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'Other Guy' in Hurricane Carter Case: Troubles are Not Over (New York Times)

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'Other Guy' in Hurricane Carter Case: Troubles Are Not Over

By SELWYN RAAB

For 21 years, John Artis says, he has been the neglected "other guy" in the Rubin (Hurricane) Carter murder case.

On Friday, New Jersey prosecutors moved to dismiss triple-murder charges against Mr. Artis and Mr. Carter, but Mr. Artis says the stormy case has left him with an undesirable legacy — another prison sentence.

He began serving a six-year term last August after pleading guilty in Passaic County to charges of distributing \$50 worth of cocaine and receiving a stolen handgun. Mr. Artis, in court hearings and interviews, said he had been singled out for harsh treatment by Passaic County law-enforcement officials in retaliation for getting the courts to overturn the murder convictions.

Mr. Artis and Mr. Carter, who are black, were convicted twice by juries of fatally shooting three white people in the Lafayette Bar and Grill in Paterson

Artis, cleared in 3 murders, is in prison for drugs.

in 1966. Both convictions were reversed on the ground that prosecutors had withheld evidence favorable to the defense and because of possible racial bias against Mr. Carter and Mr. Artis.

Mr. Carter, a former boxer who was a contender for the middleweight championship, became a civil-rights cause célèbre in the mid-1970's when the case drew national attention. Mr. Carter, who is 50 years old, served 19 years of a life sentence for the murder convictions. He was released without bail in 1985 after the second conviction was overturned and he is living in seclusion.

"I'm glad Rubin is out," Mr. Artis, 41, said in a telephone interview from the Northern State Prison in Newark. "I know how glorious it is to be away from the confines of concrete walls and guards."

After serving 15 years of a life term on the murder charges, Mr. Artis was paroled in 1981, before the second conviction was voided.

Mr. Artis said he began using cocaine in 1985 in a desperate attempt to halt the spread of Buerger's disease, an incurable circulatory illness that has afflicted him for a decade.

The genetic disease has led to the amputation of parts of five toes and two fingers, he said, and three more fingers are endangered.

Mr. Artis asserted in court hearings last year that he had experimented with cocaine after reading in a medical journal that it had helped sufferers of some circulatory diseases.

"I'm under terrific strain, knowing what this disease is doing to me," he

said. "I was willing to try anything, but out of my ignorance I didn't know you had to use pure cocaine, not the adulterated stuff that is sold on the streets."

Mr. Artis was indicted with 12 other defendants on drug conspiracy charges. He denied in court that he had sold drugs. As a favor to a woman who was supplying him with cocaine, he said, he had delivered a small amount once to one of her customers.

'Didn't Know It Was Stolen'

When Mr. Artis was arrested in 1986, the police found a loaded .38-caliber gun in his apartment in Paterson. Without his knowledge, Mr. Artis asserted, the gun had been left in the trunk of his car while he was in Virginia in 1985.

"I should have thrown the gun away," Mr. Artis said. "Call it idiotic. I wanted to return it to Virginia because it was someone else's property and I didn't know it was stolen."

At a hearing last Oct. 9 in Superior Court in Passaic County, an assistant Passaic County prosecutor, Donald C. Campolo, said Mr. Artis was "at the top tier" of the narcotics conspiracy and had refused to cooperate with the authorities.

In sentencing Mr. Artis, Judge Frank M. Donato of State Superior Court said that Mr. Artis had not led a "law-abiding life" and that the murder convictions had been "vacated on technicalities by a Federal judge."

Pleading for probation, the defense lawyers, Lewis M. Steel and Robert L. Utsey, described Mr. Artis as "a user," not a supplier, of drugs.

The lawyers said Judge Donato had improperly cited the murder convictions as a factor for imposing a prison sentence. Mr. Utsey said the Passaic County authorities had sought a "vindictive" sentence chiefly because of Mr. Artis's wrongful implication in the murders.

Mr. Utsey, in an interview, said the only other defendant in the drug case to be given a prison sentence of six years was the admitted leader of the ring, who had three previous convictions.

The Artis sentence is under appeal.

Mr. Artis, who was born in Portsmouth, Va., moved to the Paterson area when he was 8. Lanky and 6 feet tall, he was on the track team at Central High School in Paterson. In 1965, he



The New York Times

John Artis

turned down an athletic scholarship to Adams State College in Colorado because his mother was fatally ill.

A month before Mr. Artis was to enter the Army and one day before his 20th birthday, he was arrested in 1966 with Mr. Carter for the fatal shootings. Both were convicted in 1967 and sentenced to life terms.

Married a Social Worker

The first conviction was reversed in 1976, but both men were found guilty again later that year. While free on bail, Mr. Artis met Dorothy Williams, a social worker, and they were married in 1980.

After being paroled in 1981, Mr. Artis said he had difficulty finding steady work because of his illness and the notoriety of the Carter-Artis case.

Unlike Mr. Carter, for whom Bob Dylan wrote a ballad, "Hurricane," Mr. Artis received scant attention in the defense campaigns organized in the 1970's to exonerate the two men.

"The police and Passaic County law-enforcement establishment was out to get Rubin," Mr. Artis said, "and I got tied in only because I was with him on the night of the shootings. I was always the guy in the background, the other guy in the case that no one knew or cared about."

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