his views. In documenting the anatomy of the case, the program leaves the viewer with no doubt that it was a frame-up.

On the night of the murders the police were given a description of the suspects by someone looking out a nearby window, who reportedly saw two black men fleeing in a white sedan. On the basis of this description, the police stopped a white car occupied by Carter, Artis and another man. The police let them go because there were three of them. But later, after the third man had been dropped off, police again stopped the car and took Carter and Artis into custody, as they now fit the description of "two black men." They were later released after a surviving victim failed to identify them.

On October 14 of the same year a known felon Alfred P. Bello gave police a signed statement claiming he saw Carter and Artis at the murder scene, leading to their arrest and subsequent indictment. Although lawyers for the prosecution had a tape recording in which Bello indicated that he was unsure that Carter and Artis were present at the scene of the crime, these tapes were withheld from the defense. On May 27, 1967 Carter and Artis were convicted by an all-white jury of the murders, each receiving three life terms.

In September 1974 Alfred Bello and Arthur Bradley—the only witnesses who had claimed to see Carter and Artis at the Lafayette Bar and Grill—recanted their testimony, explaining that they had been offered reward money and lenient treatment in criminal charges pending against them.

The case began to gain notoriety and won the support, among others, of Muhammad Ali and Bob Dylan. The latter released the song "Hurricane" in 1975. In March 1976 the New Jersey Supreme Court unanimously overturned the convictions, ruling that the prosecution withheld key evidence. A new trial was ordered and Carter and Artis were released on bail.

At the second trial, the prosecution claimed that Carter and Artis carried out the murders in retribution for the murder of a black patron at a bar earlier that evening. By this time as well, the prosecution witnesses had recanted their recantations. Carter and Artis were convicted again and sent back to prison. Although the racially-motivated and unconstitutional conduct of the prosecution is clearly shown in the course of the program, Passaic County prosecutors interviewed continue to defend their methods.

John Artis was released on parole in December 1981, after serving a total of 15 years in prison. On November 7, 1985 Judge H. Lee Sorokin of Federal District Court in Newark overturned the convictions from the second trial on the basis of "grave constitutional violations" by the prosecution. After serving 19 years in prison, Carter was released on November 8, 1985.

The program notes that despite the horrific experiences of Carter and Artis with the American judicial system, they are among the lucky ones, as many wrongfully convicted individuals remain to date in US prisons. The "Justice Denied" series profiles some of these cases throughout the weeklong series, and will rebroadcast the episodes over the coming

weekend.

The "American Justice" series includes the following episodes:

Thursday, June 17, 9 p.m. EDT— *Justice Denied: Framed* —the case of Clarence Bradley, who served seven years on death row for a crime he did not commit (also **Saturday, June 19, 3 p.m. EDT**).

Friday, June 18, 9 p.m. EDT— *Justice Denied: Presumed Guilty* —the cases of Rolando Cruz and Alex Hernandez, sentenced to death for a rape and murder which they did not commit (also **Saturday, June 19, 5 p.m. EDT**).

Saturday, June 19, 4 p.m. EDT— *Justice Denied: False Witness* —the story of Gary Dotson, a man who was not released from prison despite the fact that the woman who accused him of rape admitted she had lied.

6 p.m. EDT — *Justice Denied: Trial and Error* —the wrongful conviction of a black farmer for the murder of his seven children, plus the case of two men tried for murder more times than any other defendants in US history.

7 p.m. EDT — *Justice Denied: The Hurricane Carter Story* (rebroadcast of the series opening episode).

The full program schedule can be accessed at the following site: <http://www.aetv.com>



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