

## The Hurricane Carter Case Stays Open In My Mind

Written by Michael Woods  
Tuesday, 22 April 2014 21:53

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His legend shall live on longer than that of fighters more skilled than he, if for no other reason than **Bob Dylan** wrote one of his more popular songs about him, and also for the fact that the **Rubin "Hurricane" Carter** case is boxings' JFK assassination, destined to be debated long after the principals involved exit their life stage on earth.

Carter, age 76, passed away on Friday, after losing a scrap with prostate cancer.

His final record as a pro stands at 27-12-1, with 19 KOs, though the reaction the mention of his name conjures sends ripples further than a solid but not extraordinary fight resume suggest.

The headline offered by the **New York Times** suggests the vagueness which attached to the legend of the man who grew up in New Jersey as a self-professed juvenile delinquent: Rubin (Hurricane) Carter, Boxer Whose Murder Convictions Were Overturned, Dies at 76.

The Times gets points for specificity here; many other headlines and obits about the man who spent 19 years locked up after being accused and convicted of taking part in the fatal shooting of two men and a woman at a NJ tavern on June 17, 1966 paint Carter, then 29, as a man wrongly imprisoned. The nuance, the points of debate about the case, the man and his life arc aren't often given the attention, beyond a recap of the most sensational surface elements, aren't given the scrutiny they arguably deserve.

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First off, as a boxer, Carter possessed talent, but was not of a Hall of Famer caliber, no matter what was implied, at times, in the 1999 film "Hurricane," which starred Denzel Washington in a Hollywoodified treatment of a complicated person. In his lone crack at a world title, against then middleweight champion Joey Giardello, Carter lost a unanimous decision over 15 rounds. No, he wasn't jobbed by the judges, and that outcome shouldn't be used as part of a pattern to establish that Carter was consistently abused by the fates and the system. Yes, to say screenwriters and producers took artistic license to craft a feel-good tale is accurate.

Same way Dylan took license to craft his ditty.

By no means was Carter the "Number one contender for the middleweight crown" when s--t went down at the drinking hole in Paterson, NJ, during the part of the night when the time is most ripe for unsavory hijinks. Carter had gone 7-7-1 since the loss to Giardello, whom he plodded after in a resolute but unimaginative way.

And getting another crack at a crown, in an era where sanctioning bodies didn't fling belts about so recklessly, well, securing another title crack would not be close to a given.

Carter fought once and won after the shooting, which felled a bartender and two patrons. I'd be flippantly naive if I didn't mention the victims were white. Not that it should matter, but it may have, pertaining to how the case was tried. In fact, the prosecutors didn't see the need to offer a motive when trying Carter and his sidekick John Artis; the message, it seems, we don't need one, the motive is obvious.

Black.

Angry.

Dangerous.

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Guilty.

Rather than delve deeply into the case, suffice to say that details were somewhat hazy--and haven't necessarily clarified with the passage of time--and many parties involved could best be described, to be charitable, as rogues. Carter himself admitted to tendencies he exhibited prior to the tavern slaughter were a step beyond that of a rogue. He as a kid in a gang, the Apaches they called themselves, and while any reasonable person knows that shouldn't disqualify anyone from receiving the most judicious of defenses if accused of a lawless act, his recollection of stabbing repeatedly a man he says was looking to molest he and his pre-teen pals does indicate an ability to transition into a murderous mode.

That makes it harder to see Carter through eyes not filtered by knowledge of a certain disposition toward extreme violence. As that pre-teen, Carter, in his 1974 book "The Sixteenth Round: From Number 1 Contender to Number 45472," writes that he "took (his) (pocket)knife and tried to break it off in his head."

The man, having been stabbed, is not put off enough to stop attempting to molest Carter, who then has no choice, he writes, but to stab him repeatedly. The "degenerate" molester did survive the stabbing, Carter says.

That historical fact, or digression, may or may not be either here or there, depending on which side you decide to come down on regarding the Hurricane's legacy.

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Now, many folks ascribe to a reflexive stance of respect when someone passes away. Even the most odious of the notorious seem to get at least a glancing mention of some trait which belies their overwhelming track record of misdeeds; Charles Manson's mum was a prostitute, we all know. We do that gloss-over move because we seek to attempt to explain the inexplicable, and engage in an act of charity in summation of a life which should perhaps be written off without excess sympathy as an act of hopeful transference, an attitude which all of us who have transgressed hope to enjoy when we exhale our last breathe.

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Like so many wayward souls, Carter found in the ring a place where he could find a reason for being in a world which offered too many temptations to take the path of the easy wrong, rather than the hard right. Violence, controlled and contained, could be accepted, even lauded and rewarded, and in the Army, Carter found he had a skill which would serve him well. The Army saw themselves as better off without him, though, and he racked up four court martials before he was encouraged to hit the bricks.

In 1963, Carter, after turning pro in September of 1961, won his signature tussle, against **Emile Griffith**

, who was coming up in weight. Hurricane's popping musculature stands out when watching film of the man, who possessed an awe-inspiring physique, and in-the-ring knack for clamping down with an above-average left hook when he sensed a foe was buzzed. He did just that to Griffith, and that brought him to a clash with Giardello. In that December 1964 faceoff, Giardello, in his 127th pro battle, was able to fend off that left hook, and use his superior counterpunching skills to pull away in the second half. Giardello's application of the science element of the craft outdid Carters' more crude skills set.

Regarding Carters' ring arsenal; [contender Bobby Cassidy](#) fought on two Hurricane cards, Carter vs. Jimmy Ellis, who went on to become WBA heavyweight champ and was Muhammad Ali's sparring partner, as well as Carter vs Joey Archer card. Today, Cassidy speaks highly of Carters' rep in the ring. "He was Mike Tyson before there was a Mike Tyson," said the former pro who fought out of Long Island. "He was a very intimidating presence in the ring and a devastating puncher. He was feared in the middleweight division. Really the same way Tyson was feared all those years later."

Cassidy was a drug and alcohol counselor for 10 years at the Nassau County Correctional Center after he retired, and did a short stint himself, so he's able to speak on the subject of incarceration.

"What I knew about his case is what I heard from other fighters. All the fighters were convinced he was innocent. To spend that much time locked up, when you shouldn't be there, is torture. It's a horrible existence. Your life is not your own. I couldn't imagine going through what he went through. I only hope he eventually found peace in his life."

So, did Carters' loss to Giardello contribute to a state of dismay which might have propelled him to taking part in a robbery which morphed into murders? In his 1976 book, he spoke of dudes he hung out with as a teen, "all mentally abused products of a morally abusing environment,

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shamelessly vicious, corrupt and depraved." Impossible to say for anyone but Carter; but he did acknowledge those qualities found in his crew were "contagious." The glimpse into Carter's soul is revelatory, really; the man wrote that "if he overturned a basket of social concepts, or violated a few rigid conventions in pursuit of my destiny, it was not my fault, but Fate's." Really, he was ruled entirely by a force outside of his control, he thought, which, if you're inclined to believe Carter wasn't wrongly accused and deserved to spend the rest of his life behind bars, lends credence to the thinking that the man was an inviolate rule-breaker from early on, and the world was a safer place when he was behind bars.

The Giardello loss was the start of a professional slide, if nothing else, for sure. The 1967 trial in which Carter and alleged accomplice Artis were tried for the slayings featured some "evidence" that didn't pass the sniff test of even some who thought Carter capable of such thuggery. Two men who testified they saw Carter leaving the tavern with a gun in hand both had extensive criminal records, but also noted they were in the vicinity because they were planning a robbery of their own. These easily impeachable folks, Alfred Bello and Arthur Bradley, later recanted their testimony...but the circumstances of that were, of course, murky. Some allege Bello and Bradley pointed fingers just because they wanted reward money. In a 2000 book by James Hirsch, "Hurricane: The Miraculous Journey of Rubin Carter," it is posited that Bello was lured to accuse Carter and Artis with a promise of getting his parole erased, and that a detective prodded him to finger Carter, when shown a photo of the accused.

"I'm not sure" turned into "it was Rubin Carter...or his brother."

This Bello, no choir boy, admitted that he walked into the blood-swabbed Tavern and helped himself to money in the till, about \$25, before determining he should maybe should play a Good Samaritan, and see if anyone needed to be helped. Yes, even his mother would have been excused if she questioned his character and credibility. If they had better options, Bello would not have been on that stand, but the state used the tools they had in their possession. Jury selection for the first trial began in April, 1967, and to consider the case now, it helps to attempt to comprehend the times. The possibility of a race riot, and rampaging "Negroes," was in the air, and could have tainted the proceedings.

The verdict dropped on May 26, 1967--guilty, on three counts, with a recommendation for life in prison. Carter took a bit of solace in that he wasn't sentenced to the electric chair. He appealed in 1969 and 1970, and both attempts were denied.

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In 1974, the wheels of justice again churned, with rusty stubbornness, and the case was re-opened, because Bello and Bradley recanted. That authorities found a .12 gauge shotgun shell and a .32 caliber shell in the trunk of the car that Carter and Artis were driving when they were picked up the fateful night was not up for debate, though...but a trial watcher had to wonder why it took days for the bullets to be officially entered into evidence by cops.

Another trial, with Carter firmly recast in the role of the unjustly accused, backed by celeb firepower, like Bob Dylan and **Muhammad Ali**, opened in October 1976. Bello's differing versions of his brand of the truth were in the spotlight, but it wasn't enough to spring Carter or Artis. On Dec. 22, 1976, a jury in Jersey returned first degree murder verdicts against the men. The Dylan hit song, and a mini-show at the Trenton Prison, in December 1975, and two fund-raiser shows, at Madison Square Garden (Dec. '75) and the Houston Astrodome (Feb. '76) didn't sway a jury. A motive introduced in '76, that Carter and Artis did the killing in retaliation for a black bartender being killed by a white guy earlier that night in Paterson maybe helped the state's case in that instance.

Some public goodwill accumulated by the Dylan push melted away when it was charged that Carter, out on bail, assaulted a woman who headed a NJ-based "Free the Hurricane" defense committee. Carolyn Kelley said that Carter was boozing and beat her unconscious in a Maryland hotel room. Both were in town for a **Muhammad Ali-Jimmy Young** fight. Carter protested that the accusation was false, saying that she made up the story because she wanted more money to lobby for his release and also that she was angry he'd ended a romantic liaison with her. The state's attorney declined to press charges against Carter, saying there wasn't enough evidence. Kelley has clung to her story over the decades, for what it's worth, but been smeared for filing a civil suit asking for monetary damages.

The buzz of the celeb interest dimmed but Carter kept hammering away. Two more appeals, in 1981 and 1982, were also rebuffed by the state. The Carter defense tried to hone in on the fact that Bello had failed a polygraph test, and the state neglected to inform them of this. But the boxer did what he did best, fought, and with the aid of a band of freedom fighters who took up his cause with the fury that comes with battling for a righteous cause, bound with the attractiveness of having the "wrongly accused" possess a sharp charisma, and lingering notorious celebrity status.

In 1985, Carters' hand was raised after yet another court-room skirmish. On Nov. 8, he exited a Federal courtroom in Newark a free man, no bail. He hugged Artis, who had been paroled in 1981. The presiding judge said that the case against Carter was "constitutionally flawed," and at age 48, the fighter had won his most difficult challenge. He heard the judge say that racial bias had been injected into the case and that evidence beneficial to Carter had been withheld. Much in the way Carter methodically stalked foes, walked them down, and looked to land telling

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blows, the state kept working on re-enlisting Carter into prison. In August 1987, Carter, who had kept a low profile since his release, resisting offers to spill his guts, on the big networks, heard that a Federal appeals court in Philly refused to reinstate his conviction. Occasional flurries still flew at him, and the Supreme Court declined to hear the case, so Carter allowed himself a victory lap in a 1988 press conference, after the murder charges were again dismissed.

"I have been locked in a 5-by-7 cell in maximum security for 20 years," he said. "I have now received my wings and I am flying."

He was grateful for a band of Canadians who picked up the cause dumped by the Dylans of the world. Carter moved to Toronto, and stayed out of the news, by and large. He told the NY Times, while speaking on law issues at Harvard in 1993, that being a boxer helped him during his stint in lockup. "It's very individualized -- a boxer has to be dedicated, disciplined and learns to live with loneliness," Carter said. "You're basically alone as a fighter, and you learn to talk to yourself, laugh with yourself, and in training camp you bear up under being alone."

A new generation or two became familiar with his tale, and fact-checkers had a field day when a film about the Hurricane, starring Denzel Washington, got released in 1999. Characters were added, removed and collated, and facts were blurred, ignored, or re-arranged to help the storytelling and our public's apparent desire for happier ending than life usually provides off-screen. One person who took offense was Giardello; he filed a defamation suit against the film's producers, alleging that the film made him look bad, making him part of a racial pattern of bias against Carter. Giardello passed away in 2008. His pal Al Certo, a trainer/tailor who has a suit-altering space in Paterson, told me Giardello made a good chunk of change in a settlement. And what does Certo think of Carter? "He was a stone cold killer, don't let nobody tell you different," he told me. "I talked to inspectors, don't let anyone fool ya, they didn't make no mistake." Anyone exposed to the story from the film and no other source materials could easily walk away with an understandable hatred towards a detective who hounded Hurricane from age 11 onward. That character didn't exist in real life, but in the heads of folks who know in every fiber of their body that the world is tilted in their disfavor and their chapters have been and forever will be sad stories. Those, like me, who prefer to examine the valleys in the life of a departed, rather than focusing solely on peaks, while glossing over missteps and nuance, were left shaking our head and debating the responsibility of storytellers to adhere to at least a thread of truth even if that doesn't serve the story.

And what about those people who are dismayed by the fact that this nation locks up citizens at a stunning rate. We have about 2.3 million people locked up, about 25% of the world's prison population, versus 5% of the total world population. About 1 million of the 2.3 million

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incarcerated are black, and one study showed that one of every three black American males born today can expect to go to prison. Yes, it's harder to find a pure example of goodness, of unfettered decency in the Hurricane Carter saga than it is examples to isolate instances of the opposite. Even if Hurricane didn't do it, maybe his release, you can argue, is justice for the legions who've been railroaded by over-eager prosecutors?

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Carter acted as executive director of the Association in Defence of the Wrongly Convicted, from 1993-2005. Backers point to his clean record of late, and much of the back and forth squabbling of his guilt or innocence among a dwindling public with knowledge of the cause celebre ceased when he revealed he had terminal prostate cancer. Artis came to live with and care for Carter in his Toronto home. That, to me, serves as a figurative cap to the saga, a note of warmth and a sign of admirable devotion to an old friend, which almost serves to bury nagging doubts about that horrific night at the gin mill, and a pattern of violence present before the tavern became a bucket of blood.

Almost...

So much isn't clear when it comes to the life of Rubin Carter--we don't know if he comprehends that he likely owes his life to Artis, because, as it was noted in a Globe and Mail story, one of their lawyers told Artis that the jury in the first trial wanted Carter executed, but demurred, because they held out some sympathy for Artis, then just 20 years old. And my desire to wrap up my fascination with the man and his case, bury it, you could say, isn't helped when I check in with the man who has done more, in recent decades, to collect evidence which at worst damns Carter and his stubborn (admirably so? diabolically so?) quest, and at best skillfully undermines his case.

**Cal Deal**, a Fort Lauderdale, Florida resident who worked at The Herald-News in New Jersey and covered the case in the 70s, started out as pro-Carter. "I'd heard and read positive things, and figured he must be innocent, and thought it was a terrible thing," he told me. But that POV did a u-turn when Deal went to see Carter in prison, in 1975, as a photographer accompanying a reporter. The duo asked their boss if they could offer Carter a lie detector test, and the honcho said yes. They brought the offer to Carter, Deal said. "He refused," he recalled. "He talks such a good game, but refused the lie detector. That got us thinking." And, what, pray tell, was his stated reasoning for not taking a test which could well help public perception push to aid him in



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the appeals process? Deal remembers, "Carter said, 'Why should I, I have such a good case already.'" The paper then ran a four part series, front pager, about that tidbit and some fresh news in the case. "I really learned about the case, and figured out the sonofugun was guilty, and in 39 years, there's been nothing that's changed my mind," Deal said.

[Deal offers more to poke holes](#) in the Carter defense: He talked to the lady who owned the Tavern, one Betty Panagia. Her boyfriend, James Oliver, was on duty, the bartender who was shot and killed, Deal told me. Panagia said that one of the people who was shot in the slaughter, but survived, a man named Willie Marins, told her who did it. Carter and Artis did it, Marins told Willie, according to the former tavern owner. Deal wanted corroboration, so he reached out to Marins' brother. The brother, speaking after Willie had died, said that yes, Willie had told him Carter and Artis were the shooters.

OK. But, I asked Deal, this Bello character...it doesn't seem like he was on the up and up.

Deal said that yes, Bello was a smalltime hood. "But he was not a real hardcore guy. No, he was not a good guy...but no one else could have known what he knew and told cops, known what weapons were used," Deal stated.

To be sure, there is no shortage of folks who don't share Deal's viewpoint. Vancouver resident **Ken Klonsky** wrote 2011's "[Eye of the Hurricane](#) : My Path from Darkness to Freedom" and to this day, is certain Carter wasn't a shooter at the Tavern. Upon first meeting Carter, Klonsky was intimidated. "I was completely cowed by him," Klonsky told me. "He was frightening and yet very charming at the same time. Strange paradox. My desire to know him came from the film with Denzel Washington. The first time I met him, I knew he was innocent, but meeting John Artis gave me 100 percent confidence. Artis could have avoided incarceration had he lied and implicated Rubin."

As straightforward as Deal is about sensing Carters' guilt, Klonsky testifies about his decency. "Carter was larger than life for everyone who knew him," he said of the man he called 'a good friend.' "But if you've been in the prisons, the prisoners saw him as a beacon, a true hero; even the guards say he was a "monarch." The man had personal integrity like no one I ever knew or will know."

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That's the takeaway Klonsky would like you to have when pondering the Carter legacy. Deal's desire is more nuanced, perhaps, and tinged with a grade of passion that Carter would recognize, as he showed equal vehemence in knocking on and down doors to be released.

"I wish people would learn that you shouldn't put faith in Hollywood and songwriters, and they should be more questioning," Deal said. "So many self interested and self promoting people popped up and backed him. And many really believed in the story, and bought the Kool Aid. I was one of the only press that questioned the story. I wish people were less gullible. This was a triple murdered eulogized as a hero."

Yes, the case stays open in my mind.

Maybe like the identity of Deep Throat, some deathbed confession will close the case, once and for all. But barring that, I suppose I will try to hold on to both Klonsky and Deals' takeaways. There's no doubt our prisons are testament to a warped national sense of justice, so if the Carter legacy is one of a role model who acts as a catalyst to help truly innocent beings wrongly imprisoned soldier on in their righteous quest to be granted true justice, then that will serve as a meaningful epitaph. And if Hurricane did it, and Deal's take is the correct version, then his desire to have the masses be less inclined to latch on to the prefab version of truth, rather than be responsible citizens who are intellectually curious, is beyond commendable.

Hurricane Carter...man of uncommon integrity...or psychopathic liar. Maybe some of both. The case will stay open in my mind.

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**New York Tony says:**

Long way around to get to the barn, and with a whole lot of manure along the way. "There's no doubt our prisons are testament to a warped national sense of justice" is twaddle. Prisons are --

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surprise! -- a means of dealing with criminals. What the hell is warped about incarcerating offenders, particularly violent ones? Nothing, that's what. But Michael Woods is quite right in pointing out that Carter's innocence (or guilt, for that matter) is by no means a sure thing. Most who are firmly convinced one way or the other have a political axe to grind. And speaking of axes, did Lizzie Borden pick one up? We'll never know, anymore than we'll ever know if Carter picked up a gun in that New Jersey tavern long ago. Or even if he was ever there.

### **deepwater2 says:**

Carter was no angel and the movie was off in terms of his potential to be champ of the world when his career was in a downward spiral. We will never know what happened. If the man inspired people to do better some how some way at least that should be applauded. The best thing for people to do is stay out of the system, Do not do the crime if you can not do the time because you will do the time if caught.

### **Radam G says:**

The Hurricane was an innocence man wrongly convicted. His abili was air tight. I'm with the song about him by the great musicman that song his arse off about it. Holla!