

Thursday, January 20th, 2005
Baton Rouge, Louisiana

WILBERT RIDEAU – FREEDOM OR PRISON?

There are 88 prisoners awaiting execution on Louisiana's death row at Angola State Prison. Wilbert Rideau is no longer one of them. He walked out of a Lake Charles courtroom last week, a free man. But he admitted committing a murder. So should he be free?

This is not the first time I've weighed the pros and cons of Rideau being freed. I have talked with him on several occasions and listened to his personal plea. If you want to paint a picture of a calm, gentle inmate whose claims of reformation are quite convincing, Rideau is your man. He became a renowned writer and filmmaker at Angola, and there seemed to be a consensus of opinion from virtually everybody in the prison system that he was as "rehabilitated" as anybody can get. But still,..... he murdered someone.

I first met Rideau in 1986 during a crafts fair at Angola. I was Secretary of State at the time, and I joined a large group of bikers to ride our motorcycles up to Angola from Baton Rouge, as a charity event. My black BMW 1150 GS led the way as we rode to the Tunica Hills and through the gates of the state's largest prison. Inmates were selling a variety of handmade crafts; artwork, jewelry, leather goods, wooden bird cages; just about anything an idle mind with a little creativity could make with his hands. As I was looking over the various goods for sale, a short, mild-mannered inmate walked up to me. Mr. Brown, I'm Wilbert Rideau. I hear you may run for governor next year, and I'd like to talk to you if you will give me a minute.

We sat at a picnic table as another inmate served me a bowl gumbo, and Rideau told his story; basically the same story that has been rehashed time and time again in the local and national press over the last 40 years. There was not a lot of talk about "premeditation" in what he did. He just said he had done a terrible thing in his teenage years. His plea was more for the whole idea of rehabilitation. "Do they let folks like us just rot away, or do they offer us some glimmer of hope? Shouldn't I have something to strive for? Isn't there some reason for my good works and good efforts to make a difference?" But I'm thinking in my mind,..... he murdered someone.

He asked if I would consider a pardon for him, in the event that I was ever elected governor. The state pardon board, appointed by then Governor Edwin Edwards, had recommended a full pardon for Rideau some months earlier. But the governor refused to sign off on it. I ask Edwards what his reasoning was in turning down the Rideau. "He's probably the most rehabilitated prisoner at Angola," Edwards told me. "But there's just too much opposition out of the Lake Charles area. All hell would break loose if I pardoned that guy."

I told Rideau I would keep an open mind about his request, and if I was elected governor, I would agree to talk with him at length again before I made any decision. We visited on several occasions after that, either at Angola, or when I occasionally ran into Rideau somewhere around the state as he was allowed to speak to high school groups. He would always ask me to "do what I could in his behalf" to help him get out of Angola. But I couldn't help but remember:..... he had murdered someone.

Buddy Roemer followed Edwards as governor, and again, his appointed pardon board unanimously recommended that Rideau be turned loose. Roemer refused. I never talked to Roemer about Rideau, but I can only assume he shared Edwards's concerns that there would be too much of an outcry from the Lake Charles area.

So if I had been elected governor, would I have pardoned Wilbert Rideau? First, one must recognize that three different juries had previously passed judgment on him and given him the death penalty. There was no question to them of life imprisonment. He had been sentenced to be executed, just as many had before and after him. And many of those others were put to death. So there are really two issues. First, should he be put to death for the murder he committed? And second, should he be pardoned and set free if any governor had this option?

Actually, being executed always was a long shot for Rideau. Some 80 other prisoners received death sentences after Rideau's conviction and all are now free. And if ever there was a model prisoner who did everything to help his cause, it was Rideau. On top of that, the prosecution team trying to put him away, made one mistake after another. So for a number of reasons, even if the courts had not thrown out his death sentence, I would have been inclined, as governor, to commute his sentence from death to life imprisonment.

But what about a pardon? Hundreds have pleaded in signed petitions to set him free. His own rehabilitation, prosecutorial misconduct and some facts in the case that are still in dispute – all these reasons offer a strong argument in his behalf for clemency and freedom.

But no matter how you paint the picture, no matter what spin you put on it, however you want to color the bottom line: he murdered someone. And he tried to murder two other people. They just each faked their death, and somehow survived. Maybe he did it with premeditation. Maybe he did it in anger. Maybe he was just plain scared and overreacted. But when all was said and done, he murdered someone.

I'm glad I never had to make the final decision. I would have kept my promise and visited with Rideau at length. He is certainly an interesting fellow. I no doubt would have talked with him on a number of visits I would have made to Angola as governor. I would have struggled with the decision. But no matter how much I tried

to balance the scales and weigh all the positives in his direction, I would never be able to put one thing out of my mind. He took a life..... He murdered someone.

MOUNTING PROBLEMS IN THE FBI.

Don't you sometimes just feel sorry for the FBI? It seems that in the past few weeks, a day does not go by when there is not a national story pointing out one more screw up by our country's top law enforcement agency.

First it was last week's blistering expose' where the Justice Department's inspector general concluded that the FBI had failed to aggressively investigate accusations of espionage. The New York Times said: "In a long-awaited report that the Justice Department sought for months to keep classified, the inspector general issued a sharp rebuke to the FBI over its handling of claims of espionage and ineptitude."

Other headlines blared out that the FBI was on the verge of scrapping its \$170 million computer overhaul, because the effort has been "littered with technical and planning problems." \$170 million down the drain. "I hope we haven't just poured money down a rat hole at taxpayer's expense," said Senator Charles Grassley, the Iowa Republican who's been a harsh critic of the FBI computer efforts. Senator Patrick Leahy of Vermont said this week that the computer system was "a train wreck in slow motion." He went on to say: "The FBI needs to stop hiding its problems and begin confronting them early on. Bringing the FBI's information technology into the 21st century should not be rocket science."

Also last week, an investigation was opened into the FBI's role into Guantánamo torture allegations. And in California, a federal judge dismissed all charges against a Chinese-American woman accused of using a long-running sexual relationship with a senior FBI agent to obtain national security documents. The judge dismissed the charges because of what she called prosecutorial misconduct. And finally, remember the career FBI agent who wrote a blistering memo to the agency's director alleging missteps by the Bureau before the September 9/11 attacks? She's only 50, but the day she got her full retirement, she said she'd had enough and quit.

I can only guess that the FBI was just too busy and overworked; understandably spending massive resources on other "important" problems. Like some obscure insurance case in some deep southern state like Louisiana.

Now it's certainly no secret to you readers, who followed my running battle for many years with the FBI. Let me share with you my most recent expression of my deep-seated feelings.

See, I'm in Memphis, Tennessee last week, signing books at several local bookstores. And what does one have to do whenever you go to Memphis? At a minimum, you

have to "drive-by" Graceland. That's right. The home of Elvis. Located on Elvis Presley Boulevard, right across the street from the Heartbreak Hotel. I drove by the monument on a Saturday morning, where hundreds of people were milling around the numerous souvenir shops and record stores, making their way up the hill to the home of the King. Along the entire block of the boulevard, there's a rock and concrete fence. And thousands upon thousands of diehard Elvis fans have written salutations, memories and accolades to Mr. Rock 'n Roll.

How can you pass this up? I took a pen from my briefcase, got out of the car, walked up the wall and sat by the stone edges for several minutes. What to write? Something memorable. Something personal. I took my pen and wrote one of the first phrases that came to mind. A phrase that even served as a headline in a number Louisiana state newspapers. The next time you go to Memphis, walk up to the middle of the Graceland wall, and look at the stone towards the top and to the right. The words written in pen that appear there are simple. "Never, ever talk to the FBI!"

"If we wish to survive the near future with our rights intact,
we need to understand the size and scope of the threat.
We must also understand its true identity:
a government that breaks its own laws.
Because the government breaks the law and hides it,
the government is not your friend."
Constitutional Chaos by Judge Andrew P. Napolitano

"Asking an incumbent member of Congress to vote for term limits
is a bit like asking a chicken to vote for Colonel Sanders."
Bob Inglis

Peace and Justice.

Jim Brown