OUT OF HARM'S WAY

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TO THE GATES OF HELL

On October 6, 2004, shock jock Howard Stern threw in the towel. He sat before his microphone in his New York studio at WXRK 92.3 FM and told the millions listening to his syndicated show via Viacom's Infinity Broadcasting that he was done with broadcasting on the public airwaves.

"I'm going to satellite radio because the FCC has made it impossible for me to continue doing what I do, a pornographic radio show. They have tied my hands. I can't give you, my fans, what you want and deserve," he said. "Starting January 1, 2006, I'll be on Sirius, and the FCC won't be able to touch me. Broadcast radio is dead."

Howard Stern then turned his wrath on me. "There's this lunatic lawyer in Miami who got me off the air in South Florida, off all Clear Channel stations across the country. One man did that. That's how insane this has gotten."

I knew I was the "lunatic lawyer" to whom Stern was referring. I had been the one who convinced Clear Channel to dump him from all of its stations. I had been the one to secure a $495,000 FCC fine against *The Howard Stern Show*, all in the months leading up to this moment.

Seventeen years of battling with other shock jocks over the same issues—the portrayal of women as objects to be humiliated, the distribution of pornography to children, all in violation of state and federal laws—had culminated in the self-proclaimed "King of All Media" declaring victory in order to hide his defeat.

His new name should be Coward Stern. Although he claimed this fight was all about his freedom of speech as an American, here he was fleeing the public airwaves, unwilling to fight for his version of the First Amendment. Howard Stern was blaming everyone but Howard Stern. This moment had been worth the seventeen years of effort and pain I had gone through to get here. It didn't get much better than this, but at times, it had been much worse.

Life hadn't always been this complicated. In fact, it had started out rather simply. I first met Patricia Halvorson when we were fellow classmates at Vanderbilt Law School in Nashville, Tennessee. On May 15, 1976, we missed our graduation ceremony to get married in her hometown of Hudson, Wisconsin. I'm certain we had more fun at our ceremony than our classmates did at theirs. Our honeymoon was spent pulling a U-Haul, which was attached to the bumper of our Pontiac, to Miami, Florida, a distance of 1,800 miles.

We rented a little concrete block home on Key Biscayne, with the rent reduced thirty dollars to $220 per month because I agreed to mow the grass. Few people in Miami mowed their own yards then, even fewer now. But on the west side of Cleveland, Ohio, where I grew up in the 1950s and 1960s, everyone mowed his own yard. Midwestern habits are hard to shake.

That first Miami summer, Patricia and I studied for the Florida bar exam, which we had to pass in order to practice law. My wife had a job lined up, having served the summer before as a clerk in an old, respected Miami firm. The partners liked her so much they offered her

a position as an associate when she graduated the next year. Patricia had worked her way through college as a waitress, taking out student loans when she had to. She would eventually become the first woman partner in that firm.

I hadn't found a job yet, but I wasn't concerned. I knew that once I passed the bar, I would be sure to find something.

It's not as if I hadn't already had opportunities. In my final year of law school I had flown from Nashville to Miami during Thanksgiving break to interview for a job I hoped to begin upon graduation. Florida has eleven judicial circuits, each one with its own local prosecutor called a state attorney. I wanted to begin my law career as a prosecutor, so I arranged an interview with the office of Dade County State Attorney Richard Gerstein.

When I arrived I was told I would be interviewed by Gerstein's first assistant, a woman by the name of Janet Reno.

I walked into Janet Reno's office and immediately noticed how tall she was. I'm six feet, or at least I was then, and I had to look up pretty steeply to make eye contact. I extended my hand and said, "Nice to meet you, Ms. Reno."

"Nice to meet you, too, Mr. Thompson. Have a seat."

Ms. Reno, wearing a blue, flower-print dress, pushed her chair backwards, sat down, and put one foot and then the other on her desktop blotter. Her feet were apart, pointed at me, toes up, without either the ankles or legs crossed. The only thing crossed at that moment in that office were my fingers, hoping that Janet Reno would not do the whole interview in this, shall we say, posture.

Then it got worse. The interview lasted about ten minutes, roughly half of which were consumed by a lawyer named Hank Adorno (who became Reno's first assistant when she was appointed Dade County State Attorney upon Richard Gerstein's resignation in 1978) repeatedly running in and out of her office, asking her questions about cases.

I was confused. I was a student with next to no spending money. I had bought a ticket to fly down to Miami to interview for this job, but

Janet Reno couldn't give me ten uninterrupted minutes of discourse—and even that had to take place between her shoes as if they were conversational goalposts. I felt that I was being intimidated rather than interviewed. But why?

I became even more confused by Ms. Reno's line of questioning. She didn't ask me anything about my academic or professional background. She didn't seem to care whether or not I was prepared to be a prosecutor. Instead, Janet Reno posed three hypothetical crime investigations to me in which the police had acted improperly. She wanted to know if I agreed that the cases should be thrown out. I think she was fishing to find out if I shared her *ideology* about how to run a criminal justice system. I considered each scenario, and told her that in all three of these hypothetical cases, the police had acted in ways that were defensible and that the prosecutions could be salvaged.

"Are you ever skeptical of the police version of a case, Mr. Thompson?"

"Not generally," I said. "Seems to me that's the criminal defense lawyer's job."

Wrong answer.

Years later I would read one account of Janet Reno's life that helped me to understand what I couldn't have known then. Sandy D'Alemberte, Reno's mentor at the powerful law firm of Steel, Hector & Davis, tells how he had lined up a job for her as a prosecutor in Gerstein's office. When D'Alemberte suggested to Reno that she should go work in the state attorney's office, she shouted, "Why would I want to do that? I hate the police!" I believe that she wound up taking the job for that very reason, since prosecutors who hate the police can frustrate them in their jobs far more effectively than a defense lawyer can. The Trojans had used that horse for a reason.

Janet Reno's parents had been reporters for the two newspapers in town, the *Miami Herald* and the *Miami News*, the latter now out of business. Her father, Robert Reno, was the police beat reporter for the *Herald*. Maybe she got her enmity for the "thin blue line" from that parental vocation.

Indeed, years later, in a *Miami Herald* profile of Kathy Fernandez Rundle, Assistant Dade County State Attorney, her boss, State Attorney Reno is described as a "frustrated social worker."[1]

Boy, did I learn that on that November morning in 1975 in Janet Reno's office.

I was relieved, after my ten minutes of pain were up, to get out of Reno's "garment district," but I was more than a little dismayed that a gung-ho, lock-up-the-bad-guys fellow like me couldn't work in the prosecutor's office in Miami. I liked the police. But I think that's why Janet didn't like me.

Oh well, I thought. *I won't have to fool with her again.*

Wrong again.

I went into the July 1976 Florida bar exam more confident than my wife. I've always been confident about everything, even when I have no reason to be. But fear is an appropriate thing to feel for anyone taking a bar exam because, as Yogi Berra once said, "Your whole future is ahead of you." My wife studied harder than I did. She did not want to fail the exam. I *knew* I would not fail it.

We got our bar results in September. My wife passed; I failed.

I was crushed, embarrassed, and angry at myself. What a great way to start a marriage! Your wife can capitalize on three years of law school and practice law, and you can't. Nice going.

My parents had always told me that I was special, that I was bright, that there was nothing I could not do. And they always selflessly gave me the means by which to prove them right.

Now I had let them down. I had let my wife down too. It was worse than a bad dream—it was a really bad reality.

This was the first time in my life that something had felt like failure. It certainly was the first time *I* felt like a failure in anything significant. What was I going to do? Once the shock wore off, I began to rationalize.

I blamed others, of course, as well as other "things"—certainly not myself.

I told my wife that I didn't want to live in Florida anymore, certainly not Miami. I hated Miami—the people weren't friendly, and it was too hot. I accused her: "You're the one who wanted to come to Miami. You're the reason I'm in this horrible state whose bar exam is unfair." Fully half of the people who took the exam that year had failed it, which convinced me that the exam itself must have been unfair. Anything to hang my hat on other than my own mistake.

I wanted out of Florida, out of a lot of things, maybe even out of the marriage that had brought me here. I loved my wife, but I loved the feeling of invincibility even more.

Things continued on this downhill course until Patricia said to me, "Jack, you're understandably depressed and frustrated. Why don't we go to church this Sunday for a little bit of encouragement? I miss church, and you promised me when we were engaged that you and I would go when we got married."

"Fine. We'll go to church." *It will be stupid*, I thought, *and that will be the end of that obligation.*

We had been married in the Presbyterian church right on my in-laws' street in Wisconsin, so it was natural to walk to Key Biscayne Presbyterian Church, a mere two hundred yards away from our rented home. I felt better about it when I realized that this was the church Richard Nixon attended when he was president. The "Southern White House" had been right there on the same street as the church. The helipad at which Navy One had landed was one of the first things I went to see when we arrived there in the spring. Looking at it, I remembered holding a sign for Nixon on my elementary school playground on Election Day, November 8, 1960. Nine years old and already part of what Hillary Clinton later called a "vast right-wing conspiracy."

That Sunday we went to church, all dressed up the way folks at that time looked when they went to church in the Midwest. I wore a coat and

tie, despite it being a typical 90/90 Miami day: 90-degree heat and 90 percent humidity.

When we arrived, I took note of three remarkable things. First it was a church in the round. The minister's pulpit was located in the middle of the sanctuary with the choir behind him and the congregation wrapped around him on the other three sides. *Wow*, I thought. *This looks like the summer theater in Canal Fulton, Ohio, that my parents used to take my sister and me to.* More importantly, there was no place to hide in the back of the church. Rats.

The next remarkable thing was that, as far as I could tell, I was the only person under forty with a tie on, let alone a coat. The older worshippers were in what I, and obviously they, thought of as their traditional Sunday best, but nobody else was.

The majority of the younger attendees were dressed casually—in golf shirts, beach sandals, and even shorts. *Shorts!* I had never seen such a thing in a church during a Sunday worship service anywhere. But this was Miami, which at the time was running a national tourism ad that said: "Come to Miami. The rules are different here." I'll say.

But even though this was Miami, I wondered if I had wandered into a hippie commune. No, I told myself, this is a Presbyterian church. Presbyterians aren't hippies. Richard Nixon, although raised a Quaker, went here, for heaven's sake! Nixon wouldn't go to a hippie church. He fought with the hippies over the Vietnam War. No, it must just be "casual Sunday" this week. Maybe there is a beachside picnic after church.

And then the third remarkable thing struck me, after I had soaked in the first two visually disconcerting elements of Key Biscayne Presbyterian: the noise. This didn't sound like a sanctuary just before a worship service. This sounded like a restaurant on a busy Saturday night.

People weren't seated in pews whispering to one another in hushed tones. They were standing up to wave and shout greetings at one another across the sanctuary. People were laughing loudly; kids were scurrying; folks were smiling. People were, well, raucous. *What is going on here?* I thought. I didn't like this. Church was supposed to be

solemn, like a funeral. Church had always been a place I didn't want to be. Doing something you didn't want to do seemed to be a better way to fulfill a duty.

But there was something intangible in the air—in this place that didn't feel like a church. There was not just noise. There was an immeasurable, mysterious electricity, the kind that is in the air at the very beginning of a football game as the kicker positions the ball on the tee. You can't describe it. It isn't a sound, really, but it's there. You can feel it more than hear it. It is an anticipation that something exciting is about to happen.

So, amid the din and the anticipation, my wife and I sat down a ways from where the preacher would be standing, just in case what felt to me like an impending building explosion might disintegrate the altar. I didn't want to be at ground zero.

We sat down next to a couple who seemed to be about fifteen years older than we were. He had on a coat and tie, so I felt like he possibly represented a little sanity in what seemed like a holy nuthouse.

We smiled at them, but the last thing I wanted to do was *talk* with anyone. Frankly, despite the fact that I had agreed to come to church, I didn't want to give Patricia the opportunity to say, "See, there *are* friendly people in Miami."

Too late for that, however, as this couple, Jim and Marcia Youngblood, asked us if we were visiting the church for the first time. I smiled again wanly, as my wife told them that yes, we had just gotten married in the spring and had come down to Miami to live, having graduated from Vanderbilt.

"Vanderbilt!" they both exclaimed. "Our son Doug goes there. He just loves Nashville. Oh, we're so glad you are here. . . ." The talking continued, I going through appropriate facial expressions, and my wife carrying nearly all of our side of the conversation. I was uneasy with the creeping notion that this couple was genuinely pleasant, genuinely funny, and genuinely pleased we were there. This did not seem like an act to get us to attend and then join the church.

I remember thinking these were the first people I had met in Miami that I might want to see again. I didn't like that feeling; in fact, I hated it.

The service began as the minister, a man by the name of Steve Brown, walked in to take his seat at what one would have to call, in this place, "center stage." Pastor Brown was tall, lanky, balding, his friendly face punctuated by brown eyes.

It proved to be a traditional, fully Presbyterian service. A wonderful choir, wonderful hymns, but a very unusual pastoral prayer just before the sermon. "Father, forgive the preacher his sins, for You know they are many. Let those here see not him, but rather only Your Son, crucified, in whose name we pray. Amen."

A pastor publicly speaking of his sins? That was a new one for me. Maybe this guy, Steve Brown, would have something else strange to say.

I listened as best I could, distracted by my growing confusion. I remember hearing things that rang true but also things that didn't make sense. Grace—what was that?

Pastor Brown's voice was both distracting and appealing at the same time. Part of me was resisting what I was hearing, thinking that maybe I was being hoodwinked into believing his message because he was such an effective communicator. It was the same feeling I had had years before whenever I saw a Billy Graham Crusade on television: I was always struck by the theater of it all, but distrustful of the message.

Steve Brown's voice was the deep voice of a man who could have had a future in broadcasting. What I didn't know at the time was that he had a *past* in broadcasting.

His speaking was nonrepetitive, always to the point. I could not fully grasp his message, but I knew he was getting it across to somebody, because heads were nodding. People were laughing at jokes that were actually funny. Not "pastor joke" funny. I mean *really* funny. Golf course–buddy funny.

He wasn't preaching to fill the hour. He was preaching like a sprinter runs. This was a preacher in a rush to get us somewhere. *That's a switch*, I thought.

He concluded by saying, "You think about that. Amen." I would have liked to, but I wasn't sure what I had heard.

The service was over, and Patricia and I and the Youngbloods stood up. I shook Jim's hand, and Marcia hugged my wife. I believe they said something like "Have a wonderful week. It was so nice to see you two here." I knew I was in trouble. This, although confusing, had been sort of fun. I felt off balance, as if I had stood up too quickly.

We went to church the next Sunday, and it was even more fun. I didn't wear a coat, but I still wore a tie. *After all, I'm from the Midwest*, I thought.

Before the third Sunday rolled around, I called the church to set up an appointment with Steve Brown. I had some questions. I was surprised when his secretary, Cathy, said he would be able to see me the next day.

When I arrived that next day at the door of his study, Steve greeted me with an outstretched hand and a smile that made me feel at home. There was a familiarity here, but not a suffocating embrace that would have made me feel trapped. On a side table was a rendering of Sisyphus endlessly pushing a boulder up the hill. Maybe this pastor knew that's how I was feeling.

I started this way: "Mr. Brown, I—"

"Please, that's my dad's name. Call me Steve."

"Okay, Steve. My wife and I started coming here two weeks ago. I have been struck by your wonderful sermons." I didn't tell him that although I enjoyed hearing them, I didn't understand them. So I told him what I could truthfully say: "You seem like a very wise man. I have come to ask your advice because I have a bit of a vocational problem. My wife and I just got married and moved to Miami. I failed the Florida bar exam and I don't know what to do. I would appreciate your advice on my vocational problem."

"Jack, you don't have a vocational problem. You have a sin problem. You are a sinner, and you need to accept a gift that Jesus Christ offers you to solve that problem with sin." I was unable to speak, not fully sure of what he was saying, although I knew I didn't expect to hear that.

But this didn't seem like a distant sermon. This pastor was talking di-

rectly to me, and I was listening. I knew there was something he had that I needed to understand as well.

He didn't explain it all to me. He simply said this: "Jack, if you have been less than loving, less than what you want to be to your wife, go to her right away, today, and tell her, 'Sweetheart, I am sorry for all the pain I may have caused you. Forgive me.'"

At that I began to sob. My heart had been pierced. I had been making my wife miserable for weeks. Since failing the bar exam, I had been impossible to live with. The slightest annoyance at home made me angry. I took anything and everything Patricia said the wrong way. Because of this, her work at the office became a place where she could find refuge from me since our home was anything but a refuge from work. In short, I had made our marriage a battlefield for no reason other than that I was unhappy. Misery loves company, and I was making sure that the one I loved would keep me company in that. I was not loving my wife. In fact, I was hurting her—on purpose. But it felt as if I could not stop.

Crying in front of a complete stranger. Great. But I couldn't help it. Eventually the Kleenex helped, and when the tears stopped, Steve said this: "I have a book here I would like you to read. In fact, you're going to come back here in a week and tell me what you think about it. But don't worry, there won't be an exam." I winced. I wasn't doing well on exams. "It's called *Mere Christianity*, and its author is C. S. Lewis. I think you'll like it."

I went home, and that night I apologized to my wife for being such a pain. More tears. Patricia, being who she is and what she is, accepted my apology. We had seen the movie version of Erich Segal's *Love Story* when we were in college. I remembered the famous line "Love means never having to say you're sorry." What nonsense. Because I loved my wife, I knew I needed to say I was sorry. Because she loved someone even more than she loved me, she was able to forgive me. I did not know yet who that person was, but I knew her forgiveness felt good. I felt as if we were finally headed somewhere, but I still started

reading the book the pastor gave me the next day. I finished it the same day, which is saying something because I was and am mildly dyslexic. Reading even a small book is a chore. It takes me about an hour to read twenty paperback pages, but reading this book was no chore.

This book stripped away all the "stuff" that I and others had stuck onto Christianity to make it seem just another hocus-pocus religion. Lewis wanted the reader to see who Jesus Christ really is, what Christianity—mere Christianity—devoid of the extraneous religious trappings, is. Lewis confronted me with the simple Cross, and he asked me for a decision on what it meant.

Lewis's little book appealed to my head, not just to my heart. I was midway through it, when I said to myself: *This makes sense. This is true. I believe this!*

At that moment, I became a Christian. "In the twinkling of an eye," I felt different. I mean, completely different—physically, head to toe. This was more than just an emotional feeling. A huge weight was lifted off my shoulders. I am not using a metaphor. I literally felt as if a real weight was gone, a weight that had been growing heavier for years. As I had grown older, I had felt a grinding hate building inside me. I had found reasons to despise whatever and whomever I didn't like. Halfway through this book, that hate was gone.

The truth in this book that appealed to my head and not my emotions made my heart soar and took me on a giddy, joyous ride that lasted for months. Yes, I was "high on Jesus," but I also knew He was who He said He was—someone who left heaven, died for my sins, and offered me eternal life. Who wouldn't be giddy in realizing there was a way out of what twenty-five years of life had taught me was a trap with no escape?

The next day I called Steve Brown. I needed to see him again, soon. His secretary checked and said, "Come over at ten."

When I sat down in Steve's office, I now felt he was not just my pastor, but also my friend who had given me something. "Steve," I said, "I think I've become a Christian." Steve said, "I think you have too."

I told him I *felt* different. Steve said, "Some people feel that way when

they believe; some people don't. But regardless of how you *feel*, what you believe is true. Let's pray."

I have always remembered one thing that Steve Brown prayed for me that day: "Lord, remind Jack daily that it is not going to be easy to be a Christian. Let him know that You will always be there with him, even if You take him to the gates of hell."

For a reason I did not understand, I began to smile and my heart jumped when I heard that I might go to "the gates of hell." That was strange. Why would I want to go there? Little did I know that ten years later not only would I stand at the gates of hell, but I would also pass through and stay there awhile.