

FRED GRIMN

Trials mirror life: Both can be very unfair

A nyone who doubts the unevenness of American justice ought to check with David Rauch or Angel Palank. Both benefited from the arbitrary whims of juries (or perhaps superior skills of their respective lawyers) in two wildly dissimilar cases tried recently in Broward Circuit Court. David Rauch was acquitted in a sleazy \$5.000 murder-for-hire homicide after testifying, simply, that he was too screwed up on drugs and couldn't remember anything about the 1991 ht on Lighthouse Point millionaire Charles Bray.

drugs and counting anything about the 1991 hit on Lighthouse Point millionaire Charles Bray.

The diminished-capacity argument—a desperate strategy that almost never works—did. The jury bought it. On July 17, Rauch was acquitted. One of his companions the evening that Bray was beaten to death is serving a 15-year sentence.

Meanwhile, the lawsuit of Angel Palank against CSX Transportation was being tried in the Broward civil division. Last Wednesday, a jury piled \$50 million in punitive damages atop an earlier \$6.1 million wrongful-death judgment.

Palank, a Cooper City commission of the properties of the properties

death judgment.

Palank, a Cooper City commissioner, and her family had sued CSX over the 1991 derailment of an Antrak passenger train in rural South Carolina in which her husband, Miami policeman Paul Palank, was one of eight people killed. CSX had been responsible for maintaining that stretch of track.

A matter of millions

Fretch of track.

A matter of millions
Compare the Palank verdict
with the \$2.8 million awarded
the family of Joe Greshan,
Broward County maintenance
same circumstances. Same circuit court. Different juries. Justice varied by \$53.3 million.
The judge in the Palank lawsuit could— and likely will—
declare the punitive damages
excessive and lower the amount.
But a judge's action hardly
restores confidence that juries dole
out justice in equal
countis. Its per second counting the presence of the counting of the presence of the prese

Death Row's losers
Florida's Death Row, for example, has scores of condemned killers whose erminal recrumstances can be matched upwith killers serving out prison. The difference between life and death came at trial time. The difference between life and death came at trial time, superior lawyers. In the capacity to pay for an adequate defense. And with the whims of the juries. The Rauch case may have revealed another factor contributing to uneven justice. After Rauch's first trial ended in a mistrial in April (a detective blurted out improperly that Rauch had confessed to taking part in the female jurors expressed sympathy for the boyish, nice-looking defendant, offering to bake the young man cookies.

Image important

Image important
A less appealing, older, uglier, darker client might have had trouble selling jurors the diminished-capacity argument. In fact, Broward County juries regularly convict and recommend death penalties for defendants with long, documented histories of gross mental impairment.

The unpretty Eddie Gryczan, for example, killed his mother after emerging from yet another stint in a mental hospital. His jury rejected an insanity defense and suggested the death penalty. (A quirk in Florida law allow criminal defendants to argue that intoxication impaired their judgment, yet sets a much higher standard to mount a mental-illness defense.)

A jury's whimsical inequity —

standard to mount a mentarin-ness defense.)

A jury's whimsical inequity— even a \$53.3 million inequity— might be an acceptable risk in a train wreck civil trial. But when jury whims send some to Old Sparky and others home, it's time to retool the system.

Hollywood sends 'Dear John' letters

By CHARLES SAVAGE
Herald Writer
A Hollywood police letter-writing campaing designed to embarrass men caught soliciting prostitutes has raised a red flag with civil-liberties advocates.

Letters, printed on Hollywood police stationery, began arriving last week at the homes of those arrested on suspicion of soliciting prostitution, said police in prostitution, said police in prostitution, said police in prostitution, said police.

The letters, addressed to "Dear Resident," tell of the arrest and warm of possible consequences. The letters say prostitution contributes to the spread of AIDS and other sexually transmitted diseases.

"AIDS has no cure and can be

diseases.

"AIDS has no cure and can be fatal," the letter states. Included

with the letter is a pamphlet about sexually transmitted diseases. "We hope you will find it useful and will govern yourself accordingly," the letter says.

Hollywood police have mailed about 120 letters since the campaign regard too weeks ago, and the same and the

Blumner, executive director of the American Civil Liberties Union's Florida division.

"The fact is that the system cannot punish someone until there's been some form of due process," Blumner said. "An arrest, from a constitutional perspective, is meaningless. There has to be a conviction for there to have been a grounded and confirmed violation of law. So a letter like this, if the purpose of this to embarrass the recipient and to embarrass Johns, would be a violation of due process."

Norris disputes the ACLU position.

"We don't believe we're denying them any of their constituting them any of their constituting them any of their constitutions."

THE CITY'S WARNING LETTER

The homes of people charged with soliciting prostitution in Hollywood have received a letter from the Hollywood Police Depart-ment detailing the arrest. Here are some excerpts:

On [date], at [location], [defendant's name] was arrested and rged with the violation of one or more Florida statutes involving stitution-related activity . . .

Acts of prostitution and solicitation of prostitutes are not only imminal diffenses in the state of Florida, they are also very dangerous. THESE ACTIVITIES ARE KNOWN TO CONTRIBUTE TO THE SPREAD OF AND SAN DE ARE NOWN TO CONTRIBUTE TO THE AND CAN BE FATAL! ...

We have enclosed a brochure that further explains the harmfu diseases which may be contracted through sexual contact with prostitutes and drug users. We hope that you will find it useful and will govern yourself accordingly."

CUBAN CUISINE



DIVERSE MENU: La Carreta executive chef Tony Piedra, center, new Cuban restaurant in Pembroke Pines. Employees were goes over with serving staff each meal that's on the menu at the invited to bring family members to a preview meal Monday night.

Pines getting a big taste of Little Havana

All the way from Miami's Little Havana, La Carreta Restaurant makes its Broward debut today in Pembroke Pines. On the menu: Cuban favorites such as tasajo, pal-omilla, carnitas — and pastrami.

menu: Cuban favorites such as usuajo, paromilla, carnitas — and pastrami.
Pastrami?
That's right. Typical Cuban dishes will
be the restaurant's main focus, but if you're
in the mood for pastrami or a corned beef
on rye, the chefs won't deny you.
The menu at La Carreta, which opened
on Southwest Eighth Street 20 years ago,
will be stocked with Cuban favorites such
as black beans and rice, platano maduros or
guava and cream cheese, said Felipe Valls
Jr., who owns the restaurant with his
father.

The 8,000-square-foot Mediterranean-style restaurant at 301 University Dr. will have a full bakery and deli unique to the chain of seven restaurants, and a bar where you can order a Cuba Libre or a Manhat-tan.

"To me it's very exciting," Valls said. "It's our first venture into Broward. Pem-broke has a good cross-mix of people, including Latins."

On Monday, the 80 employees took a trial run, testing recipes, table-side man-



SAMPLING THEIR PRODUCT: La Carreta bakery workers Maria Hides, left, and Maria Garcia have lunch at the restaurant on Monday, the day before the grand opening.

ners and serving techniques on each other.

The grand opening is today at 4 p.m.—
for dinner only. On Wednesday, the restaurant will have a private party for the media.
On Thursday, it will open for lunch. From
then on, Valls plans to serve breakfast,
lunch and dinner every day.

He even plans to experiment with keeping the restaurant open until 1:30 a.m. on
weekends, adding some life to Pembroke
Pines after dark.

People have been eager for La Carreta to

open, said cashier Brenda Smith of Mira-mar.
"People are calling and just coming in with their families, ready to sit down and start eating." Smith said.
Restaurateurs say the demand for Cuban food is high in the area. Even competitor Las Vegas, which has one restaurant in Pembroke Pines, welcomes the new busi-ness.

PLEASE SEE RESTAURANT, 8BR

lst suspect on trial in Pizza Hut slayings

Lawyer: Client 'had no motive'

By SABRINAL MILLER
Head Staff Win Jeacobs walked
into a Pembroke Pines Pizza Hut
last year, it was to pick up friends
for a night of partying on South
Beach — not to commit robber;
and murder, his attorney said
Monday.

"Julian Jacobs didn't do any of
that," said Skip Taylor in his
opening statement at Jacobs'
double-murder trial. "He had no
notive. It doesn't make sense
that this was a planned event."
But something went tragically
wrong around closing time. June
Jone 1996, Night manager Derck
Jackson, 20, and cook Timothy
Lee Ahrens, 18, were fatally shot
at the restaurant as 2040 N. University D.
Senson 1996, Night manager Derck
Jackson, 20, and cook Timothy
of the property o

Preston, 20, will be tried separately.

In his opening statement Monday, prosecutor Tim Donnelly said both Jacobs and Preston are responsible for the deaths and for robbing the restaurant of more than \$2,000.

"Derek knew the killers. He had befriended both these individuals," Donnelly said. "That's what cost these two young men their lives.

He greatly downplayed Jacobs role, saying his client, "just happened to be there."

played Jacobs rote, saying mis client. "Just happened to be there."

All the evidence, including a deathbed statement from Jackson, points to Preston as the shooter, Taylor said.

Jackson died of a gunshot wound to the head two days after the incident.

Ahrens, who had graduated with honors from Hollywood Christian High School two weeks the said of the said one of the restaurant to give Jackson, who was having car trouble, a ride.

A third employee, Julian Victor, escaped injury or death by locking himself in the restaurant's restroom, switching off the lights and crouching in a stall. He has said one of the robbers fired shots at the restroom door, then ran out of ammunition.

Donnelly told the jury Monday that after shooting Ahrens and Jackson and swiping the cash, the suspects split the money, blowing \$200 at a Mains strip club later

PLEASE SEE PIZZA HUT, 28R

PLEASE SEE PIZZA HUT, 2BF **BrowBits**

It's National Night Out this evening and all across Broward, police departments and citizens will meet in a show of force to let criminals know they're mad syou-knowwhat and they re not going to take it anymore. For a list of events in your neighborhood. see Page 8BR.

Mobile swimming teachers instruct kids at home (parents supply pools)

by Arnack M. Britices

by Arnack M. Britices

or in South Florida: Young
kids plus backyard winner

pools equals drowning deaths.

But the Broward Chapter of

the American Red Cross and the

VMCA have teamed up this summer to take some of the truth out

of that math. They're doing it

through the Save a Life Campaign, a water-safety and swim

instruction program for families

'We had over 500 calls the first week from families trying to register over 1,200 children.

with children 8 and younger. It's absolutely free and the les-sons come to you. Broward parents with pools

recognize a good deal when they see one. PLEASE SEE SWIMMING. 2BR

FOR YOUR INFORMATION



WHAT'S HAPPENING

CLUBS

Kiwanis: Davie club; noon; Rolling Hills Hotel and Golf Resort, 3501 Rolling Hills Cir., DAVIE; 476-8255.

Plantation Orchid Society: 7:30 p.m.; Plantation Community Centre, 5555 Palm Tree Rd., PLANTATION; 742-8345.

FTC.

Fort Lauderdale Branch
Library: The Cornidor, photo
exhibit by Herald photographer
Charles Trainor, 19 a.m.—8 p.m.;
ArtServa-Jim and Just Moran Galle
exhibit by Herald photographer
Charles Trainor, 19 a.m.—8 p.m.;
ArtServa-Jim and Just Moran Galle
exhibit Serva Holder Serva
LAUDE Serva Holder
LAUDE Serva Holde



COMING UP

American Czechoslovak Group of Broward: Luncheon meeting; 10:30 a.m. Friday; Bohemian Res-taurant, 1112 N. Ocean Blvd., POMPANO BEACH; \$7; 563-5387.

POMPANO BEACH; \$7:563-5387.
Polish American Cilus of Nolly-wood: Dinner and dance; Saturday, doors open 6 pm., dinner 7 pm., dancing 8 pm.-midnight; 3861 Stir-ling Rd., HOLLYWOOD; \$8 members, \$10 nonmembers, reserva-tions required; 741-1144.
\$5mm Color Camera Club: For novice or advanced photographers 7 pm. Aug. 19; Miramar Sonior Center, 7657 Venotian St., MIRA-MAR, 437-4243, 893-8375.

MAR; 437-4243, 985-6375. Velorana of Foreign Wars Ladies Auxiliany: Davie Post 987; 730 p.m. Aug. 13; VFW Post, 5484 Griffin Rd., DAVIE; 583-3330. Violet Patch: For growers of African violets; 7:15 p.m. Thursday; Broward County Agriculture and Extension Education Division, 3245 College Ave., DAVIE; 376-3827.

FOR KIDS

FOR SENIORS

Chair excretions: Classes for residents 50 or older; 1 p.m. Mondays, 9 a.m. Thursdays, 10 a.m. Fridays; Memorial Hospital Pembroke's Professional Building, 2261 University Drive, PEMBROKE PINES; free of Memorial Senior Partners; \$3 per class for nonmembers; membership is one-line payment of \$25, 963-8030.

NationsBank Starlight Musi-cals: Free concerts; 7:30-9:30 p.m Holiday park, U.S. 1 and Sunrise Boulevard, FORT LAUBERDALE; schedule: Gary King and The Dream, rhythm and blues, Friday, Nori Nori, reggas, Aug. 15; and Valerie Tyson, jazz, Aug. 22; 627-6500.

627-6500.

Body building and fitness:
National qualifiers for men and
women; fitness, 7 p.m. Friday, \$8 or
\$12; Saturday, bodybuilding morning show (9 a.m.; \$8), evening show
(9 m.; \$16 or \$25); War Memorial Auditorium, 800 NE Eighth St., FORT LAUDERDALE; 761-5380

Book signing: Coral Springs author Linda Firestone discusses her new book. Awakening Minerva: The Power of Creativity in Women's Lives; 8:30 p.m. Friday; Barnes & Noble, 2790 University Dr., CORAL SPRINGS; 344-6291.

Lives, #30 p.m. Friday, Earnes A.
Nobie, 2790 University Dr. CORAL
SPRINGS; 344-6291.
Dania Bacch Cruise Nights:
Sponsored by Fort Lauderdale
Mustangs and Optimist Club of
Danis, 6 p.m. Saturday, classic can
competing for trophise, music,
retreatments; 62 for trophise, music,
retreatments; 62 for trophise, music,
retreatments; 62 for the company of the company
Bar A Grill; 55 fee to enter carp proceded benefit the Optimist Club of
Danis; also, Sept. 13 and Oct. 11;
922-0797, 921-8700, ext. 232.
Parking lof asler: Furniture,
clothing, appliances, more; 9
a.m.-3 p.m. Saturday; Salvation,
Am.-3 p.m. Saturday; Salvation,
Danis; also, Saturday; Saturday;
Danis; also, Saturday; Saturday;
Danis; also, S

races, hand pruners neiptur;
926-2480.
Racd raily: Time, speed, disRacd raily: Time, speed, disRace raily for all types of vehicles
sponsored by Sports car Club of
America and Tropical Sports car
Club, Saturday, registration 8-30
America and Tropical Sports car
Club, Saturday, registration 8-30
America and Tropical Sports car
west of Intervates 95, DEERFIELD
BEACH; \$15 per cap bring stopwatch, map; 344-1938, 782-2829.
Chess games challenge chess
master and instructor Chris Goldfatt; 3-5 p.m. Sunday; Starbucks
Cafe, Barmes & Noble, 59 I.S. University Dr., PLANTATION; free;
723-0489.

723-0489.
Comedy benefit: Third annual
Comedy Night to benefit Easter
Seals of Broward County, 6:30 p.m.
Monday; Unicle Funny's Comedy
Club, 9:160 State Road 84, DAVIE;
auction, raffles planned; sponsored
by Century 21 A

or Century 21 AAA Fleality, Nicole Latour-McLaughin, 436-8 108. Tuesday Afternoon at the Moriese For poople for older 2, pm., Anna Kolo Natura Centre at West Lake Park, 751 Bendrad St., HoLL TWOOD): schedules. A River Runs Through III, film adaption of Nor-more August 2, Enclarate April, comedy-drama based on 1921 novel by Elizabeth von Armin about four women Sharing a Willia on Hal-lan Riviera, Aug. 28, Howards End, film adaption of EM. Poster's novel, 5ept. 9; Sense and Sensibil-ily, film adaption of Lin Ostano 1981, film adaption of Jana Austen 1981, film adaption of Jana Austen



LET US KNOW

ave an item to submit to the For Your Information col-umn or any of The Herald's other calendar listings? Send it

O: Things to Do The Herald 3325 Hollywood Blvd. Suite 102 Hollywood, Fla. 33021

33021
When sending information about an event, please include your name and a telephone number where you can be reached during the day. We'll see that if finds its way to the appropriate section.

THE HERALD

BROWARD EDITION

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R HOLLYWOOD 3325 Hollywood Blvd. Suite 102 Hollywood, Fla. 33021 News



Hollywood stands by 'Dear John' letters

STING, FROM 18R
tional rights or invading their
privacy," she said. "The fact is
that they were arrested and
charged, and we're basically foltone information."
The department has received
no response to the letters. "It will
be interesting to see what the
feedback is," Norris said.
Blumner thinks some of that
feedback might be in the form of
a lawsuit.
"What would generally be
asked for is an injunction against
the program and whatever nomi-

nal damages occurred," she said. "You'd have to put some price tag on it eventually, but not ini-

tag on it eventuary, tially."

The letter also states that "names and pictures of defendants will be printed in area

dants will be printed in area newspapers."
However, both The Herald and The Sun-Sentinel refused to publish "prostitution roundusp," even after the Hollywood Police Department offered to pay for the space in a full-page advertisement last January, Norris said. "Every day there are stories in there of people accused of crimes," Norris said. "It's unbe-

lievable."
Herald Executive Editor Douglas Clifton said the newspaper should not be used to punish men suspected of being Johns.
"It's kind of weird that they would want to buy space," Clifton said. "Their effort is to ndicule; it's not simply to enforce the said. "It was to be to

fied.
"We're not an agent of the police department," Maucker said. "We do stories when we

"We're looking at innovative ideas and approaches," she said.
"We're making every effort to curtail prostitution in Holly-wood. It's a problem we know we'll never be able to completely stop, but we know we're definitely making a dent in it. We figure if we cut off some of the demand, some of the supply will go away too."

Busy week for tennis enthusiasts

Tourney activities set across Broward

■ TOURNAMENT COVERAGE, 2D

■ TOURNAMENT COVERAGE, 2D

The 81st American Tennis
Association national championship is this week, with more than
1,200 players competing in Fort
Lauderdale. The ATA, founded
in 1916, is the oldest AfricanAmerican sports organization in
the United States.
All the American States

Holiday Park, 700 NE 12th
Ave, Fort Lauderdale.
■ Fort Lauderdale.
■ Fort Lauderdale.
■ George English Park, 1101
Bayview Dr., Fort Lauderdale.
■ Inverrary Resort, 3501
Inverrary Bresort, 3501
Inversary Bresort, 3501
Inversar

1100 SE 17th St., Fort Lauder-dale.
All tournament tennis matches are free. The average cost for all junior activities is \$7. The Discovery Casino & Dinner Cruise out of Port Everglades tonight costs \$40.
Tickets for all events will be available at the registration desk at the Embassy Suites, which will be open throughout the weck.
Here is the schedule of events:

nverrary Resort.

8 a.m. to 4 p.m.: National tourna-nent play, singles, all sites.

7 to 10 p.m.: Blockbuster Golf & iames, juniors meet at Embassy Suites.

Games, juniors meet at Embassy Suites

7 p.m. to 1 a.m.: Discovery Casino

8 Dinner Cruise, Port Everglades.

WEDNESDAY

■ 8 a.m. to 2 p.m.: Golf program, Inverrary Resort.
■ 8 a.m. to 4 p.m.: National tournament play, all sites.
■ 1 to 5 p.m.: Bus trip to Sawgrass Mills mall, meet at Embassy Suites.

To 10 p.m.: Trip to Blockbuster Imax Theater at Museum of Discovery & Science in Fort Lauderdale, Juniors meet at Embassy Suites. THURSDAY

HUKBUAT

8 a.m. to 4 p.m.: National tournament play, all sites.

9 a.m. to noon: Junior clinic and celebrity event, Joseph C. Carter Park, 148 NW Minis NS. Fort Lauderdale.

5.50 to 7:15 p.m.: Silent auction and cocktall reception. Embassy Suites.

17:30 to 9 p.m.: Awards banquet and dimner, Embassy Suites.

8:30 to 1 p.m.: Junior party with DJ, Inversary Bescort.

■ 9:30 p.m. to 1 a.m.: Adult dance, we entertainment, Embassy Suites.

Fedelins Caspets Inc.
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Our Block Long
Warehouse Showroo
The Carpet
Supermarket
of South
Florida

spent the night with a boytriend. "The nightmare is over," Maguire's mother said Monday. "The child made abd mistake. Her dearest friends forgive her and that's all she needs." But investigators say Maguire's actions caused them to spend many hours chasing a nonexistent rapist.

tent rapist.

Police stopped drivers of every purple pickup truck. Maguire said her assailant was driving a purple truck.

Police released a composite sketch and enlisted the help of the surrounding community. Officers followed up on leads generated by hundreds of calls.

told how dumb they are, they've been locked in closets — their self-esteem has been ripped apart," said Mimi Haley, Kids in Distress devel-

Kids abused by families see

softer side of police officers

haley, Kids in Distress development of the control of the control

cases.
"The hardest part of the job is the slowness of the system to get their needs met," she said.
When the officers drove up on their motorcycles, the chil-

dren had mixed reactions, Okrent said. Some cringed at the roar of the Harley-David-sons or cried at the sight of the uniformed officers, nended to The lunch was more considered to the control of the c

At the showed the kids a difference of themselves.

They handed out police trading cards, badge stickers and dessert.

ing cards, badge stickers and dessert.

Coral Springs Officers Jeffrey Maslan and Paul Aigner took turns setting youngsters on Aigner's motorcycle.

"Say 10-4," Maslan told the kids who lined up next to the bike.

"This is the best thing 'vere done," Cooper City Officer John Grimes said as he held a 2-year-old girl. "They didn't ask me many questions. They just wanted to be shown some love."

By JUAN C. RODRIGUEZ Herald Writer Pompano Beach motorcycle Officer Claudia Janka was moder Charles was smudged with chocolate. "Just look at the long eyelashes on him," Janka said as the boy slobbered on his cookie. It helped to look at his face, because if you looked at his arms, you'd see the bruises and burns. "He said he had a boo-boo, and when I looked, I saw the cigarette burns on his arms," Janka said. "It hits you right in the heart." Janka and 27 other motorcycle officers from 15 Broward le officers from 15 Broward leften who live at Kids in Distress, a treatment center in wilton Manors for children who are abused so severely that they have been taken from their families. "These children have been Woman who said she was raped is charged with filing false report

By JUAN C. RODRIGUEZ Herald Writer

Herald Writer
Last week, 19-year-old Kelli
Maguire told Pompano Beach
police she had been abducted
from a mall in broad daylight
and raped in a nearby field at

gunpoint.

Now she has been charged with filing a false report, a first-degree misdemeanor punishable by up to a year in jail and a \$1,000 fine. Police said Maguire made up the tale, frightened that her parents would be angry that she had spent the night with a boyfriend.

Officers followed up of a generated by hundreds of calls.

"There were citizens concerned about going shopping, and we had hundreds of calls about tags and trucks," and police spockessoman Sanders (Sing. were helping." she said.

But the unconvenience to police was only one part of the problem caused by Maguire's actions, women's advocates say. They say they don't want women to stop coming forward because too many rapes still go

unreported.
"Anything that would prevent a victim from coming forward is a disservice." said Rosanne Morse of the Sexual Assault Treatment Center in Fort Lauderdale. "I would encourage women to still come forward and report it."

False rape reports are rare, said Patricia Grogan, chairwoman of the Governor's Task Force on Domestic and Sexual Violence. The FBI reports that only a small percentage of women make false reports, she said.

"Statistics clearly state that ost people who are raped don't

ever report it," Grogan said.

She sees the crime of rape as a far more important issue than the false rape report.

"The larger issue we should be concerned about is how many rapes do occur in our communi-ties, the ones that don't make the news."

Pompano Beach police agree.
"We certainly would much rather investigate something that didn't happen than investigate something that 100 percent," King said. "We are just relieved that there is not a rapist on the loose in our community."

■ 8 a.m. to 4 p.m.: National tourna-nent play, all sites.
■ 1 to 6 p.m.: Bus trip, Heritage Tour, neet at Embassy Suites.
■ 8 p.m. to 1 a.m.: Music fest and closing dance, Embassy Suites. SATURDAY 9 a.m. to 5 p.m.: National tourna-ment finals, Inverrary Resort and Holi-day Park.

