

90087

45472

CARTER, Rubin

Colored

5-6-37

Clifton, N. J.

Yes

Married

Prob.

454, 20th Ave.

Paterson, N. J.

Murder (2) life
o/s

Murder (1) life o/s

6-30-67

Not guilty

258 days

Life (2) o/s

Larner

Passaic

6-29-67

6-17-66

Paterson, N. J.

and Affiant

1980

E. Am.

John Artis - NJSP# 45473

Denied

CRIMINAL HISTORY:

7/23/56 Passaic Co. Bur. Escapée from S.H. 7/23/56 Ret'd to S.H.
Ident. Jamesburg N.J. Jamesburg, N.J.
Paterson, N.J.

7/2/57 PD, Paterson, Asslt. & Robb. 2-6 yrs. St. Pr.
N.J.

7/1/57 Passaic Co. Bur. Robb. 2-6 yrs. St. Pr.
Ident. Paterson, N.J.

9/24/57 State Prison Robb. (2) 1-3 (Passaic Co.)
Trenton, N.J. c/s: "asslt. w/Int 2-6 yrs. Disch. 9/16/61
to comm. Robb.
1-3 c/c

INMATE'S VERSION:

"Stated that there was really nothing to tell and felt that any further investigation was unnecessary. He stated that he felt that justice was not done in this case and that there was not one shred of evidence of his guilt and that this was a matter of black and white."

OFFICIAL VERSION:

Passaic Co. Indictment #167-66 charges that Rubin Carter and John Artis on or about June 17, 1966 in Paterson, N.J. did willfully, feloniously and of their malice aforethought, kill and murder James Oliver, Fred Nauyaks, and Havel Tanis, contrary to the provisions of N.J.S.A. 2A:113-1 and N.J.S.A. 2A:113-2.

The Passaic Co. Prosecutor's material and the Paterson Police Dept. reports offer the following information about the offense:

At approximately 2:30 A.M. on June 17, 1966 the Pat. Police responded to a radio call stating four people had been shot at the Lafayette Grill, 428 S. 18th St. Paterson. Arriving at the Lafayette Grill they found James Oliver, the bartender lying on the floor behind the bar apparently dead of gunshot wounds in the back.

The cash register drawer was open and there was money on the floor. (It was later learned that sixty-two dollars was missing). Seated on a bar stool with his head lying on the bar was Fred Nauyaks, a patron, apparently dead of a gunshot wound in the right temple. One of the Patrons, William Marins, was removed by ambulance to St. Joseph's Hosp. Seven .32 caliber slugs were found in two of the victims bodies and surrounding area. A spent twelve gauge shotgun shell was found near one of the victims body and parts of a shotgun shell were found in a victims body and in the surrounding area.

OFFENSE CONT'D

A short time after the offense, Carter and Artis were picked up by the police in a 1966 white dodge sedan. Witnesses identified the car as the one that pulled away from the Lafayette Grill immediately after the shooting. Carter and Artis were taken into custody. A search of the car revealed one live twelve gauge shotgun shell in the trunk and a live .32 Calibre Smith and Wesson long cartridge on the floor along side the front seat. This live ammunition was the same type that had been used in the commission of the crime. A thorough search of the area by police failed to locate the murder weapons.

At the scene, Alfred P. Bello, age 23, of 84 Maplewood Ave., Clifton, N.J. told the police that a friend had dropped him off a block from the tavern and he was going to the tavern for cigarettes when he saw two colored men run from the Lafayette Grill. One was short and carried a pump shotgun. The other was tall. They saw Bello at the same time and gave chase but he ran in an alley and hid. Then he saw the two men drive by in a new, white car, make unknown, going west on Lafayette St. After they passed, Bello went to the tavern and saw the four people were shot. Questioned by police, Bello could not identify the two men.

Also at the scene was Patricia A. Graham, age 23, 428 W. 18th St. Apt., N.J. Miss Graham, who resides on the second floor over the Lafayette Grill, stated she heard shots and looking out her window on the Lafayette St. side saw two colored men run to a white car parked away from the curb, get in, and with tires screeching, speed away, she ran downstairs to the tavern, saw the victims of the shooting and returned to the apt. and phoned for the police. Miss Graham's description of the car and the two men was relayed to police headquarters for full radio broadcast.

Questioned at Pat. General Hosp. Hazel Tanis, who suffered gunshot wound of the right side, both breasts, abdomen and lower pubic area, told the police that two colored men entered the front door of the tavern. The taller of the two men was armed with a shotgun, the shorter was armed with a pistol. Neither man spoke a word and the taller man began firing the shotgun. She was hit and fell to the floor. At St. Joseph's Hospital, William Marins, who suffered shotgun wounds of the left temple, left side of face and head, forehead and left arm, told the police the same story as Hazel Tanis. He stated both men were Negroes, the one with the shotgun being about six feet and of slim build and light complexion. He couldn't describe the second man because the first man blocked his vision. Marins was hit with a shotgun blast and was knocked to the floor.

As the result of information received, the Pat. police continued the investigation and on Oct. 14, 1966 again questioned Alfred Bello who admitted that he had not told the whole truth when he was questioned on June 18, 1966. He claimed that he did not identify the two men he saw running from the Lafayette Grill because he was afraid they would do something to him if he talked. In a statement to the police dated Oct. 14, 1966 Bello states that on June 17, 1966 he was acting as look-

OFFENSE CONT'D

out for Arthur Dexter Bradley who was breaking into a building on E. 16th St. a short distance from the Lafayette Grill. While engaged as lookout, a white car with colored occupants passed him twice. The second time, Bello saw John Artis seated in the passenger seat in the front with what appeared to be a rifle or shotgun standing between his legs. Getting nervous because it was taking Bradley too long to break into the building, Bello told him he was going to the Lafayette Grill to get some cigarettes. About five minutes later as he walked up Lafayette St. he heard what sounded like shots. He noticed the white car he had seen earlier parked about three feet from the curb near the Lafayette Grill. As he approached the Lafayette Grill, two colored men walked around the corner from E. 18th St. to Lafayette St. The one man, Rubin Carter was carrying what appeared to be a rifle or shotgun. The second man, John Artis had a pistol in his hand. They were talking and laughing. Bello turned and ran up the st. and into an alleyway. As the car pulled away, it slowed momentarily and Bello observed the same two colored men in it. He returned to the Lafayette Grill, entered, and saw the results of the shooting. He walked around to the back of the bar, saw an open cash register drawer and money on the floor and took some money from the drawer. A short time later the police brought the car back and Bello saw that the two men who were at the car with the police were the two same men he had seen coming out of the Lafayette Grill.

He identified the car as the same one he had observed earlier. In a statement taken separately by the Pat. Police and dated Oct. 14, 1967, Arthur Dexter Bradley, age 22, of 22 Belle Ave. Pat., confirmed Bello's statement regarding the breaking and entering on E. 16th St. on June 17, 1966. He states that at one point during the break he walked out an alleyway to Lafayette St. and saw what looked like a 1964 White Ford go by with about four colored people in it. He identified Rubin Carter as the driver and said he looked across the front seat and saw what looked like a rifle or shotgun sticking up. A short time later he heard loud noises resembling gun shots or backfiring and walked down Lafayette St. toward the Lafayette Grill.

He saw Rubin Carter with another colored man walk around the corner carrying what looked like a shotgun or rifle. Bradley later identified a photograph of John Artis as looking very similar to the man who was with Carter. John Artis was arrested on Oct. 14, 1966. Rubin Carter was arrested on Oct. 15, 1966. Both were booked on three counts of murder. Neither gave signed statements to the police.

The victims of the offense are as follows:

JAMES OLIVER: Age 51, white, 428, E. 18th St. Paterson pronounced dead at scene by Dr. Raso, 3:05 A.M. June 18, 1966. Cause of death: severance of spinal column due to gunshot wounds. Dr. VanVooren.

FRED NANYAKS: Age 60, White, 89 Pompton Ave. Cedar Grove. Pronounced dead at scene by Dr. Raso, 3:05 A.M. June 17, 1966. Cause of death: bullet through brain. Dr. VanVooren.

7/29/67

ADMISSION EVALUATION: Carter is a 30 year old married Negro male now serving a life sentence for murder. Previous records indicate that Rubin is a hostile, aggressive individual who is unable to accept his own conflicts and has no understanding of his behavior reports also indicate that he is functioning within the average range of intelligence.

During the present interview, Carter was belligerent, held himself aloof from the interview and refused to discuss himself. He impressed one as a frightened individual who is quite limited in his response mechanisms in a threatening situation. Although no information was gained other than that stated above, it is felt that Carter will have difficulty adjusting to incarceration. By his total non-verbal manner, it is assumed that he will be manipulative and violent and obtain his self-centered desires. He is very much threatened by what is occurring around him and hostility, which he has learned affects people the most, will be used by him to 1) keep people away from him 2) bolster his extremely poor self image.

Psychological condition upon admission - evidence of emotional disturbance.

RECOMMENDATIONS:

Security - maximum
Work - any unskilled work

Jack Milgram,
Consulting Psychologist

gjp 7/31/67

45472

CARTER, Robert

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12/67

ENTRANCE EXAMINATION: Height: 5'8"; Weight: 172 lbs. Vision: w/o/ os: 20/20; w/o/g: 20/25; w/g: 20/20; w/g: 20/20. General Physical Condition: Good.

RECOMMENDATIONS: ANY WORK.

H. M. Wiesler, M.D.

fm

1/17/68

PSYCHIATRIC EXAMINATION: There was a request that came in from the Medical Dept. stating the inmate had signed himself out against medical advice. The request says inmate signed himself out against Dr. Wiesler's recommendation, but I fail to see any reason why this in itself would indicate that this individual is in need of a psychiatric examination. If he shows any other abnormalities of behavior or has ideas of persecution, or is depressed, I would be glad to see him. I am returning this request along with a copy of this note. In my opinion this is purely a personality disorder and no treatment is required.

Sydney G. Fine, M.D.

Institutional Clin. Psychiatrist

via 1/19/68

1-16-70

PSYCHIATRIC EXAMINATION: This 32 year old married Afro-American male was seen by me upon request of Mr. Reynolds and Captain Kreiber. Inmate related in the usual more or less hostile fashion. When asked about the fight with Wallace he related that Wallace has been known to spit at people, throw coffee at people and carry razor blades in his pocket. Wallace has a chance mostly in the mess hall and also in the yard. Carter thinks that Wallace is crazy. He has observed with his own eyes attacks by Wallace and felt that this time Wallace was trying to attack him. Carter does not want to be bothered and wants to get out of here as soon as he can. Inmate is soft spoken, articulate, seems of average intelligence. He did not show any signs of anxiety or depression nor did he show any signs of a thinking disorder and any schizophrenic trends. It is my feeling that this inmate's hostility and aggression are easily triggered by aggression around him, either sensed, imagined or real. This seems to indicate the strong mechanism of projection which is used by him. The psychological examinations of 1954 and 1960 seem to sum up this man very well. At the time of this examination I could not detect any psychotic symptomatology. This does not rule out the possibility of a brief psychotic break at the time of the fight. However, looking at the long attitudinal historic profile of this man, there has been violence from time to time, most likely based on his most likely paranoid

4-16-70 PSYCHIATRIC EXAMINATION (CONTINUED):

orientation and adjustment, as often seen in paranoid personalities. In order to make a correct adjustment, one might want to look into the allegations made by Carter in reference to Wallace. This way it would establish reality from fantasy. It might be advisable to keep Carter in medical quarantine or some kind of medical observation for a week or two. Since inmate's aggression is directed toward Wallace it would seem important to keep these two separated.

4-20-70 em

Hubert M. Hoffmann, M.D.
Consulting Psychiatrist

4/24/70

PSYCHIATRIC EXAMINATION: This inmate was seen on an emergency basis. It appears that last evening at 4:30 A.M. this inmate was using two mirrors and told the officer he was looking for footprints. However, the inmate, when brought up here under escort, related that he was looking for handprints. He said "This is bigger than a man or woman." He couldn't distinguish whose handprint it was. Then he remarked, "Maybe it was my imagination". I wish to call the attention that this inmate recently attacked another inmate named Wallace for whom he claimed was "looking at him". This inmate, in my opinion, is beginning to show paranoid symptomatology and for this reason I am placing him on Thorazine capsules 150 mgs. three times a day indefinitely. At the present time he is idle. He said, "I stopped working on 7-R. I was working as a runner and had trouble with Mr. McKenzie". He was very reluctant to discuss things in detail for example, when he first came in I said "Do you know my name?" he said, "Yes, you're Dr. Fine". I said "When did you see me last?" He said, "Yesterday, on 7-R." When I pointed out I didn't see him on 7-R he later corrected himself and said "My memory is bad. I must've seen you somewhere else." He then recalled he had seen me in the hospital following the altercation he had with Wallace. I feel that this individual is beginning to show psychotic behavior and this is precipitated by the fact that he denied an appeal of Supreme Court. This may be a factor all the stress and strain within the institution plus the lengthy sentence may have some effect on him. I'd like to see this inmate in about 2 or 3 weeks. I feel certain that something will probably take place.

jm 4/24/70

Sydney G. Fine, M.D.
Acting Medical Director

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CARTER, Ruben

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12-17-61

PSYCHIATRIC EXAMINATION: Inmate is seen as a self referral on an urgent level; cant sleep.

Rx) Noludar 300 mgm at BT for 1 wks. Call back in one month.
S. Kesselman, M.D.

1-14-72

PSYCHIATRIC EXAMINATION: Inmate reports on a surveillance level; cant sleep.

Rx) Noludar 300 mgm at BT for 3 wks. Call back in 3 wks.
S. Kesselman, M.D.

ld

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CARTER, Rubin

5-1-67

Assign Tag shop - 7R. RR 8/64 - af

8-30-67 Discussion case - Remove Tag shop per dis. crt. Assign
Runner 7R per dis. crt. RR 8/69 -af

2-25-68

***** DISOBEYING A DIRECT ORDER. /s/ Barrick
DISP: Reprimand 1st Charge
(EDMONDS, STEO, SOKOLOWSKI, DRIVER).r

2-11-69

Req. he be assigned to idle. Ld. Hill - Drop 7R runner - Assign idle.
7R. Cancel 8/69 CRD -af

3-18-69

Laid-in pending CC - Drop 7R runner (IR). w/o prejudice - af

7-26-69

***** DESTROYING HIS PHONES. DOCTORING HIS PHONES.
HAVING A SWAG SPEAKER AND A SWAG CUP FROM OFF. MPSS.
/s/ Hill DISP: 15 days loss of privileges. Start 8-5-69.
(Crt. - 7-28-69) -rc.

4/9/70

***** FIGHTING. /s/ Canty. Disp: 10 days in left lockup start 3/13
(Crt. 4/10/70) cp

4-28-70

Disc. Case - Assign RSP o/o Idls (Keep separate from WALLACE 47962) 2as

5/6/70

Received from NJSP. Is to lock in 4 Up. sif

5/12/70

Kitchen o/o Rg. 40 o/o 4 up/ 5/71/ MAX/ Rg/ nv.

5/19/70

Request for Rec. Yard denied/ MAX/ Disc/ nv.

5/14/70

Moved 4-down o/o 4-up bk

5/25/70

*****DISORDERLY CONDUCT: 15 days loss of privileges start 6/9/70. Refer to
CC for review.
6/8/70 Casey, Per, Perry/ nv.

6/30/70 Case considered. No change. Looks h down. MAX. //c/1 reld. mbs

8-28-70 *****DISOBEDIENCE (Profanity) OFF: O'BRIEN
DISP: 15 day loss of priv., start 9-4-70
9-3-70 Olden, Wasuk, Witt ld

9-1-70 *****CONTRABAND (Fork): OFF: SCHMIDT
DISP: Reprimand
9-3-70 Olden, Wasuk, Witt ld

11/17/70 Refer to A. Bragg re: lockin/ hD/ MAX/ Disc/ mv

12-1-70 Mr. Braggs Report noted/ Remain hD/ hD/ Refd to A. Bragg ld

4-6-71 Bring o/o hDown/ inmates request/ max/ disc ld

5-4-71 Remain kitchen/ Bring/ 5/72/ max/ RR ld

6-1-71 *****OUT OF PLACE: OFF: FEIERABEND
DISP: Reprimand
6-2-71 Boone, Daly, McDonald ld

6-22-71 App for Group Counselling with Sgt. Helmkin/ max/ disc ld

6-21-71 *****OUT OF PLACE: LT: CASEY
DISP: 5 days lockup in 11 left start 6-23-71
6-22-71 Hoard, McDonald, Casey ld

9-7-71 Rema kitchen approved for college program evenings Tues & Thurs 1:00 - 1:50
3-W / max kh

5-9-72 Remain kitchen/ 3 w/ 5-73/ max: 1c

11-2-72 *****DISORDERLY CONDUCT: OFC. CARPENTER
REPRIMAND: CHGL. REC'D 11-2-72
11-3-72 Eder, Hanks, Goldberg pf

7-5-73 ***DISOBEDIENCE OF ORDERS: Officer Schneider
disp. reprimand charge rec'd 7-5-73
7-11-73 Capt. Ucci, Mr. Powers, Sgt. Martin mbs

9-18-73 *****DISOBEDIENCE OF ORDERS: Sgt. Hickson
DISP: 5 days loss of privileges, starting 9-20-73, chge. rec'd 9-16-73
9-18-73 Ucci Hroncich Muscio pf

12-12-73 ***DISOBEDIENCE OF ORDERS: Officer Lamb
disp. Reprimand charge rec'd 12-12-73
12-13-73 Capt. Eder, Hug, Sgt. Hanks /aw

2-24-74 trans to Unity Hosp/ mts

2-28-74 rec'd from Newark Hosp/ mts

4-9-74 Rahway Prisoners Council 3 kitchen/ 3 w/ 4-75/ max./ ad rev/ mts

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Carter, Rubin

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4/30/74 *** IMPRISONING. /s/ Moore. Disp: Assign to Re-adjustment Unit,
Vroom Pldg. (TSP) TPH retro-
active 4/30/74 for indefinite period.
(Crt. 4/30/74) cp

5/1/74 Trans. to VB(Admin., SPT) cp

5/13/74 Vroom Pldg. Class. Comm. rslt. -No change. -cp

7-8-74 IUC - RSP o/o Vroom Denied - pas

11/8/74 *** Disobeying a direct order. /s/ Sanford
Disp: 5 days locked in cell 11/18/74.
(Crt. 11/11/74) cp

4-1-75 IUC: RSP (IR). Request denied. hh