

Couple cleared in baby's death

By Jon Burstein South Florida Sun-Sentinel
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The tearful father looked up, said, "Thank you Jesus," and clutched a Bible to his chest. The mother shut her eyes tight as her tiny frame quivered.

Emotion overcame Mardala Derival, 24, and Mackenson Dantus, 27, as a Broward County <<http://www.sun-sentinel.com/news/local/broward/>> <<http://www.sun-sentinel.com/news/local/broward/>> jury acquitted them Friday of manslaughter in their 3-month-old daughter's death.

Makeisha died on Valentine's Day 2004 with a blood-alcohol level that authorities said would have been nearly six times the legal limit for a driver. While the Fort Lauderdale <<http://www.sun-sentinel.com/topic/us/florida/broward-county/fort-lauderdale-PLGEO100100403070000.topic>> couple was found not guilty of killing their daughter, they were found guilty of child abuse for giving vodka to the feverish baby as a Haitian home remedy.

They each could face up to five years in prison when they are sentenced by Circuit Judge Susan Lebow.

Attorneys for Derival and Dantus said the new parents rubbed a little alcohol on the sick baby's face and put two drops of vodka in a bottle mixed with water, sugar and salt. The defense attorneys said authorities used a flawed formula to calculate the baby's blood-alcohol level.

When Makeisha died, she had pneumonia and a bacterial infection, according to a forensic pathologist for the defense.

"It was a real tragedy for them to be held criminally responsible for the death of their own child," said Sandra Perlman, Dantus' attorney. The couple spent nearly 1,000 days in jail awaiting trial. Perlman said that at one point during the two-week trial, Derival collapsed to the floor, sobbing under the defense table, "My baby! My baby!" The jury had to be excused.

The couple hope to soon be reunited with their other child, 4-year-old Christina, who has been living with relatives, said Michael Weinstein, Derival's attorney.

"They are looking forward to hugging their daughter," Weinstein said.

Assistant State Attorney Julie Vogel declined to comment on Friday's verdict. She had argued that the couple recklessly caused their daughter's death by giving her a lethal dose of alcohol.

Jurors — who spent more than 6 1/2 hours deliberating before reaching their decision — declined to discuss their reasoning. "We've been through enough," one of the jurors said as they got onto an elevator together.