

# Judge's remarks anger rape victim

■ Shelton slaps rapist with hefty 20-40 year prison sentence.

By SUSAN L. OPPAT  
NEWS STAFF REPORTER

Kenneth W. Carter, faced with a heavier prison sentence Thursday than he expected under a sentencing agreement, refused a chance to withdraw his confessions to a pair of vicious sexual assaults and was ordered to spend 20-40 years in prison.

Christine Mettert, one of the two women who survived Carter's attacks, several times ended up sobbing in the arms of her fiancée after she

---

**'How low can you go to maintain a political presence before the public?'**

— Christine Mettert on her treatment by Judge Donald Shelton

---

asked for a minimum 20-year sentence for the 25-year-old Carter. But before she was whisked away from court by assistant prosecutor Amy Ronayne, Mettert said she is "relieved" with the sentence.

But this morning Mettert was furious with how she was treated by Washtenaw Circuit Judge Donald E. Shelton who had criticized both Mettert for not coming forward sooner to seek a stiffer sentence for her attacker and the news media for its coverage of the issue.

Shelton told Mettert he was disappointed to learn for the first time by reading The News-Sunday that Mettert was unhappy about the sentencing agreement that had been reached in exchange for Carter's guilty pleas on eight criminal charges stemming from the two attacks in Ypsilanti last summer.

Shelton complained that Mettert could have

---

See RAPIST, Back Page

# RAPIST: Carter gets heavier term than expected

brought that up in any of several previous court hearings, which Mettert did not attend.

He said the only reason he reaches sentence agreements with defendants in exchange for guilty pleas in sexual assault cases is to spare rape survivors the experience of testifying at trial, and possibly facing "unfair questioning."

"I assumed it was important to spare you from being forced to testify," he said.

The six court dates to which Shelton referred when he said Mettert should have appeared and made her preference known, were dates for the other victim's case, Mettert said this morning.

Charges in Mettert's case was not filed until months after those dates, because police were waiting for results of DNA testing.

Mettert said she was shaking with fear in court Thursday at seeing Carter for the first time since the attack, "and the judge chooses this time to berate me before the public? How selfish. How low can you go to maintain a political presence before the public?"

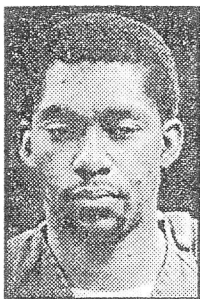
"People need to know what kind of judge he is. He further victimized the victim."

In court Thursday, Shelton gave Mettert the option to demand a trial and a chance to tell her story and recessed the hearing for an hour, after Mettert said she wouldn't ask for a trial if Shelton agreed to give Carter a minimum sentence of 20 years in prison.

When the hearing resumed an hour later, Mettert told Shelton that his remarks about her failure to demand a trial at earlier hearings "made me feel I'm on trial, like I've been victimized one more time."

Carter's sentence is important to her, she said, because "My sentence is for life. My life was shattered. There is no peace for me."

Shelton, Ronayne and defense attorney John Shea agreed that the original sentencing agreement — which called for a sentence with the minimum end between 10-15 years — was based on incorrect scoring of sentencing guidelines. The actual guidelines called for a sentence with



CARTER

---

**The six court dates to which Shelton referred when he said Mettert should have appeared and made her preference known, were dates for the other victim's case, Mettert said this morning. Charges in Mettert's case was not filed until months after those dates, because police were waiting for results of DNA testing.**

---

be punished for his actions."

After a second hour-long recess of the hearing, Mettert read a victim impact statement in which she said that, before she was raped in her Eastern Michigan University apartment last July 3, she was a triathlete, mother of a 12-year-old daughter and working to put herself through a master's degree program.

Now, she said, she's had to leave her daughter with her ex-husband because she's afraid for her, had to look for a new home, new friends and try to pass state examinations as a physician's assistant, all while dealing with nightmares and flashbacks caused by the attack.

"This is a change within me that's for life," Mettert said. "I can tell you, I am dedicated, willing, to do just about anything to prevent another woman from going through this."

"I am not ashamed of what happened to me, I am a survivor of a violent crime, rape," she said.

The other survivor of Carter's assaults, who has asked not to be publicly identified, isn't ashamed either, but she said she is terrified and has been the victim of other assaults, by people who called themselves her friends.

She suffers now from post-traumatic stress syndrome, sleep disorders and must undergo therapy and take medication just to get through the day.

vocative. A third said perhaps she had seen Carter somewhere before and smiled at him, prompting the attack.

Ronayne sought a maximum sentence, noting that rape is the only crime in which the victim is blamed by society.

"These victims are serving life sentences because their trust ... has been taken permanently. No one can give it back but, as the judge, you can impose the highest penalty possible," she said, urging a sentence of 25-60 years in prison.

Defense attorney Shea admitted that "these are terrible crimes."

But, he added, Carter had no significant prior record, except for window peeping charges that were dismissed as part of a deferred sentencing program.

"Mr. Carter deserves severe punishment," Shea said. "He would be the first one to tell you that — that whenever you sentence him to, he deserves every minute of it."

But, he added, Carter is likely to serve more than his minimum sentence, as about 80 percent of sexual assault defendants do, and said Mettert and the other survivor will be able to protest his release even then, at parole hearings.

Carter, who never looked at the women in court or reacted to their statements, apologized to the women, his family and the state. He said he confessed to the crimes because "I was brought up to accept consequences." He said he never asked for the sentencing agreement.

"I'm not sure any sentence is long enough," said Therese Doud, education coordinator for the Assault Crisis Center. But she and colleagues who counsel assault victims are pleased with Carter's sentence, especially in light of the more lenient original plea agreement.

"I think it's a real victory for other victims to see they can have some input," said Doud, who went to court with Mettert for support.

Shelton, who criticized press coverage of the original sentencing agreement, said that, in every sentence, he must balance "who you are and what you did." He was baffled, he said, by the fact that none of Carter's prior behavior would lead anyone to expect these assaults.

He appreciated, the judge said, the fact that Carter could have backed out of his guilty pleas with the sentencing agreement change, but stood by his admissions. Society needs protection, Shelton said.

He sentenced Carter to 20-40 years in