
Articles and Writings re: Carter

Carter v Rafferty 631 F Supp 533

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Dylan's champ Hurricane' freed

The Weekend Australian

Dylan's champ 'Hurricane' freed

NEWARK, New Jersey: A federal judge has ordered the US State of New Jersey to free Rubin "Hurricane" Carter, the former middle-weight boxer whose 19-year battle to clear himself of murder charges was made famous in a song by Bob Dylan.

The judge ruled Carter, 48, who is black and has been imprisoned for all but six months since his 1966 arrest, was the victim of racial prejudice in his original 1967 trial and 1976 retrial for a triple-murder in a tavern in Paterson, New Jersey.

His case drew international attention in 1975 when Dylan wrote and recorded the eight-minute song, Hurricane, in which he claimed the former boxer had been framed and "falsely tried".

The song says: "One time he could have been the champion of the world."

It helped build momentum for Carter's request for a second trial, granted by the New Jersey Supreme Court in 1976.

Dylan was in California yesterday but not available for comment on the ruling.

District Judge H. Lee Sarokin set aside Carter's conviction and life sentence and said the boxer might have been found innocent if prosecutors had not used prejudicial evidence against him.

The judge said he hoped "that constitutional considerations, as well as justice and compassion, will prevail" and that prosecutors would not bring Carter to trial again.

One of Carter's lawyers, Mr Edward Graves, talked to the former middle-weight title contender at Rahway State Prison after the ruling.

"He is elated, of course," he said of Carter, who hoped to

be freed after a bond hearing this morning Australia time.

"He wants out of there now. He has never given up."

The first assistant prosecutor of Passaic County, Mr John Goceljak, said his office would not say until the bond hearing whether it would drop the case, retry Carter or appeal against Judge Sarokin's ruling.

"We just received the judge's opinion and we're reviewing it," he said.

Carter fought for the world middle-weight championship in December 1964 at Philadelphia's Convention Hall but lost the bout to Joey Giardello.

In 1963, Carter knocked out then welter-weight champion Emile Griffith in the first round of a non-title bout.

His six-year professional career ended with his May 26 1967 conviction for the murder

of James Oliver, 52, a part-owner of the bar, and two customers, Fred Nauyoks, 60, and Hazel Tanis, 51.

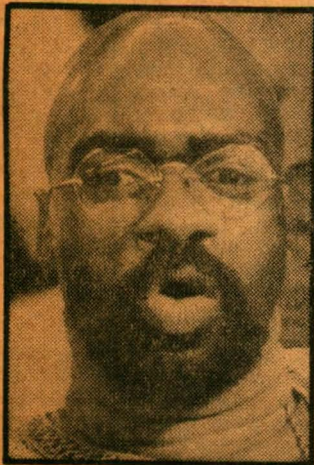
Prosecutors had argued in the two trials that the early morning slaying of the three whites at the Lafayette Bar and Grill on June 17 1966 was carried out in revenge for the slaying of a black bartender by a white man the previous evening.

Judge Sarokin said there was no direct evidence to support the racial motive and said the original and retrial convictions of Carter and co-defendant John Artis were based on "an appeal to racism rather than reason".

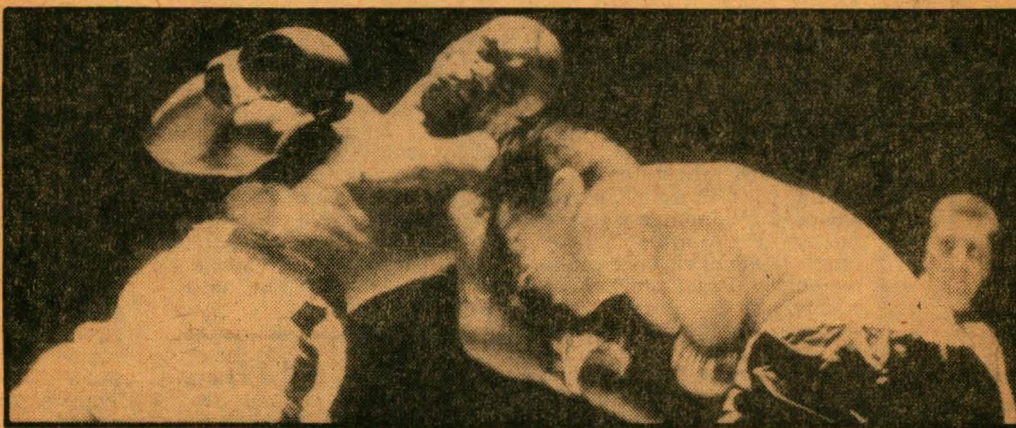
The defence was denied access to lie detector tests of witnesses that supported both men's claims of innocence.

Carter has always maintained he was innocent.

United Press International



'Hurricane' Carter



The 'Hurricane' blowing up a storm . . . Carter tackles middle-weight champion of the world Joey Giardello in 1964 in Philadelphia but he lost the fight