

## Substitute Teacher

Good evening. It is wonderful to see you and to be here at another meeting of the Chicago Literary Club.

Last week, unique as always, continued to bring us news of wonderful achievements in science, technology and medicine. We have a picture of a black hole, we have a Space-X rocket delivered its pay load to orbit and returned to earth successfully. We have trillions of dollars changing hands with investments in businesses which are losing money like mad upon the expectation that the future of getting around is so important that the capital investment is bound to be rewarded with the charges for driverless deliveries of ourselves to work and play in style.

We have a new governor in Illinois. We have elected a new mayor in Chicago. We pray the best for both. Long

standing politicians are under siege and story upon story continue to appear reporting violence in our communities, our nation and the world. New developments, new faces, same old problems. As the French say "Plus se change" .. etc.

Last Wednesday Alex Kotlowitz, author of the 1991 best seller "There Are No Children Here", appeared in conversation about his work and new book "An American Summer". Both, sadly but beautifully, deal with the problems associated with violence and poverty in our community and across the land.

Last Saturday a memorial service was held for Patricia Koldyke at Fourth Presbyterian Church. I greeted fellow Literary Club member Florri McMillan at the door and handed her the program for the service. Patricia Koldyke was a lioness for educational improvement. I learned for the first time in reading the bulletin that Patricia and Florri and two

other North shore women, way back in the 70s, started the Illinois coalition against handgun violence. Patricia was said to have gone off to Washington and to have testified against the interests of the NRA in furtherance of the proposition that handguns should be banned from homes, essentially taking on the IRA for safety purposes.

In a prior paper presented to this club, I posited that one of the most effective ways to reduce gun violence and violence overall in our communities was to increase the reading level of all to a simple standard of better than a 5<sup>th</sup> grade level. Florri and Patricia and friends were only 40 years ahead of us in voicing similar interests and views.

Mr. Kotlowitz' first book is "The story of Two Boys Growing up in the Other America". A few years ago I

presented a short paper at the Fortnightly speaking of a bicycle trip I took with another boy that I grew up with. We grew up in America. What we didn't know then and are clear about now was that there was another America and that other America is the world in which an increasing number of citizens have grown up in, and, I am sorry to say will be born in and grow up in the future.

Let's go back to the America I grew up in. The land of both economic and racial segregation in Chicago. Mine was an all-white community of middle to upper middle class means. I am blessed (some say cursed) with the memory of the names of every teacher I had in elementary schools. Until the end of the middle of my last semester in 8<sup>th</sup> grade all of my teachers were women (except our gym teacher John Cronin). All of them were white. Only two were married. As I know now almost all of my schoolmates' mothers were stay-

at-home moms and we all left school every day to go home to after school activities involving Cubs and Boys Scouts, Girl Scouts, church groups, seasonal sports in parks, music lessons and the like. We all had dinner around the table with our moms and dads, who came home from their jobs to be with their families most of the time.

My first inkling in school that there was another America out there was when Mrs. Scheid, our 8<sup>th</sup> grade teacher, (who had taught at CPS for at least 35 years), retired in the middle of our graduation semester. After fond farewells, ceremonies with cake and cookies, Mrs. Scheid was gone.

The following day my classmates and I gathered and into the room walked a man by the name of Robert Given. He wrote it on the blackboard in the front of the room. He wore a dark suit, white shirt and tie was middle aged and appeared very stern and angry. Before the first morning was over we

had listened to him tell us about the fact that he had been reassigned from a high school named Marshall on the West Side. He seemed compelled to impress upon us how tough it was there, how the kids were violent and needed to be restrained and be sent to jail. He related how they didn't respect him and generally how lucky we were to be so spoiled and how unappreciative we were of how good we had it.

The kids in the class became increasingly uneasy and stopped listening. They began to question his authority, and some began to rebel by not being quiet, ignored him and clowned around. That afternoon a classmate, Tom Brown, would not obey the order to settle down and be quiet. Mr. Given went over to the first row and grabbed Tom by the arm threw him out of his chair and against the wall, he ended up putting a waste basket over his head and sitting him in the

corner. The kids were petrified. Within an hour the principal of the school, Mildred Tess, came into the classroom leaned down to Mr. Given at his desk at the front of the room and whispered something in his ear. He then he stood up and walked out of the room behind her. Moments later she came back in the room told us all that Mr. Given would not be coming back, asked us to be quiet, to open whatever books and materials we had and said she would return. The following day we had a new substitute teacher, Miss Woods. She was young and she was nervous. It was, as she explained, her first assignment after student teaching and she said she hoped we could get along and that we could learn some things. The rest of the semester was fine.

Four years later, in the spring of 1962 I took the Chicago Park District lifeguard tests. After graduation from High School I was assigned to work as a beach guard to work the

street end beaches in Rogers Park, based out of Touhy Beach on the far North Side. The beaches were managed by a man named Sam Leone. Sam was a legend among Lifeguard and child park program services. Much has been written about him as he had established the lifeguard services on the beaches of Chicago along the lines of the services provided by the Australian guards on the beaches of east Australia near Melbourne.

He demanded conditioning, he demanded practice, he demanded teamwork, and he was deaf. By reason of an accident years earlier Sam had lost his hearing and had learned to get along through lip reading. The beach that I was assigned to was nearly a mile away from the beach house at Touhy. During my first week on the job I was standing on a perch some 10 feet above the sand and I became engaged in conversation with a young lady standing below the perch.



That's what lifeguards did, I thought. After a few minutes, the emergency telephone began to ring at the back of the beach. I jumped off the perch and ran up to answer the phone. Sam Leone was on the other end. With binoculars he could see me from the beach house at Touhy. He had watched me talking to the young lady and said to me, "Sonny boy, your eyes were not on the water. Get your gear take it to the boat and sit in it for a week." He slammed down the phone. I did exactly as he said, 9 hours a day for the next 6 days I sat in the boat and I watched the water. For the next four years and for some years beyond there was not a drowning on the north or south line of the Touhy beaches in Chicago. I remained friends with the young men who served with me under Sam for many years. I still see a couple of them and I still call them friends. Their stories of success in various professions and businesses are almost uniformly positive. We

have often said that Sam's example and our great summers on the Chicago beaches were some of the best times of our lives. The fact is Sam was a great substitute teacher. It happened that he was the beginning of an education in the subjects of safety and safe practices. Not one incident of gun violence occurred on the Touhy beaches during any of the years I worked there. In fact I don't remember any incident of gun violence at any of my Public Schools, or even through College. Not in my America. Didn't happen there. For sure.

You will remember we started in 1958 and we jumped to 1962, well we're going to jump to 1966 now. On July 13<sup>th</sup> of 1966 at 11 o' clock in the evening there was a knock on the door at 2319 E 100<sup>th</sup> St in Chicago. The man that knocked on the door was Richard Franklin Speck. The next morning, July 14<sup>th</sup>, I was driving to a factory job I had taken after graduation from college. I needed to earn enough money to

pay for my law school tuition the next fall. I clearly recall listening to Wally Phillips on WGN radio report the unfolding drama that a Filipino exchange nurse had been screaming from the second floor of E100th St. town house that "they are all dead on the sampan." The circumstances of the Speck murders became publicized around the world as the "crime of the century" and I spent the summer working in a plastics plant and getting ready for law school.

I had enrolled in Law School because it gave me a 2S deferment from the draft. If it weren't for that I would have taken a fellowship to study English at the University of Montana, fly fished my way through poetry, peace and love, and probably not be standing before you now.

A friend of mine who was at a another law school a year ahead of me was leaving a law clerk job for a more profitable engagement for himself and suggested that I could have no

better teacher while I was working myself through school than his boss, a lawyer by the name of Casimir Wachowski. I took the job at the minimum wage of \$2.00 per hour. In early October of 1966 I showed up for work. "Casey", as he was known, had been practicing for 42 years, and had been born in 1900. When I first met him I was 21 and he was 66. When I arrived at work the first day he greeted me, showed me to my desk, gave me a complaint to review told me he was sorry he would have to see me the next day because he was going to the funeral of his brother Leon, who had been his law partner for decades. During the next few months I went to school full time and essentially worked full time for Casey. I also got married and my wife became pregnant. I was happy until the end of the year when the draft board changed my classification from the student deferment to a 1A, "ready to go". In the middle of January 1967 Casey confirmed with me

that I would be there as usual on Saturday morning because we had work to do. I arrived that morning not knowing what to expect but found that he wanted me present to interview some new clients that arrived at 10 o'clock. Each of the parents of the families of the American girls that were killed by Richard Speck streamed into our offices that morning. Also attending was a young representative of the Cook County States Attorneys' office, a young lawyer by the name of Joel Flaum, who was destined to have a great career, and still sits on the 7<sup>th</sup> Circuit Court of Appeals. Casey was retained by each of the families of the American student nurses and eventually the families of the two Filipino exchange nurses who were murdered by Speck as well as the survivor, Corazon Amurao. We were to pursue civil cases for damages arising out of the deaths and the assault on Amurao against the hospital that had housed them in the town house

and the two taverns that Speck had drank at prior to the murders. I was a second semester law student taking among other things a one semester course in negligence law that was required in the curriculum.

We can call Casey my mentor and my boss, but because of what he did with me, I think of him as one of my best substitute teachers. Under his supervision I and another law clerk, one Tom Cassidy, reviewed the materials, dealt with the prosecutions office, went out to the scene, investigated the neighborhood, Speck's haunts and taverns, researched the law, and drafted the pleadings. Much was reported in the press, the record of the proceedings included an opinion on procedural matters by the IL Supreme Court and the matters were settled in the fourth year thereafter. Of hopeful relevance to this re-telling is what I learned and experienced through dealing with our clients about the effects of loss of

loved ones by violent means. What I began to carry was an interest in relationships between the risk of violence by various means and the possibilities of prevention. Call it safe practices. Call it the meaning of due care for our brothers and sisters and our community as a whole.

The law had provided liabilities upon third parties for the criminal acts of others in the event that harm and those acts could reasonably be foreseen and then left it to reasonable men and women jurors to determine what reasonable practices could have prevented it. But for the fact that Corazon Amurao had survived the attacks, there would not have been evidence of the girls asking for more security at the townhouses or that the hospital had turned a blind eye to those requests and failed to provide. Eyes not on the water, indeed.

About four years later Cheryl Green, wife of a postal carrier who had been a 20 year US Army veteran tried to find a lawyer who could make sense of her claim that her husband had died by reason of his exposure to herbicides in connection with his service in Vietnam. She approached the leading personal injury law firms in town and could find no one willing to plead her case. She went to the Chicago Bar Association Legal Reference Bureau, which was then staffed by an attorney by the name of Evan Karnes. Evan had worked for the Milwaukee Railroad, had some experience with the claims of toxic exposure to asbestos, and asked my then law partner Dean Trafelet, whether or not he would meet with Mrs. Green. At the first meeting he required a deposit from her to obtain copies of her husband's medical records as a condition of going forward, frankly thinking she wouldn't pay the \$500 required. Contrary to that assumption, Cheryl wrote



him a check on the spot and he and I were stuck. We obtained her husband's medical records and one thing led to another. An attorney from Long Island had filed an action in New York and learned that we were considering the matter. Victor Yannacone is his name. He spoke with Dean and arranged to come to Chicago to review the matter with us. The night before he came to town, Dean asked that I review the records and meet with Victor and I did. More decisions led to others, the press became involved, Veterans and their survivors all over this country and Australia became involved as well.

After hundreds of thousands of hours of work by hundreds of attorneys on all sides of the matter all over the country the Agent Orange Products Liability Litigation became the first class action in tort that stuck as a procedural matter in our judicial history. In a 1982 book, journalist Bill

Kurtis described his role in the reporting the very difficult problems created by the claims of the veterans. Many books, a couple of movies and untold publications told the stories of affected Veterans. The claims essentially sought accountability for the consequences of marketing, distributing, and deploying products that were unsafe to human health not only for those exposed but for their offspring as well should be. This chapter of violence upon the health and welfare of our own veterans and its consequences continues to this day. There were times of serious sacrifice on the part of all concerned with the problem, including lawyers on both sides. For purposes of this presentation, broken down to one of its simplest pillars, it was preventable if any those in charge both at the manufacturing and governmental levels had had Sam Leone's eyes on the water in the first instance.

The Boys and Girls Clubs of America provide after school programs for kids in nearly 5000 clubs across America and on every US military base where families are deployed across the world. About 11 years ago the local clubs that I am involved in began to work with national toward trying to institutionalize safety practices in clubs across the country. It should be no surprise to learn that the outcomes over time for kids who feel safe in their club, are substantially better than those who experience unsafe conditions. Prevention of bullying, assaults, and unsupervised periods and good engagement of staff are directly related to positive outcomes.

In Chicago, the Union League Boys and Girls Clubs and the Boys and Girls Clubs of Chicago serve nearly 30,000 members with an average daily attendance in the vicinity of five to six thousand kids from the age of 6-18. All of our Clubs

are in that other America Alex Kotlowitz has chronicled through the lives of kids.

At our Clubs the high school graduation rates approach 98%. At our Clemente High School last year 100% of our members eligible for graduation on time did in fact receive their diplomas. One of the diplomas, however, was posthumous. In January of 2018 one of our members left the club and drove to his grandmother's house. As he parked his car he was shot and killed by others who have yet to be apprehended.

Last week, six of the now soon to be graduated senior class at Clemente who belong to our Boys and Girls Club there, came to the conversation with Alex Kotlowitz, and interacted and expressed their own questions of him and shared some of their own experiences. The America that they live in is still the other America that Kotlowitz describes. That

is to a great degree a factor of gun violence perpetrated by people who have not had the parenting, supervision and general caring attention as the members of our clubs. To a great degree the members of our clubs are there after school, at least prior to high school years, by virtue of the fact that their working parents need them to attend a safe place near or in their own schools until the time that the parents can return from work and give them safe passage home.

The Boys and Girls Clubs have a program nationwide where each club organization names a youth of the year each year. Those winners then compete on a state level with other kids from other clubs and the winner then goes on to regional and national competition. Recently, a young man from our Barreto Club near Humboldt Park became our club's Youth of the Year. Last week he competed in the state competition in Springfield against winners from all over the

state. He didn't win it but was happy to be a close second to a young man from Elgin IL. In the speech concerning what the clubs have meant to him, he revealed at the state competition that he was the product of a union between a teenage prostitute and drug dealer, who he still sees dealing drugs by herself on the street and a man who is now over 80 years of age. He describes how a series of foster parents coupled with the availability of the clubs had led him to have a loving adopted family, a "club" family and a Scholarship to DePaul University this coming fall. One happy result of a few caring people and some good luck. Those folks have been his substitute teachers and at a young age he is much more aware of how to survive that other America than I ever was.

We engage in day long all staff training sessions at the Boys and Girls Clubs. Each year for the last 10 years we have presented our staff and volunteers with the best practices

that we can find to keep our kids safe. These have included in club contact practices, anti-bullying, armed intruder training, abuse recognition and prevention practices, transportation and safe passage training and the like. After one whole day session last year the facilitator asked all in attendance to think about what was the most important lesson they could take from the session that would reduce the risk of harm to the kids in the club. The room fell silent until one of our art teachers raised her hand and said, “well, that’s easy, tell them to tie their shoe laces!”. Her eyes were on the water and she was exactly correct.

At Patricia Koldyke’s Memorial service last Saturday most of the gathered friends were unaware that she and her husband had started the Golden Apple Foundation which has had such a powerful effect on good teachers and their students. That foundation and many other organizations

endeavoring to have a positive effect upon the children of this city partner with the Boys and Girls Clubs as well as many other worthy organizations.

In eulogizing his mother, one of Mrs. Koldyke's sons said that she didn't paint, and she didn't sing, and she didn't act, but that when she picked up a pen she wrote with firm and clear conviction and she moved people with her words to eliminate discrimination entirely and to work tirelessly towards that end. She had also of course tirelessly worked to end handgun violence with, among others, our club member Florri, and to further the education and success of children in our communities.

I look upon this club during my years of membership as a group of substitute teachers. Every Monday night during season one of our members puts it out there as best they can to express to others their experiences and concerns their



love of life and literature as a part of it and their care for our community and country. I have sensed that each of your eyes have been on the water and that you have shared my concerns throughout these decades.

Thank You, all.