
Jury Misconduct

Carter v Rafferty 631 F Supp 533

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Transcript of Proceedings - Interview of John Adamo

Lewis M. Steel '63

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Transcript of Proceedings

INTERVIEW OF JOHN ADAMO

August 30, 197

1 INTERVIEWER: Now this is a jury interview with
2 John Adamo on August-30 in his penthouse suite.
3 Okay.

4 For the first section-of the interview--this is kind
5 of an informal thing by the way, and you don't-have to
6 answer any questions you don't want to and if any of the
7 questions are absolutely ridiculous, just say so.

8 For the first section of the interview I'd like to
9 hear about your initial reactions on being called for
10 Jury service and then your impressions of the case.
11 When you first received your subpoena for jury service
12 how did you feel about being called.

13 MR. ADAMO: I thought it might be interesting.
14 I never done it before. I didn't know at first that it
15 was for the Rueben Carter Trial.

16 INTERVIEWER: When was the first time you were aware
17 that this was the case you might be called for?

18 MR. ADAMO: Late in the day, the first day. I was
19 in the petit jury room and I noticed they hadn't called
20 my name at all and they had called a lot of people at
21 least twice. I went up to the clerk and said, "what's
22 up?" He said, "I'm told you're- supposed to go to a
23 special panel." I went up to the special panel
24 (inaudible). Apparently they had announced it when I
25 wasn't there.

1 INTERVIEWER: How did you feel when you found out
2 you might be serving on this particular case?

3 MR. ADAMO: Then I thought it might be really
4 interesting.

5 INTERVIEWER: Were you really pleased about it?
6 Or apprehensive?

7 MR. ADAMO: I wasn't apprehensive. I, you know,
8 I thought about it a lot and (inaudible). I think I
9 was sort of looking forward to it in a sense.

10 INTERVIEWER: Do you think the other people there
11 were apprehensive or -- in general, in general what
12 would you say the mood was in the Jury room?

13 MR. ADAMO: Among some of the younger people it
14 was, you know, somewhat the same as mine. With the older
15 people it was -- I didn't really get that impression.
16 No one seemed apprehensive but there were a few people
17 that were annoyed. No one was really apprehensive.

18 INTERVIEWER: And then they called you and you went
19 into the courtroom. Okay. Is that what happened -
20 you were in the Petit Jury room first?

21 Is that where you waited when you were waiting for
22 the voire dire?

23 MR. ADAMO: No. I wasn't supposed to be in the
24 petit jury room at all. I just went to the wrong place.
25 Later on -- we were all, we were all waiting, you know,

1 in the courtroom - they have the chambers, you know,
2 for the voire dire. There were a couple of us --

3 INTERVIEWER: When you were actually in the courtroom
4 did you have any special thoughts or feelings that this
5 was anything that they were doing?

6 MR. ADAMO: As far as whether I was going to
7 be called and whether it was going to be long?

8 INTERVIEWER: By the way, did you become friendly
9 with any of the other perspective jurors or --

10 MR. ADAMO: I became a little friendly with
11 (inaudible) because I brought my chessboard. I spent
12 a lot of time doing nothing I brought in my chessboard
13 and played chess with (inaudible.) There was a girl
14 I was talking to there for a while and then she was
15 unavailable.

16 THE INTERVIEWER: But the people were just passing
17 the time talking about things? They really weren't
18 talking about the case.

19 MR. ADAMO: I didn't pay too much attention.

20 THE INTERVIEWER: And the general mood was then--

21 MR. ADAMO: It certainly wasn't apprehensive
22 (inaudible)

23 THE INTERVIEWER: Before going in to be questioned
24 had you heard anything about -- (interruption)

25 Okay. Before going in to be questioned what had you

1 heard if anything about the questions that were being
2 asked or the general procedures that were being followed
3 in the chambers?

4 MR. ADAMO: The first thing, Obviously I knew they
5 were going to ask questions. I think someone had said
6 that they'd ask questions about if you related to these
7 people, something like that. Somewhere along the line
8 I was told that they'd ask you if you'd ever been
9 arrested and you were disqualified if you were. I had
10 been arrested so I just assumed that I was going to be
11 disqualified and I was a little disappointed at first
12 and I said well, what the hell, that's it, I was sort
13 of looking forward to it, it might be interesting. But
14 then a friend of mine who is a probation officer or a
15 parole officer or something said that they wouldn't
16 disqualify me for being arrested. So I didn't, you know,
17 I didn't think anymore about it. It's turned out that
18 wasn't the case. They didn't think my arrest was of
19 any significance, so --

20 THE INTERVIEWER: Did you think it was unusual
21 to be questioned individually out of the presence of the
22 other jurors? And why do you think the questioning
23 was conducted that way?

24 MR. ADAMO: I don't think it was unusual at all.
25 It just makes sense. They wanted to know just about your

1 individual, you-know, feelings and dispositions.
2 They didn't want, I'm sure they didn't want anyone to
3 feel there was some kind of an answer you were
4 supposed to give or see what kind of a reaction some
5 answer was going to give.

6 THE INTERVIEWER: In general what did you feel
7 about the questions that were being asked in chambers?
8 I mean did you think that they were effective in getting
9 at the kind of things they were trying to get at?

10 MR. ADAMO: Well they seemed, they seemed to me
11 to be effective and do the trick, but the way the jury
12 checked out - I don't think so.

13 THE INTERVIEWER: Do you think that -- this is a
14 question about res--well it's hard to ask questions in
15 that particular situation that the Judge allows like more
16 subtle than are you a racist, and some people have later
17 said that they think the questions in the vote dire
18 about attitudes towards blacks and Puerto Ricans
19 set up the framework for the prosecutors racial revenge
20 theory, and I just wonder what you think about that.
21 What kind of --

22 MR. ADAMO: Well I don't think I've -- you know,
23 I never examined the possibility enough to have an
24 opinion on that. I did think that it was in effective,
25 you know, to say to someone are you a racist or to raise

1 racial prejudice because there are very few people that
2 will say yes unless they're just trying to get out of
3 it, and that's the way to do it, you know. I would have
4 thought there was -- now that you bring it up I think
5 there might have been a little more subtle procedure
6 for determining whether a persons' feelings were like
7 that. But as far as it being a setup for the racial
8 revenge theory, you know, it doesn't occur to me that it
9 was, if that's what you're getting at.

10 THE INTERVIEWER: Well I guess I wasn't saying
11 it that way. You ask people, you kind of clue people
12 in that this is a case involving black people and white
13 people because (inaudible)

14 MR. ADAMO: Yeah.

15 THE INTERVIEWER: It's, you know, certain that
16 people's attitudes towards black people are being
17 examined in the worse dire. That may be, kind of
18 tease people into accepting the fact that there's
19 racial (inaudible)

20 MR. ADAMO: I think that's stretching it a little.
21 I think it's kind of, that we're -- you know, there's
22 no way that case wasn't going to, you know, to go
23 and get people that were completely unaware of such a
24 thing as racial strife (inaudible) possible and not --
25 I thought that, that he just had to, you know, make a

1 considerable effort in not getting people who were,
2 you know -- make an attempt at least to give it a fair
3 shot. I thought that that was the problem, not that
4 I didn't think the format itself was a problem.

5 THE INTERVIEWER: What, what impression did you form
6 about the nature of the case from the questions being
7 asked at the voire dire that you, impressions that you
8 didn't have before the voire dire.

9 MR. ADAMO: I don't think it gave me any new
10 impressions. I knew very little about the case except
11 for the, you know, skeletal outline, and after the
12 voire dire that's, that's all I knew.

13 THE INTERVIEWER: Do you think you were encouraged
14 in the voire dire to give your honest answers to
15 questions?

16 MR. ADAMO: Well I don't remember being discouraged
17 so -- I think, you know, it might depend on the
18 attitude you go in with. I certainly feel like I was
19 being discouraged. I wouldn't say like I felt I was
20 being encouraged. I never felt that, I never felt it
21 was anything but, you know, just a straight honest
22 question and a straight honest answer was expected.

23 THE INTERVIEWER: Do you remember your initial
24 impression of Rueben Carter?

25 MR. ADAMO: Yeah. I thought he was very scary looking

1 Very intense, very black, because to white people that
2 aren't used to seeing a very black black person it's
3 kind of scary , especially when he has no hair and he's
4 built like a gorilla and like walks very, you know,
5 very sort of, with a pugilist's gait.

6 THE INTERVIEWER: How about John Artis?

7 What was your initial impression of him?

8 MR. ADAMO: I gather --

9 This is, this is almost humorous, but possibly
10 because he was much lighter skinned. John-Artis looked
11 like a real pussy cat. But I just, I liked his face
12 immediately. I liked him. He just seemed like a nice
13 guy, like the kind of guy I might go out- with. In-fact
14 I had to restrain myself from smiling because I thought
15 it would be sort of in poor taste. When I came out of
16 the Jury room -- you were in the voire dire you said?

17 UNIDENTIFIED: Yes.

18 MR. ADAMO: When I came out of there apparently
19 something I said there must have, you know, he must have
20 liked or something because he gave me a real big smile
21 and I thought I might smile to him but I thought, I was
22 afraid that would not look like.

23 THE INTERVIEWER: Your initial impressions of the
24 Judge?

25 MR. ADAMO: My initial impression of the Judge, my

1 impression during and after the entire trial was nothing
2 but respect. I really heard a lot of shit about him
3 going into the trial and I thought it was all preposter-
4 ous. I thought he was extremely competent, fair,
5 intelligent, tolerant. I had nothing but respect for him

6 THE INTERVIEWER: How about Ronald Marmo?

7 MR. ADAMO: Well my initial impression, impressions
8 of Marmo were that like he was kind of the dull individual
9 he seemed. Like he knew what he was doing, he seemed
10 to be dedicated to his work and was extremely competent
11 Later on in the trial during the questioning of some
12 witnesses I started to think otherwise, and as far
13 as dedication to work I realized that he -- I'm sorry,
14 I shouldn't say realized - I felt that he as well as
15 several other people involved are much more concerned
16 with their own career and self image than, than
17 necessarily justice because there- were several times that
18 he and Humphreys and both defense attorneys were more
19 interested in making their side look good than finding
20 out the truth. I thought that in a trial like that--
21 maybe that's somewhat ridiculous and idealistic, but
22 it was - to me that's what he would be trying to find out,
23 not just trying to sling mud when you have nothing and
24 it was stupid anyway. They were really stupid. In
25 fact when it was done it was just, to me it was grossly

1 annoying when one of the attorneys did that. Like
2 they, like they wouldn't be able to completely discredit
3 some witnesses and they start doing all this assinine
4 you know, implying this and insinuating that. It
5 really was jst, to me it was getting to be really
6 offensive to me. But for a while I had a pretty high
7 opinion of Marmo, but when I saw him starting that and
8 continue that shit, I, my opinion was knocked down quite
9 a few pegs.

10 THE INTERVIEWER: Okay. Now I'd like to --

11 MR. ADAMO: I thought he was really wild. I didn't
12 like him at all. He was, he was the epitome of the
13 style that I dislike. He and Stiel sort of kind of
14 took on the opposing roles in the opening. Like he
15 started with like the fire and brimstone kind of approach.
16 I don't know if that's exactly a correct analogy,
17 but very emotionally oriented, you know, that he
18 shot the man five times and all this -- that emphasis
19 on the blood and gore and not what, you know, what the
20 truth of the matter is but on the actual crime. He was
21 emphasizing the heinousness of the crime instead of
22 emphasizing the points that were supposed to indicate
23 that the defendant did it and Stiel had to do the same
24 thing like, you know, when he went into the thing about
25 Artis being a choir boy I was literally going to -- I

1 thought I was going to fall through the chair.

2 But by the time the trial was over the attorney that

3 I have the most respect for still is Goldbaum (sic)

4 although I thought he could have been a lot better.

5 He's certainly the more intelligent and mature of the
6 defense attorneys.

7 THE INTERVIEWER: How about of DeSimone?

8 What were your initial impressions of him?

9 I think he was in chambers.

10 MR. ADAMO: Oh, he was in chambers?

11 I didn't know that.

12 I didn't, I didn't remember him -- I didn't have
13 any impression from there. I just had impressions from
14 on the witness stand.

15 THE INTERVIEWER: Okay. How about (inaudible)

16 MR. ADAMO: I thought that I sort of liked him.

17 He was someone that had been around, kind of a long
18 time, probably had his share of raw deals and was very
19 sick of it and kind of a guy who was dedicated to his
20 work. Some, you know, I don't doubt that he didn't
21 have personal ambitions but he seemed to be reasonably
22 dedicated to his work and as I listened to his testimony
23 I got the impression that if he believed someone was
24 guilty he would not be opposed to bending the law to
25 rectify what he would consider the faults of the system

1 in order to get a conviction.

2 THE INTERVIEWER: Okay. How about Myron Roback
3 (sic)

4 MR. ADAMO: I thought that I liked him. His
5 style seemed very rational. He didn't go into that
6 emotional stuff too much. He seemed pretty logical
7 himself. He, unlike Stiel, did not alienate the
8 Jury. At times I thought that he, that the defense
9 was just, they missed a couple of important points.
10 I kept a diary at the time. I haven't reread it lately
11 so I can't think of what they are specifically, but
12 I remember at times saying, "Jesus, why didn't they
13 bring up something like that?" So I thought they could
14 have had better defense lawyers, but in general I
15 thought Roback did a good job, both in what he did and
16 how he did it? You know, how one does it is a lot more
17 important than some attorneys realize - not so much to
18 me because I, you know, I could see the style and the
19 difference didn't matter. He was using us like a toy.
20 But part of the jurors, I mean (inaudible)

21 THE INTERVIEWER: It might have been a personal
22 affront to some of the --

23 MR. ADAMO: No, not so much personal affront.
24 The personal affront would be one thing, but I mean
25 they seemed to hold it against the defendant for the,

1 the stupidity or insolence of the attorney.

2 THE INTERVIEWER: How about Mr. (inaudible)

3 MR. ADAMO: My initial impression of him, he seemed
4 like a nice guy who had a lot of growing up to do.
5 By the time the trial was over I was ready to slap
6 him in the face because I think that he just about
7 singlehandedly convicted his defendant.

8 (Pause for rearrangement of furniture)

9 THE INTERVIEWER: So you think that there were a
10 lot of problems with who sat on the Jury?

11 MR. ADAMO: Yeah.

12 THE INTERVIEWER: On the Jury?

13 MR. ADAMO: Yeah. Really. He just antagonized
14 the Judge who everybody respected, and he just
15 antagonized the Judge way beyond the point where it
16 could do any good. He did things like he was constantly
17 making faces and noises and like hanging around toward
18 the side of the Jury Box and going, "hmm, hum," you know
19 like when questions would be asked. He annoyed me.
20 I'm sure that -- when I say sure, I'm sure that a lot of
21 people just -- it was just, it was a cross between
22 hilarious and an incredible experience to see how the
23 Jurors reacted against the defense for the conduct of the
24 attorney. I mean he had this just nasty self - indulgent
25 you know, his (inaudible) were just really out of place.

1 He really had a lot to do with one of those guys
2 that hang around bowling alleys

3 THE INTERVIEWER: Do you think that in general
4 that the people on the Jury reacted later, describing
5 your own feelings that there was almost universal
6 respect for the Judge and the other feelings towards
7 the others that you describe?

8 MR. ADAMO: No, I wouldn't say that all with the
9 attorneys. I would say everything was, you know
10 that was about universal and the Judge was universal.
11 But the feelings about (name) and Marmo were somewhat
12 mixed.

13 THE INTERVIEWER: Did you notice myself sitting
14 next to the man with white hair?

15 MR. ADAMO: I noticed you. I don't remember that
16 person. If I saw him --

17 THE INTERVIEWER: During the voire dire?

18 MR. ADAMO: I don't remember.

19 THE INTERVIEWER: How much do you feel you knew
20 about the case at the time you were called for selection?

21 MR. ADAMO: Almost nothing.

22 THE INTERVIEWER: You may have answered this.
23 In General did you want to serve on the Jury in this
24 case?

25 MR. ADAMO: Yeah, I would say so.

THE INTERVIEWER: Why? You have a basis for --

1 MR. ADAMO: Well there was two reasons. One,
2 I thought it would be interesting and, secondly, it was
3 just another matter of interest. It seemed to me that
4 it would be very interesting to get something, you know,
5 aside from just general inferences of how it worked, it
6 would be interesting to actually be there and know
7 exactly what really happened something that was obviously
8 going to be a major news event, you know, because going
9 about our everyday lives, especially me, you know,
10 I don't follow the newspapers or anything. It's, I
11 suppose I'm an ideal juror. I hadn't looked at anything
12 in the newspaper except for a comic strip in years, you
13 know, and I just thought it would be interesting to
14 actually know exactly what was going on, and, you know,
15 compare that to how that was, you know, seen on the
16 outside.

17 THE INTERVIEWER: Did you consider how to get off
18 the Jury at all?

19 MR. ADAMO: Jokingly. I mean that I knew that if I
20 didn't want to serve that there were several ways to do
21 it.

22 THE INTERVIEWER: But (inaudible) did you think that
23 you would be selected as a member of the Jury when you
24 went in there and you knew that the conviction was
25 going to be a problem?

1 MR. ADAMO: I didn't know that the conviction
2 was going to be a problem. I was extremely surprised
3 when they called me back. When they called me back in,
4 then it began to dawn on me that - hey, maybe they
5 weren't that scared off by me. In fact they didn't
6 ask me about that. They asked me about the one arrest
7 and then they asked more about the circumstances around
8 that that weren't really to do with the arrest. When I
9 was arrested -- I was arrested twice. I was arrested
10 when I was 19 and I was arrested when I was, I don't
11 know, about- 26, I guess. And I'd gotten in a fight
12 in Upstate New York and the guy shot at me with a shot-
13 gun. I remember that. But they, they called me back.
14 They were much more concerned about seeing whether that
15 was going to affect me than finding out about, you know,
16 that I had been in a fight and what it involved and what
17 I was charged with, et cetera.

18 THE INTERVIEWER: Why do you think you were chosen as
19 a Juror?

20 MR. ADAMO: I think probably I showed a degree of
21 judgment and intelligence and a willingness to be
22 objective about- it.

23 THE INTERVIEWER: So what did you do when you found
24 out you were chosen to be a juror?

25 MR. ADAMO: It was kind of severe. It was about the

1 same reaction I get when someone dies. I sort of smile.
2 I thought what the hell -- just, it doesn't really
3 sink in. I get this weird feeling. It's sort of like
4 all -- it's really a vaguely absurd humorous thing.
5 I just -- oh--you know, it doesn't, it doesn't really
6 sink in (interruption)

7 MR. ADAMO: Where was I?

8 THE INTERVIEWER: You were saying it feels weird,
9 kind of feels weird.

10 Mr. ADAMO: Yes. It just kind of felt, you know,
11 my initial reaction was just, you know, I thought -
12 boy, this is just really, you know, I kind of got used
13 to the idea. I kind of liked it for a couple of
14 reasons aside from the, aside from the actual reasons
15 involving the case, you know, I thought it would be
16 interesting to see how it works. I also -- it was kind
17 of nice. I just had really worked a lot on my law,
18 but I just felt it would be kind of like being interred
19 there for a while and I began to -- anyway I would be
20 there a while and it would be nice to maybe just relax.
21 I had had rather a hectic few months before that, so I
22 had just my personal feelings about it. I just also
23 broken up with the lady I'd been seeing for a year or so
24 and I just thought well I have some time to think about
25 it, which turned out to be true. So I was -- in general

1 once I got used to the idea I was fairly pleased with it,
2 you know, personal as well as judicial reasons.

3 THE INTERVIEWER: Do you think any of the jurors
4 may have presented themselves falsely in order to get
5 on the Jury - hidden a few things they may have known
6 -bout the case or -- do you think any of the jurors
7 had a very intense desire to be on the Jury?

8 MR. ADAMO: They didn't seem to. I thought that
9 some of the jurors must have hid the fact that they
10 were obviously racist. I mean it wasn't even close.
11 But as far as doing it for the purpose of getting on
12 I wouldn't say so because the people that I thought of
13 in that regard seemed rather annoyed to be on. One guy
14 said nothing. He might have been honest. He might
15 have been something like that, as you described, but he
16 never said anything that really indicated anything -
17 just something about his attitude which seemed to be in
18 there (inaudible)

19 THE INTERVIEWER: Which one was that?

20 MR. ADAMO: (inaudible) but it turned out to be
21 (inaudible)

22 THE INTERVIEWER: Did you know that the jurors
23 were originally going to be selected in Passaic County
24 but that the Judge moved the panel to Hudson County?

25 MR. ADAMO: Somewhere along the lines fairly early

1 I heard that.

2 THE INTERVIEWER: Do you remember why?
3 They were, why didn't did that?

4 MR. ADAMO: Yeah, (inaudible)

5 To see that he could get a fair trial and, you know--

6 THE INTERVIEWER: Do you think that the jury
7 selection in Hudson County as over Passaic County
8 helped or hurt or didn't make any difference?

9 MR. ADAMO: (inaudible). I certainly don't know
10 about that but I imagine it helped somewhat (inaudible).
11 Im from around there and (inaudible)

12 THE INTERVIEWER: The people that you knew from
13 Passaic County?

14 MR. ADAMO: (inaudible) told me that the people there,
15 which I don't know if that's true or not, (inaudible)

16 THE INTERVIEWER: Why do you think the trial was
17 moved back to Paterson?

18 MR. ADAMO: Just as a matter of convenience to the
19 witnesses. (inaudible). It was mentioned somewhere
20 along the line.

21 THE INTERVIEWER: How did, how did moving that
22 to Paterson affect the daily atmosphere of the trial as
23 far as you were concerned?

24 MR. ADAMO: (inaudible) I mean the bus ride every
25 morning made it a little longer or something like that.

1 I mean possibly being in Hudson and going from the hotel
2 to the HudsonCounty Courtroom, I might have seen
3 somebody I'd known or something like that. So it might
4 have been a little more secretive that way or more
5 secure, for purposes of getting (inaudible)
6 I don't know.

7 THE INTERVIEWER: Do you think it affected at all
8 the course of the trial?

9 MR. ADAMO: The course of the trial?

10 THE INTERVIEWER: The events of the trial?
11 The outcome of the trial? Do you think it made any
12 difference at all?

13 MR. ADAMO: I haven't considered ~~i~~ but I can't see
14 how. I mean if someone would volunteer information on
15 it I might think about it and say well yeah. But, you
16 know, it just never occurred to me that it could.

17 THE INTERVIEWER: So back to the question - do you
18 think the move back to Paterson helped or hurt the
19 defendant's chances of getting a fair trial?

20 MR. ADAMO: I don't think it made any difference.

21 THE INTERVIEWER: Yeah. Fro m what you observed
22 during the voire dire and the trial, would you say ~~that~~
23 the Judge was favorable to the defense, to the
24 prosecution or equally favorable to both?

25 MR. ADAMO: I think I mentioned that. It didn't

1 seem to me that the Judge was favoring either. He was
2 just trying to get it done.

3 THE INTERVIEWER: Would you say that the Jury
4 that was chosen was a fair one and able to listen
5 impartially?

6 MR. ADAMO: Not even close.

7 THE INTERVIEWER: Okay. Now I'm going to ask you to
8 explain.

9 MR. ADAMO: The trial was six weeks long. People
10 were getting up at 6 in the morning, sometimes being
11 in the courtroom until 6 or 7 at night. There were --
12 well I would say probably more than half of the jurors
13 after the trial did not even know the other jurors full
14 name. I mean that's straight business. There were,
15 they said, "what's his last name?" They couldn't remember
16 the other jurors last names. The older people
17 just didn't have the concentration.

18 Oh, now there's something that could be affected by
19 the move to Paterson. The courtroom was oppressively
20 hot. There was, there was no circulation and the lights
21 were brutal. They made everyone sleepy. So in that way
22 just the physical, you know, courtroom could have affected
23 the trial. But I thought that most of the people
24 were simply too old to absorb and, you know, judge that
25 much material for that long a period of time. I mean

1 some of the things that I heard. Like some -- I talked
2 to some jurors events mixed, events from before the
3 original trial mixed up with events after the recall
4 hearing, the --

5 THE INTERVIEWER: The recantation hearing.

6 MR. ADAMO: --the recantation hearing. It was
7 just totally laughable. And I also thought that it wasn't
8 sufficiently screened for a racial attitude. I thought
9 that a case that long and that complex needed an extremely
10 exceptional jury. In fact one could not be picked with
11 any kind of practicality. I thought that there were
12 probably -- they had a jury panel of a thousand and if
13 that's the jury they ~~ot~~ out of the thousand - 2 500 person
14 jury panels - I think they probably needed a jury panel
15 of a hundred thousand. Either that or just pick the
16 Jury from a somewhat more select circle instead of just
17 people -- that might sound somewhat elitist but
18 I think it was just true.

19 THE INTERVIEWER: How many of the Jurors do you think
20 really had difficulty following what was happening in the
21 courtroom, you know, really had difficulty in
22 observing and were able to look at it and understand--

23 MR. ADAMO: At least half. At least half.
24 They just -- you know, in fact, I mean, I think it was
25 to the point where I would say that many, kind of almost

1 didn't really try. They just, I think they just
2 tried to kind of follow a general feeling or a sort of
3 impression, because as far as trying to follow the
4 facts - not too many people did it. I had trouble,
5 I was going -- I had -- I'm young. I have a fairly
6 active mind. I play chess, you know, and I remember
7 things all the time, you know, and I was having a hard
8 time and I was writing down everything I could remember
9 as soon as I went home at night because that's, you
10 weren't allowed to write down anything in the courtroom
11 or in the jury room. So as soon as I got home I wrote
12 down everything I could remember and compared it as I
13 went along and tried to form some kind of picture.
14 I'm the only one that wrote anything down as far as I
15 know except for maybe Art Sieber (sic). He spent a lot
16 of time alone. He might have been writing something down.
17 But it was just so easy to get a general impression that
18 was not backed up by the actual facts. I don't remember
19 what the question was so I don't know if I answered
20 it.

21 THE INTERVIEWER: Probably. You think that the
22 Jury that was picked was able to listen impartially to the
23 evidence and then I asked you that thing about the --

24 MR. ADAMO: It wasn't even close.

25 THE INTERVIEWER: All right. You say their ability

1 to understand and --

2 MR. ADAMO: Yeah.

3 THE INTERVIEWER: (inaudible)

4 MR. ADAMO: Well it wasn't until -- in fact it
5 wasn't until the last night -- oh, there was -- first
6 of all there were people who were talking in the first
7 week that they made up their mind, they were just
8 unabashedly in the Jury room saying they had their
9 minds made up in the first week. I mean in spite of
10 the Judge's admonition everyday, three times a day
11 but --

12 THE INTERVIEWER: Like how many do you think were
13 saying that in general? A substantial number?

14 MR. ADAMO: There was three that just made no bones
15 about it. And it wasn't until the last day or the night
16 before we had to go back in the court, you know, to
17 pick the jury that I reread all my notes and decided
18 pretty much what I thought and then I thought, felt certain
19 ways. But until I reviewed everything I hadn't really
20 decided on how I was going to vote.

21 THE INTERVIEWER: Do you think that the summations
22 were adequate and sort of put together the pieces for the
23 Jury?

24 MR. ADAMO: No, I really don't remember much about
25 them, other than Ives. I remember that Ives said something

1 - Burrell Ives. He said, he said something that was
2 just directed at me. This is not a chess situation
3 like a chess piece (inaudible) and the other things
4 (inaudible) cases of creative memory (inaudible)
5 But I really don't remember the summations.

6 THE INTERVIEWER: The people that were talking
7 in the first week that had their minds made up because
8 they were saying that already, do you think that they
9 made it up even before the trial began?

10 MR. ADAMO: Yeah. I think there were certainly
11 indications by at least one of them the first day that
12 it was -- I knew -- like the first day I said this
13 guy is really an asshole and this guy is going to be a
14 problem. He's in Disneyland somewhere now.
15 That was his idea. He just saw everything exactly how
16 he felt like seeing it. In fact (inaudible) the
17 Judge asked him if there was any reason about why you
18 think (inaudible) and the guy told him. He said,
19 "Yeah, well I was in --." He told him the story about his
20 brother-in-law -- I think it was his brother in law--
21 being beat up, tortured and threatened to be killed by
22 like 3 or 5 black guys down in Jersey City and he only
23 was saved by some real freak of fate and, and I think
24 the Judge asked him in court about would it affect his
25 opinion. He said yes. And then the Judge asked him some

1 other questions and he found out he was having
2 some trouble with his unemployment and the Judge said,
3 "well, you know, the trouble is being paid."
4 He just --

5 "We'll let you go." So then he was going to send
6 him out without, without the defense having to use
7 one of their --

8 THE INTERVIEWER: Peremptory?

9 Peremptory challenges?

10 MR. ADAMO: Peremptory challenges, and Stiel
11 said, "No, keep him on. We can work out something.
12 about his unemployment, I'm sure." I don't know what,
13 what the hell was in his mind - if he thought that was
14 going to be some kind of reverse psychology, but this
15 guy told me about this and he was incensed. He was
16 incensed from the -- first of all he just had a lot of
17 prejudice against blacks and secondly he was really pissed
18 at Stiel for making him come on because he wasn't getting
19 paid. And he was -- the Court (inaudible)

20 THE INTERVIEWER: Well I just want to go back once
21 more to the people you were talking to. They were
22 talking (inaudible) and wondering if that came out of
23 so far what they had heard from the prosecution of the
24 trial or whether that--

25 MR. ADAMO: Well I couldn't really say anything

1 because I didn't, you know, talk to those people about
2 their feelings. But I mean it just seemed like the
3 opening remarks were not, as far as --

4 THE INTERVIEWER: These, these were to the Jury?
5 THE RECORDING ENDS AT THIS POINT AND A NEW TAPE IS
6 INSTALLED IN THE RECORDING MACHINE.

7 THE INTERVIEWER: Okay. Let's talk about sequestr-
8 ation. Why do you think the Jurors were sequestered
9 at this particular trial and was it necessary?

10 MR. ADAMO: Well I'm not sure -- the way they run
11 sequestration, I'm not sure if tht's--well let me put
12 it this way: if they had the right kind of Jury to
13 begin with, it wouldn't be necessary to have the people
14 cut off from their crazy relative although it might be a
15 good idea to have them not out on the street and not,
16 you know, in touch with the news media or possible
17 barbs or possibly threats or anything like that.
18 But I thought with the right kind of jury, I thought that
19 that aspect of sequestration would have proved not
20 necessary but with the actual jury it turned out that it
21 was necessary they made remarks though that it was necessary

22 THE INTERVIEWER: What kind of remarks?

23 MR. ADAMO: Some of them did the weirdest. some
24 moron -- well they are not the moron, the wife is the
25 moron-but someone's wife after they heard he was going to

1 be on the Jury told him about hearing that Carter failed
2 a lie detector test for this. I mean not only was this
3 off the wall to mention anything about it but it was
4 grossly misinformed. I mean she didn't talk about
5 both lie detector tests which I found out about later
6 when we heard, but she didn't talk about conflicting
7 lie detector tests or anything like that. She just
8 said that she heard he failed a lie detector test,
9 or if anyone like you didn't come out of voire dire
10 because we didn't hear anything about it - his wife
11 comes in and says, "I hear you're going to be on the
12 Jury."

13 THE INTERVIEWER: And he felt, he felt it was
14 important to him during the trial you think?

15 MR. ADAMO: Yeah. I think she might have quoted
16 that to me too but I know that certainly kicked her down
17 the steps for me.

18 THE INTERVIEWER: Anytime I ask you these people's
19 names, are you going to tell me?

20 MR. ADAMO: No.

21 THE INTERVIEWER: Okay.

22 Then I won't ask you. I just thought I'd ask.

23 Who do you think was the main force behind the
24 sequestration - the Judge or the defense or the prosecution?

25 Or did the Jurors have the idea it was one side

1 or it was the Judge who had you sequestered?

2 THE WITNESS: Well I thought it was generally the
3 idea of the system. I mean I just took it that it was
4 part of the system, that's how it was done. However,
5 I did think that to some extent a small case, a small
6 --in some cases a small extent and in other cases
7 not too small an extent at all that the prosecution
8 had an influence on the jurors because of sequestration.
9 It's simply sort of a camaraderie with the law officers.
10 I think there should have been some more--

11 THE INTERVIEWER: They could have been less --

12 MR. ADAMO: Yeah, they said that there should have
13 been some kind of, there should have been some sort of an
14 impartial kind of sequestration by someone who had nothing
15 to do with the law. Most of them, I think they are called
16 bailiffs, were absolutely meticulously conscientious
17 but later on when the City started paying out too much
18 overtime to the people that were staying there fulltime,
19 they started bringing in some other people that were
20 working with the sequestered Jury that were not that
21 conscientious at all, I mean people that made baseless
22 remarks and remarks that would indicate, you know, things
23 that these people were guilty. The original three people
24 that were (obliterated)

25 THE INTERVIEWER: So that the people (inaudible)

1 AT THIS POINT THERE IS MUCH EXTRANEIOUS NOISE INTRODUCED
2 ONTO THE RECORDING, EFFECTIVELY OBLITERATING MUCH OF THE
3 RECORDED INTERVIEW.

4 MR. ADAMO: Well the fellow they put in charge
5 did stay with us.

6 THE INTERVIEWER: Did they make any comments to the
7 Jurors?

8 MR. ADAMO: Later I think they did, which were
9 grounds for (obliterated). For a lot of reasons I
10 never mentioned (inaudible) I thought were not happening
11 (inaudible) retrospect I feel that I should have done
12 this, just sent a note to the Judge and told him that
13 I'd like to talk to him as to those two fellows
14 One fellow especially (indiscernible)

15 THE INTERVIEWER: (obliterated)

16 MR. ADAMO: One guy, one guy was kind of like
17 joking, making racist remarks with one of the jurors
18 who was (obliterated). And the other guy just said
19 something like, "Oh, this (indiscernible) will get away
20 with it," or something like that. He said it that-
21 (obliterated) and many people just shared this.

22 THE INTERVIEWER: Did you resent the sequestration
23 by the end?

24 MR. ADAMO: A lot of people resented it in the
25 first place. (obliterated) It wasn't so much the

1 sequestration but that they thought the whole thing was
2 senseless because they found him guilty anyway. But I
3 don't think it was a waste of time but I don't think
4 it made them think (obliterated). It was hard on a lot
5 of people (obliterated)

6 THE NEXT MINUTE AND TEN SECONDS ARE OBLITERATED
7 BY VARIABLE SPEEDS OF THE RECORDING TAPE.

8 THE INTERVIEWER: At the court did you discuss the
9 case among yourselves even though you were told not to?

10 MR. ADAMO: I would say there were a certain amount
11 of violations of that, but most of them in the beginning-
12 there was very general talk (obliterated). Then eventually
13 by the 5th or 6th week it was just not possible they did
14 start to talk. Some people did it very admirably.
15 But I was not one of them. (obliterated) But in general
16 I thought the Jury was pretty good.

17 THE NEXT MINUTE AND TWELVE SECONDS IS OBLITERATED
18 BY VARIABLE SPEEDS OF THE RECORDING TAPE.

19 MR. ADAMO: --and I don't think the fact that Artis
20 testified he never shot anybody, you know, swayed me
21 or anybody else. Obviously the prosecution tried hard
22 about proving the case beyond a reasonable doubt.
23 (inaudible) To me that was the thing. But I was fairly
24 suspicious at the end because of a few things.
25 So that I think that might have had something to do with

1 this. It seemed to me that was the thing. Like I was
2 fairly suspicious at the end because I thought
3 (inaudible.) I thought there, I thought Carter and
4 Artis's alibis were bullshit. I thought they were
5 laying and I thought they had good reason to lie to
6 the Jury. I thought that -- another irrelevant thing,
7 Whether or not they were lying about their alibis
8 was irrelevant because they were obviously going to be
9 framed. I think that Carter and Artis were definitely
10 framed, with no question in my mind. But I'm not sure
11 that they are innocent. I'd say -- I know, I know they
12 were framed but I'm not, I wouldn't say that they weren't
13 guilty. I would say that they would be more guilty at
14 this point.

15 INTERVIEWER: Okay. So for you the reasonable
16 doubt (inaudible).

17 MR. ADAMO: I guess. Yeah.

18 THE INTERVIEWER: Were there jurors who by the time
19 the prosecution's case had rested were still in a frame of
20 mind to consider the defense?

21 MR. ADAMO: Yeah. I think so. But I'll tell you
22 something - by the time the prosecution's case was
23 finished I almost wasn't in a frame of mind to consider
24 the prosecution. I only started leaning back to the
25 possibility of their being guilty after the defense's case.

1 I don't know if that means anything to you, but
2 after the prosecution's case was over I said I don't
3 know how they ever expected to convict anybody on this
4 shit. And then when the defense came up, really I
5 think that they would have been a lot better if they
6 would have done their summations after the prosecution.
7 They would have done better at the trial.

8 Okay. I'll put it that way -- that's all they had
9 to do as far as I was concerned. The prosecution's
10 case was so bad that all they had to do was sit on their
11 tails. Now you can take that for what it's worth
12 (obliterated), but the thing about bringing all these
13 people or having a lot of these alibis were just like
14 (indiscernible) It was all over and I think that that
15 and a few other things were pretty bad.

16 INTERVIEWER: So that could you rate these from what
17 you thought the other people might have though?

18 MR. ADAMO: I really can't. They were found guilty.

19 INTERVIEWER: Now looking particularly at the
20 prosecution's racial revenge murder, how persuasive was
21 that to you?

22 MR. ADAMO: Well I'll tell you one thing about it.
23 I didn't think it was off the wall or out of the question.
24 Like what they are trying to do on the appeal thing,
25 I thought it was a reasonable possibility. (inaudible)

1 You know, I thought that -- what you had to do was kind
2 of build a case against -- somehow somewhere along the
3 line kind of a very subliminal case got built against
4 Carter's character. I don't know how. Maybe it was
5 from what I heard, maybe it was, you know, the thing
6 with the Carolin Kelly incident and this and that,
7 but somewhere along the line it was pretty -- all you
8 had to do was believe that Carter was a madman and then
9 that didn't seem that far fetched. I mean since there
10 was no other motive found, it didn't seem that off the
11 wall. I mean there was -- I would think that if they
12 hadn't found that motive -- well I don't know what to think
13 I don't know what this Jury felt. But if they hadn't found
14 that by the Jury I probably wouldn't have -- I wouldn't
15 have considered it at all. Just why? They didn't give
16 the slightest reason why they found it. But I thought
17 --I didn't think that that was an unreasonable motive
18 I didn't think it was inflammatory. I thought it was,
19 you know -- well inflammatory is quite a word. Even if
20 it inflammatory, if that's the real motive - I didn't
21 think that it was off the wall.

22 THE INTERVIEWER: We were talking about the racial
23 revenge thing. To get back to that, you say that that was
24 not an unusual motive?
25

1 MR. ADAMO: No.

2 THE INTERVIEWER: How do you think that the other
3 Jurors responded to this motive? Do you think that
4 without the theory they would have been convicted?

5 MR. ADAMO: Yes. I think that most of the Jury
6 bought it. I think that if they didn't have that
7 theory that Jury probably would have convicted them anyway
8 and if it wasn't for that racial revenge theory I would
9 have been, I would, I would, you know, I would have
10 never entertained thoughts that they were guilty. And I
11 think that without that --

12 INTERVIEWER: Without that theory --

13 (Pause) (Interruption in recording)

14 INTERVIEWER: We're just speaking about the racial
15 revenge theory. How persuasive do you think that the
16 defense's frameup theory was?

17 (Pause for adjusting recording machine)

18 INTERVIEWER: All right. Go ahead. How persuasive
19 was the defense's frame-up theory?

20 MR. ADAMO: Very persuasive. I can't remember a
21 whole lot of the specifics right now, but I had written
22 everything down and it was, it was just not everything
23 that they tried to say was part of the frame-up. You know,
24 I wasn't convinced about all of it but I thought there
25 was definitely some of a frameup and the fact that you

1 could see the police were doing that made all the
2 evidence suspect because, you know, if they would do it
3 with some you can't really tell which was which.

4 THE INTERVIEWER: How persuasive did you think it
5 was to the others?

6 MR. ADAMO: I think that a lot of the people have
7 the idea that it was, you know, at least-partially
8 over zealous police work, but putting it -- I'm trying
9 to -- that, you know, I imagine there were some that
10 were just, you know, little pollyanic about it - they
11 thought that everything the police said was true.

12 Oh - one guy, the same guy who, the same guy who wanted
13 to be off and stiel put on, the same guy whose relatives
14 were beat up and tortured and all that, the same guy
15 said something like -- I made some kind of a remark
16 or crack about boy, what a crock of shit that was or
17 something about the police, he said, "you don't think
18 that the police would lie in acase as important as this,
19 as important as this, do you?" I said no. He said,
20 "you don't think the police would lie just because they
21 are in front of a jury." (inaudible)

22 THE INTERVIEWER: What was that name? What was the
23 name of that juror?

24 MR. ADAMO: I don't recall it offhand.

25 THE INTERVIEWER: Okay. Now this is sort of the

1 same question but how did you and the others in general
2 respond to the defense's statement that the Paterson
3 Police were involved in this defense's theory of
4 conspiracy to get Carter and Artis? We've done part
5 of the same thing, but again the question is: were
6 any of the jurors kind of pollyannic in that way, in
7 the feeling that police don't do things wrong that they
8 couldn't be involved in this type of a conspiracy,
9 that they don't cover up?

10 MR. ADAMO: I don't think as completely as that one
11 fellow was, but on occasion there was a little bit of
12 that going on. I mean there had to be some because there
13 was some stuff that was just such acrock of shit, you
14 know, and I heard people say things like they thought
15 he was (inaudible) things like that. I don't think that,
16 you know, everyone was quite that bad. I think that
17 people considered that, that there might have been a little
18 overzealousness by the Police Department, but --

19 THE INTERVIEWER: You know, it's funny - before the
20 trial we had been warned against young people on the
21 Jury because young people were particular naive, they were
22 told, and particularly had a hard time in believing that
23 the police would do, get involved in cover-up stuff and
24 the Jury did, the Jury did divide along these lines
25 in believing that the police would be involved in this?

1 Was there a point in the trial where you began
2 to feel fairly certain - I mean not as to their, the
3 defendants guilt or innocence, but the way you would vote?

4 MR. ADAMO: There were times when I was feeling
5 certain, but not ultimately. Like I said, after the
6 prosecution presented their case, I said, "well I
7 obviously have to vote for acquittal. They have no
8 case." And when the defense came up with their case,
9 I thought, "oh, God, that really looks bad." I thought
10 it really looked bad, that I might have to consider they
11 are guilty and then I looked back over all my letters
12 that I kept at the trial and pieced the whole story
13 together and so to me it was like, you know, the night
14 before, the night before it was all over. It was after
15 all the testimony was in. I read back my diary and said,
16 "Oh, it's just, you know, theres too many discrepancies
17 here and too little real evidence and--

18 THE INTERVIEWER: And do you think particularly
19 in the defense's case that this whole business about the
20 alibi witnesses and the whole business about where the
21 fellow was or was not believeable? Did you go through
22 that, some things that made you feel that there might be
23 something more to it than you felt after the prosecution?

24 MR. ADAMO: I'm not sure I understand your question.

25 The fact that the alibi witnesses didn't hold up too

1 well did not change my feeling about the case. The
2 thing that did change my feeling toward leaning back
3 toward guilty was discrepancies in some of the, some of
4 the discrepancies read by Artis and Carter some of the
5 things, that Artis had a hard time in explaining and --
6 I don't know, I felt that -- I didn't think they should
7 have gone -- I really do think that the alibi was just,
8 you know, completely made up and I don't think they
9 should have done that. I think they should have --
10 if you were out drinking I can't account exactly for my
11 time but no, I didn't -- the main thing to me was
12 --the main thing that made me feel at first was some of
13 the discrepancies in the statement, some of (inaudible)

14 THE INTERVIEWER: Okay. And in general in the others,
15 could you sense the way they were going to vote?
16 I'm talking about the three -- the people who were
17 trying to listen to this stuff and --

18 MR. ADAMO: I couldn't really say about- all of them
19 I know -- I thought that there was a few others besides
20 the three, you know, or probably going to vote
21 guilty pretty early on and there were some people that
22 surprised me, that I felt sure were not going to vote
23 guilty but I wouldn't say that there was any particular
24 time when things started to gel.

25 THE INTERVIEWER: That's what I was asking about.

1 How did you feel when Carter decided not to take the
2 stand?

3 You expected him to?

4 MR. ADAMO: Until they said something about it, I
5 just kind of assumed he would.

6 THE INTERVIEWER: And why do you think he didn't
7 take the stand?

8 MR. ADAMO: I don't know. Probably because he
9 wouldn't do well with the questions - he would be
10 easy to trip up or, you know, to annoy or --
11 it's also possible that his testimony, some of the
12 stuff they would cross examine him on would be damaging
13 to him.

14 THE INTERVIEWER: And how did the --

15 MR. ADAMO: Oh, oh, oh, yeah. Here is something.
16 It's in regards to timing, you know, like you say about
17 a certain point. Something that affected me a lot - I don't
18 know if it affected the other people, but I was really
19 turned off by the defense -- this is one of the
20 things I thought nobody on the Jury (inaudible).
21 You're talking about Anny Ruth Hagins, Anny Ruth
22 Hagins, Anny Ruth Hagin s. And then she's never called.
23 NOW we heard that conversation between him and
24 Marmo about saying, you know, well if she's in North
25 Carolina why didn't you call her if you wanted to,

1 something like this, and here, here he is talking
2 about all this Anny Ruth Hagins - all that, you know,
3 making this big mystery about her and what she said
4 or what she didn't say, and then they didn't even call
5 her. I mean it was really -- it didn't look good at all,
6 (inaudible)

7 THE INTERVIEWER: Okay. Other people and the
8 fact that Carter didn't take the stand - do you think
9 that with anybody it was the turning point or a real
10 feeling because he didn't take the stand?

11 MR. ADAMO: I don't know. (inaudible) I don't know
12 if that was a convincing thing or a turning point.
13 to anyone who was neutral on the subject. I don't know.
14 Like I said, I just don't know. I'm not saying that
15 it wouldn't be or that it wasn't. I'm just saying I don't
16 know. I didn't see evidence of it.

17 THE INTERVIEWER: What did you think about John's
18 testimony? Did you think he was being honest and what
19 kind of an impression did he leave on you?

20 MR. ADAMO: I thought that he didn't come through
21 as quite credible. I mean there were points where he
22 sounded pretty weak. I personally think he came off
23 pretty well, but again as I say - I think the defense
24 would have done better to present (inaudible)

25 THE INTERVIEWER: I'm sure you didn't?

1 MR. ADAMO: Huh?

2 THE INTERVIEWER: They didn't, they left you-
3 they didn't get into (inaudible)

4 Do you know how the other jurors reacted to Artis'
5 testimony? Was there --

6 MR. ADAMO: I know, I know one other juror
7 who I did not think was a racist and who I did think
8 was pretty convinced of their guilt. That's the one
9 whose wife talked about the whatever, you know, about
10 the polygraph test. One other fellow said that he
11 thought that Artis was very sly and he was lying. A
12 very streetwise fellow too. Like I wouldn't, I certainly
13 wouldn't change my opinion on account of him, but he
14 said, something along the way that I really thought were
15 good considerations. The only one who I thought offered
16 really any intelligent discussion or anything like that.

17 INTERVIEWER: And otherwise you don't, you don't
18 know how the people reacted to that. What do you think
19 were the one or two most important factors to the Jury
20 in coming to their decision?

21 MR. ADAMO: I don't know if I can say one or two
22 I think there was just like a general thing. There was
23 just -- like all the evidence, quotation marks, presented
24 --like I said, the people were not capable, most of the
25 people were not capable of analyzing it. I mean things

1 were kind of like, kind of like numbed them on the
2 weight of the evidence in say as in volume, because it's
3 not quality now, and that was about it. Actually, you
4 know, I heard people say that they actually felt that
5 Bello was telling the truth, (inaudible), (inaudible)
6 changes his testimony.

7 THE RECORDING TAPE ENDS AT THIS POINT AND A NEW TAPE
8 IS INSTALLED IN THE RECORDING MACHINE.

9
10 C E R T I F I C A T I O N

11 I, Albert Adler, assigned Transcriber, approved by the
12 Administrative Offices of the Court hereby certify that the
13 foregoing Transcript of proceedings in the interview of
14 Mr. Adamo is true and accurate to the best of my knowledge
15 and ability.

16 Dated: 3/19/79

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