



IN MY OPINION
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A case that's not as simple as black and white

Yes, his civil rights were violated. He was held without access to an attorney for 10 days. Lawmen threatened his life. His interrogation was filmed and then televised, tainting the small-town jury pool.

They did it because it was 1961, because it was Louisiana and because he was a black man accused of killing a white woman.

But Wilbert Rideau was not innocent. He had, in fact, committed the crimes he was accused of. Nor was it some minor offenses. He robbed a bank, took three people hostage and



RIDEAU

then, on a road outside Lake Charles, shot and stabbed one of them to death.

So you will understand why I find it difficult to know how to feel about the fact that Rideau was set free last week.

This was after his fourth trial. The previous trials ended in murder convictions, each overturned by higher courts on procedural grounds: the first because of a tainted jury pool (the Supreme Court called the trial a "kangaroo court"), the second because prosecutors excluded jurors who had reservations about the death penalty, the third because blacks were barred from the grand jury.

The fourth time was the charm. Rideau was convicted of manslaughter and set free because, after 44 years behind bars, he had already served the maximum penalty for that crime almost twice over.

'MOST REHABILITATED'

If my response is ambivalence, I'm sure his supporters have no trouble knowing what to feel: elation, vindication, joy. Rideau, whom Life magazine famously called "the most rehabilitated prisoner in America," transformed himself while behind bars. He became, of all things, a journalist, an editor of The Angolite magazine, produced by and for prisoners of the state penitentiary at Angola. His work won him the prestigious George Polk and Robert F. Kennedy awards; a documentary about life at Angola even netted him an Oscar nomination.

At 62, Rideau is not the 19-year-old who committed a crime four decades ago. It's easy to understand why some would celebrate his freedom.

But me, I keep circling like a homing pigeon back to an immutable fact. He killed somebody. There isn't enough rehabilitation in the world to minimize that act.

My point is that the Rideau case is a moral conundrum even without the question of race. It pushes us toward dark shadows of irresolution, asks us to decide whether we really believe in rehabilitation and redemption and whether we can do that without breaking faith with the dead. It's a puzzle knotty enough to furrow your brow all by itself.

And then there is race, which layers in dimensions all its own.

RACIAL DISCRIMINATION

Julian Murray, Rideau's attorney, has amassed statistics proving that white murderers were sentenced to life in prison and released in the time Rideau sat behind bars. As Murray told a reporter, "No black person has ever killed a white person in Calcasieu Parish and got out of jail."

So I suppose it is fair to free Rideau. First, because he is no longer the man he was. Second, because the considerations we extend to killers ought not be decided on the basis of race.

It is a faintly ridiculous thing to have to say, and in that it speaks volumes about the nation we were and, in too many ways, still are. We draw racial distinctions among the despicable, sift even the contemptible by color of skin. A white man may have killed somebody, but he is still, at the end of the day, a white man.

Which is to say, a man.

It makes Rideau a rather odd icon of racial progress or the lack thereof. He is a human balancing act, victimizer and victim wrapped in one skin. Because of that, he forces those of us who understand the vulnerabilities of black people in a color-coded system to do a balancing act of our own.

You can't embrace him, yet you can't quite push him away.

STADIUM QUEST

Marlins: We deserve subsidy

Labeled "terrorists" for their negotiation methods, the Florida Marlins are in a familiar position: Stumbling in their effort to get state help to build a stadium.

BY MARC CAPUTO
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TALLAHASSEE — The Florida Marlins have accomplished the seemingly impossible in their short life span: they have won two World Series titles in a decade, yet failed to persuade a business-boosting, sports-happy Legislature to give them a tax subsidy for a new stadium.

This year marks the fourth time the Marlins will ask for a subsidy — now totaling \$60 million — and already a powerful politician who could kill the proposal has labeled the team "terrorists."

Senate President Tom Lee this week hurled the accusation — later watering the epithet down to "blackmail" — after the team met with Las Vegas officials, suggesting it might leave Florida. Marlins President David Samson, who wouldn't comment on Lee's pejoratives, said the team wasn't trying to exert undue pressure.

Whatever the motivation, the trip to Vegas was interpreted as a threat by city, county and state politicians, constituting yet another public-relations misstep for the team, which nevertheless faces a good chance to get state money. Since 2000, its subsidy requests have been doomed by a combination of the tricky politics of Miami-Dade and the state Legislature, as well as what critics say is the team's arrogance.

"They think they're more important than they are," said state

•TURN TO MARLINS, 2B

TALK TO US

Should the Florida Legislature pass a tax subsidy to help the Marlins finance a new stadium? The Herald wants your opinions on anything and everything. Call our Outburst line to leave a message: 954-764-7026, ext. 5201. Or e-mail outburst@herald.com. Some of your responses will be printed Sunday. You can also vote at HERALD.COM. Click on Today's Extras.

BROWARD COUNTY



PHOTOS BY MARSHA HALPER / HERALD STAFF

EN ROUTE: Tri-Rail engineer Dennis Dykstra sounds the horn Friday morning on a northbound commuter train in Broward County.

Train noise has some residents sounding off

With a sharp increase in the number of trains running on tracks used by Tri-Rail, nearby residents are pushing for a ban on trains blowing their horns. Federal regulations are expected soon that could make that a reality.

BY MICHAEL HIBBLEN
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Eric Dabach of Hollywood calls it a horrible surprise.

After pouring everything he had into buying a home a year ago in the Lakes of Emerald Hills, Debach says he soon noticed an increase in the number of trains and noise coming from railroad tracks just over his backyard fence.

"I see them doing construction, go back there and find they're building a second track."

That additional track, to be completed next year along the entire 72-mile corridor, which mostly parallels Interstate 95, is



PASSING BY: Townhouses in Deerfield Beach, seen from a Tri-Rail train, are a stone's throw from the railroad tracks.

allowing Tri-Rail, Amtrak and freight carrier CSX to sharply increase the number of trains they run.

Eventually, as many as 60 trains a day will run, bringing

much more noise, which has residents like Dabach upset.

"When that horn goes off early in the morning, it does

•TURN TO TRAINS, 2B

HOLLYWOOD

Veteran jockey killed in crash

Roger Danjean of Southwest Ranches, a retired jockey who had raced horses in South Florida and around the country, died in a car accident Saturday, along with a family friend from Hollywood who was riding with him.

BY KEVIN DEUTSCH
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In the 30 years that Roger Danjean raced horses, he came to love the animals for their speed, power and beauty.

After he retired from racing in the early '90s, Danjean saw those same qualities in a blue 1966 Ford Cobra convertible. He fell in love with the car, brought it home, and cared for it as he would a thoroughbred.

On Saturday night, as Danjean and a friend took the Cobra on a joyride around the block in Hollywood, the ex-jockey lost control of his cherished car. It hit the median, launched into the air, and slammed into a cement light pole.

Danjean, 60, of Southwest Ranches, and his friend, Linda Mustain, a 43-year-old mother, were killed. Police said the Cobra was traveling at a high speed.

Mustain, of Hollywood, was at a party in Hollywood Saturday night hosted by Danjean's family. The ex-jockey asked partygoers if any of them wanted to take a ride around the block in his Cobra to experience the sleek car's power and beauty.

Mustain, a longtime friend of Danjean and his wife's family, eagerly volunteered to take a ride.

Danjean drove the Cobra around the block for a few minutes, and was headed back to the party

•TURN TO JOCKEY, 6B



DANJEAN

\$25 GUN BUYBACK

Century Villagers receive a disarming offer

The Pembroke Pines Citizens Crime Watch will start a gun buyback program, although gun violence is not a major problem in the community.

BY AMY SHERMAN
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A program typically used to take guns off crime-plagued urban streets is coming soon to an unlikely place: Pembroke Pines' Century Village, a gated retirement

community.

The Citizens Crime Watch of Pembroke Pines will hold a gun buyback at the condo development Feb. 26. Residents can bring in unwanted firearms — no questions asked — and receive a \$25 gift cer-

tificate to a local retailer.

This particular buyback is aimed at taking guns out of homes where they could be stolen or accidentally hurt someone.

"There are guns out there, believe me," said Irv Kest, 68, of Century Village. "Illegal. Unwanted. Unused."

Kest, who pitched the program to city leaders, said he witnessed

the effects of gun violence when he was a New York City police officer.

Kest, who works with Pines' Citizens Crime Watch, suggested the program through Crime Watch. Police will arrange for the destruction of the weapons.

Century Village's Condominium Owners of Pembroke Pines Associ-

•TURN TO GUNS, 6B

BROWARD PLUS, 3B

MIAMI-DADE GOVERNMENT FEUD

County Manager George Burgess caught between mayor and commission.

BROWARD PLUS, 3B

TUITION DEBATE

A new 'block tuition plan' would have a big impact on state university fees.

DEATHS, 4B

JOSE BEZERRA da SILVA, 77

Samba singer whose lyrics inspired Brazilian hip-hop performers.

Residents sounding off on noise

• TRAINS, FROM 1B

wake me up. And I run my business from my house, so I'll be on the phone and people are like, 'What is that?'

It's a complaint echoed by one resident after another. But in some areas, people near the tracks could soon get a break.

After a decade of study, the Federal Railroad Administration is expected to release guidelines in the coming days for communities that want to apply to become a "quiet zone," meaning passenger and freight trains would not sound their air horns, except in an emergency.

Current Florida law mandates that trains begin blowing the horn 1,500 feet before each public crossing.

But upgrades to the crossings — like having four full-size gates that completely block all lanes of traffic and lane dividers to keep vehicles from driving around the barriers — could make communities eligible for the ban.

It has been up to each state to determine rules for the so-called "whistle ban," but at the request of Congress, the FRA has been working to come up with a national standard, which would supersede all local laws.

During the 1980s, the state imposed a nighttime ban on much of the Florida East Coast Railway, which runs from Jacksonville to Miami on a different track, a couple of miles east of Tri-Rail's.

The result: The number of trains colliding with cars and



MARSHA HALPER / HERALD STAFF

HEADING OUT: A southbound Tri-Rail commuter train leaves the Boynton Beach station Friday morning.

trucks nearly tripled between 10 p.m. and 6 a.m., the hours the ban was in place.

"The slaughter was awful," said FEC historian Seth Bramson. "The stupidity of people driving around the gates."

'SAFETY DEVICE'

In 1991, the FRA issued an emergency order telling engineers to resume sounding the horn, and the number of accidents returned to the previous level.

The FEC track would not be eligible for a whistle ban because its crossings are not being upgraded, unless communities decide they want to pay for it.

FEC spokesman Husein Cumber said it has no interest in returning to a whistle ban unless pushed by the communities, calling the audible warning "a proven and successful safety device."

The Florida Department of Transportation is sponsoring a seminar Feb. 3 at its Fort Lauderdale office, with representatives from local governments, the railroads and federal officials to discuss the new regulations.

They will likely go into effect in April, and each community will need to apply for the ban. Engineers would still be able to pull the horn if they see something on the tracks, but some residents worry that could lead to abuse.

Martin Shugar, chairman of the Noise Pollution Committee for his Hollywood development, said railroads should be required to file a detailed incident report for each occurrence.

"How often do they see something and need to blow? I'm going to guess maybe once every two or three weeks," Shugar said. "If it's a

justifiable horn blow, then hey, you've got to fill out the report."

He and other residents in the Lakes of Emerald Hills are also calling for a 22-foot wall to be built to help absorb the rumble of the additional trains. They point out that the new track is 10 feet closer to their homes and that as part of building the track, crews cleared out thick, tall vegetation that had provided a natural barrier.

FOLLOWING SUIT

Other cities along the tracks are also interested in applying to become quiet zones, including Boca Raton.

The moan of passing trains has been a part of most coastal cities in South Florida since their founding, but Hollywood Mayor Mara Giulianti has no regrets or nostalgia for "an intrusive noise that could be eliminated."

"We're excited as could be. We're very pleased that, because of the four quadrant gates, we're going to be able to finally, hopefully get some peace and quiet for our residents."

Pedro Garcia, who lives just a few blocks south of Hollywood Boulevard, also is optimistic.

"In the middle of the night, when we're sleeping, they're blowing the horn two or three times. There's no reason for it, no cars going by. So we'd like to have the silence."

Herald staff writer Jerry Berrios contributed to this report.