

# 'Hurricane' Carter Receives Honorary Degree

By Simona Siad

With graciousness and exuberance Rubin "Hurricane" Carter swept into fall convocation to receive an honorary doctor of laws degree from York University.

The award culminates Carter's lifelong battle for innocence and justice in what was one of history's most widely publicized cases of wrongful conviction.

"The light shines in the darkness but the darkness will not overcome," said Carter to a packed room of York graduates and alumni on October 14, 2005.

Many know Dr. Carter as the former boxer who was wrongly convicted by an all-white jury for the murder of three white American citizens in the 1960s. He was convicted and sentenced to three life-terms.

Throughout that time, he continued to fight for his innocence, penning an autobiography entitled *The 16th Round* that garnered national and international attention. The book, along with celebrity supporters, protestors and two recantations of key witnesses helped secure a retrial. Once again, the state overturned the evidence and handed down another wrongful conviction.

In 1988, after 22 years of legal battles and imprisonment, all indictments were finally dropped. Dr Carter admits that it took incred-

ible mental strength, passion and perseverance to survive the time he spent in prison.

"Hopelessness belongs to the lowest level of human existence. That is what prison is, the lowest level of human existence," says Carter. "But I was not a prisoner, I had committed no crime. So I refused to go down there. I knew in order for me to survive, I would have to remain above the level of a prisoner."

During the ceremony, the dean of Osgoode Hall Law School, Patrick Monahan, praised Carter for his continuing work with the wrongfully convicted.

"Dr. Carter has been a tireless advocate for justice and the cause of the wrongfully convicted. He was instrumental in the creation of an organization called the Association for the Defence of the Wrongfully Convicted," said Monahan.

He went on to note that Carter has worked extensively with York University in the past.

"In 1997, he was instrumental in the establishment of the Innocence Project here at the Osgoode School of Law, which has garnered international attention for its work," said Monahan.

Upon receiving his award, Dr. Carter reminded the audience that there is a new generation of people being wrongfully convicted and that the fight for a fair justice system is far from over.



"During this time, these organizations of which I am a part of helped secure the release of many innocent people who were sentenced to death, or sentenced to long terms in prison," said Carter. He alluded to some of the problems these cases still face.

"Many of them were victims of prosecutorial misconduct, or the deliberate falsification of forensic evidence."

Dr. Carter also mentioned a new program he is the founder of called Innocence International that will "expose the abuses of criminal justice in attempts to free the innocent". He adds, "We will be civil but we won't be silent. There is no greater good than the saving of an innocent life."

The man that has been a middleweight championship contender, a civil rights activist, author, screenwriter and lecturer can now add doctor of laws to his long list of remarkable accomplishments.

When asked if he ever felt hopeless while he was in jail, he remarked with a smile, "I never lost hope. I had to dare to dream. I had to act like I was already free while I was locked down in prison. I knew I would be free. And it's been 20 years next month that I have been free. So dare to dream."

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ruling, the appeals court focused much more on Heaslet's financial motive for falsely accusing Lewis, than the federal Sixth Circuit had in reversing his conviction.<sup>8</sup>

Lewis then filed a claim for compensation with Ohio's Court of Claims. In September 2005 Lewis was awarded a total of \$662,000 — \$412,000 to him and \$250,000 in fees to his lawyers. Lewis' award included the statutory maximum of \$40,330 for each of the five years he was imprisoned.<sup>9</sup>

Lewis, now 28, lives near Ann Arbor, Michigan and he was working for a car rental company. After being notified of the settlement, Lewis said, "It's not really what I wanted, but it's better than nothing. You can't put a price on the years I lost."<sup>10</sup>

Lewis plays semi-pro football and still dreams of playing in the NFL, musing,

"We'll see what happens. Something has to crack sooner or later for me."<sup>11</sup>

With his settlement decided, Lewis was glad that that he would finally be able to focus solely on his future, "It's over for me now. Thank God."<sup>12</sup>

### Endnotes and Sources:

- 1 *Lewis v. Wilkinson*, 307 F.3d 413 (6th Cir. 10/07/2002); 2002.C06.0000352, ¶29 <<http://www.versuslaw.com>>
- 2 *Id.* at ¶30
- 3 *Lewis v. State*, 2005 -Ohio- 2400 (Ohio App. Dist.9 05/18/2005); 2005.OH.0002492, ¶38 <<http://www.versuslaw.com>>
- 4 *Id.* (Emphasis in original).
- 5 *Lewis v. Wilkinson*, *supra*, at ¶22
- 6 *Id.* at ¶64 <<http://www.versuslaw.com>>
- 7 *Lewis v. State*, *supra*, at ¶17
- 8 *Id.* at ¶37-40
- 9 "Wrongful Conviction Ordeal Ends: Court grants Belleville man damages for five years he spent in prison," Amalie Nash, *Ann Arbor News*, September 29, 2005.
- 10 *Id.*
- 11 *Id.*
- 12 *Id.*



## Spirko cont. from page 13

ported by witnesses and phone records — that he was over 100 miles from Elgin. No physical, forensic or eyewitness evidence implicates Spirko in the crime, and he has not confessed.

A witness positively identified Gibson as the man she saw the morning of Mottinger's abduction. However, the prosecution elicited her testimony knowing Gibson had been in Asheville, North Carolina — 600 miles from the crime scene. In spite of knowing Gibson's innocence, the prosecution presented the jury with the crime theory that Spirko and Gibson jointly abducted and murdered Mottinger. So the prosecution's duplicity ensured Spirko's jury had no opportunity

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