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van, and the pair set off for Scott's sister's home in Texas, dumping the bodies and the guns in Pennsylvania on the way.

They are arrested in Texas on July 11, and are charged with murder.

UNDER NEW JERSEY LAW, flight from the scene of a crime is taken as evidence of a guilty mind. Psychiatrist Dr. Harry Brunt, who examined Curtis after his arrest, says the law is wrong. He says Curtis was displaying pure panic reaction, in which his only instinct was to get away from the scene and avoid the situation altogether, as if it had never happened. Anyone could react the same way, he says.

Even today, Bruce Curtis copes with his situation in this way. "It was happening to somebody else," he says. "It wasn't happening to me...My mind is set on a course now where, the day I get out, this will cease to be reality and it will become a dream."

THE TRIAL OF BRUCE Curtis is March 1983 is nearly as bizarre as the killings themselves. Defense lawyer Michael Schotland calls it "a legal

lynching." New Jersey Superior Court Judge John Arnone, also known as "never-come-home-again-Arnone," is presiding; he has the reputation of being the toughest judge in the state. Because Scott Franz, the star prosecution witness, did not actually see his mother's death, much of Bruce's trial centres around the murder of Alf Podgis, a crime with which Bruce is not charged.

Prosecutor Chaiet knows his case is weak. He therefore begins to spin an elaborate web of intrigue, portraying Curtis as the evil mastermind behind a pair of "thrill killings." Curtis' quiet, withdrawn personality is seen as a cover for a violent psychotic mind.

To cap this argument, Scott Franz is called to the stand. Chaiet wants him to "interpret" Curtis' journal, especially the passages from around the time of the suicide of his Middleton friend.

The court goes into a *voire dire* session, in which the jury is removed and the judge determines if evidence is admissible. Franz' "interpretations" are so outlandish that Arnone rules against the jury



Curtis' mother marches in Halifax candlelight vigil. Photo: John Davie, Dal Photo.

hearing them.

But the local press is still in the courtroom; in the U.S. this is legal during a *voire dire*. Franz' sensational "testimony" is reported, the jury is not

sequestered and there can be no doubt that they read or heard about it. Schotland moves for a mistrial. He is refused.

There are other unusual occurrences. The prosecution calls an expert witness to explain that the gun carried by Curtis is perfectly safe and could not discharge accidentally. While explaining this, the gun goes off in his hands. In fact, it has a hair trigger.

Finally, in his summation to the jury, Arnone fails to fully explain two options the jury has: to acquit Curtis if the killing was an accident, or to find him guilty of simple manslaughter.

Chaiet wants a conviction for murder. The jury finds Bruce Curtis guilty of aggravated manslaughter. An unplanned killing caused by recklessness and irresponsibility.

The maximum sentence for this crime is 20 years, with 10 years before parole. On April 22, 1983, Arnone gives this sentence to Curtis. It is the first time anyone has received this sentence for this crime. A week earlier, Arnone gave Scott Franz the same sentence for murder. It is 10 years less than the maximum term, and five years less than the minimum for parole.

To cap the case, Curtis is sent to Bordentown Youth Correction Centre, an old, run-down, overcrowded racial tinderbox, while Franz goes to Yardville, a modern reform institution.

ON JUNE 6, 1984, MICHAEL Schotland presented an eight-point appeal to the New Jersey Supreme Court, to get his client's conviction overturned. His arguments were rejected in half an hour. He is now working to win a writ of *habeas corpus*, to at least get Curtis transferred to a

better prison. An appeal to the U.S. Supreme Court is also a possibility.

Meanwhile the family, friends and supporters of Bruce Curtis continue to work on his behalf. Candlelight vigils were held for him across Canada on the eve of his 21st birthday. Books, letters and most importantly, money, continue to pour in to him and his defense fund. His parents have already spent more than \$60,000 on his defense.

Local English professor and writer Jennifer Wade, a Curtis supporter, is not optimistic about the chances of doing something meaningful for Bruce. Speaking about the possibility of his being transferred to a Canadian prison, she says, "it's a foggy Friday if that would be successful."

Wade is especially bitter about the attitude of the federal and provincial governments to the case. She says their inaction is part of "the mood of cosyng-up to the United States. We really had a better chance under Trudeau...(Premier) Buchanan could so easily talk to the governor of New Jersey."

External affairs minister Joe Clark recently said there is nothing more the Canadian government can do for Bruce Curtis.

Cast adrift by his government, if not by his friends, Curtis serves his time in Bordentown. Ironically, he is a valued member of the prison population. He teaches basic English skills to other inmates, 80 per cent of whom are illiterate. In his off hours he takes correspondence courses, at present art history and Latin. He also answers the volumes of mail he gets from relatives and well-wishers, and writes of his loneliness and despair in short stories.

Franz also a victim of system

BEYOND THE TRAGEDY OF BRUCE CURTIS THERE IS another tragedy — that of Scott Franz. It is easy to paint him as the villain of the piece, when in fact he is no less a victim than Bruce.

Rosemary Podgis married Alf Podgis when her youngest son was three years old. From that point onward, mother and son led insane, terrifying lives. Scott Franz is a liar, a fantasizer and an egomaniac, but he came by these traits naturally. They were the basic tools of survival. Bruce seems to have recognized this, and he wanted to help, no less than he wanted to help his friend in Middleton. We know the consequences of that compassion.

The courts of Canada and the U.S. have begun to deal leniently with women who try to escape unbearable brutality in the home through acts of violence. As yet, however, there is little or no recourse for children in the same circumstances.

The life of Scott Franz was probably ruined long before July 5, 1982. If it wasn't then, it is now. Our violent society has written off yet another young life.

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Wine dipped.

Crack a pack of Colts along with the cards.

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