

In Miami Re-enactment, Capone Has New Day in Court

By DAMIEN CAVE

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MIAMI — Arrest the bum and run him out of town: that was the approach of the Miami police when Alphonse Gabriel Capone moved to South Florida in 1928. But when he sued the city for harassment two years later and was then tried for perjury, the authorities ended up looking like chumps.

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United Press International

A 1929 mug shot of Al Capone, who was subjected to repeated arrests after he moved to South Florida in 1928.

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Officers from the Dade County Sheriff's Department led a raid in 1930 at his home in Miami Beach.

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The public safety director, S. D. McCreary, testified to his own legal ignorance; the judge would later be indicted for taking bribes.

Why then would the Eleventh Judicial Circuit Court and Miami-Dade County go out of their way to re-enact the perjury trial on Tuesday — in a courthouse already overwhelmed with a backlog of cases? Partly to celebrate the court's 100th birthday; partly for reasons more profound.

"This is where we come from," said William Altfield, an assistant state attorney tasked with playing Mr. McCreary. "This is the actual courtroom where the trial happened, and it's magical."

The yawning ninth graders sitting beside history buffs on the gallery's dark benches did not seem to agree. But if a touch of the extraordinary existed, it could be found in the trial's subtle details, which hinted at the culture of bling and mischievous behavior that still defines South Florida 82 years after Mr. Capone bought his Palm Island mansion.

Back then, the Miami area amounted to a string of soggy towns at a turning point. A 1926 hurricane had killed hundreds of residents in a city of less than 100,000 and wiped away the area's first real estate boom, making room for the next speculators who — by the time Mr. Capone died here in 1947 — had begun building the playground South Florida would become.

Mr. Capone (portrayed by Juan C. Martinez) may have been fabulously unwelcome at first, arrested repeatedly without charge. The police, he said in the trial, "done

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Juan C. Martinez played the role of the defendant on Tuesday in a re-enactment of Al Capone's 1930 perjury trial.

everything but lay hands on me." The trial transcript in his case, which was ultimately dismissed, shows he was particularly bothered by the authorities' refusal to give him a receipt for confiscated "valuables."

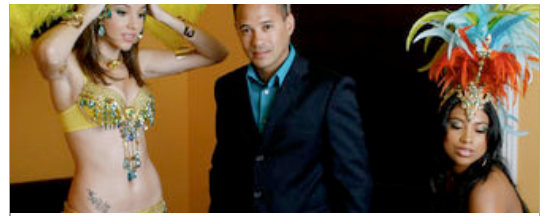
It was a sign perhaps of the conspicuous consumption to come, and the fact that Mr. Capone represented the new, cosmopolitan Miami facing down the old-boy network.

History or misplaced nostalgia would make him the chubby, charming rogue, smiling in his Miami mug shot, who led the way for future outlaws. Dictators from Cuba, Nicaragua and other nations have all landed here, followed by tabloid celebrities (O. J. Simpson, Madonna) and most recently reality stars with "Sopranos" taste and names like "The Situation."

The suit cuts and accents may have changed, but below the ocean-view windows, the swamp is still the swamp. Mr. Altfield missed rehearsals for the re-enactment because he was prosecuting local police officers accused of shaking down drug dealers.

And in 1930 — and again on Tuesday — when asked about his occupation, Mr. Capone did not hesitate to identify the one Miami profession forever associated with a fast buck: real estate.

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