

## CHAPTER ONE

*Max*

**March 15, 1990**

Without warning, the bearded man loomed before me, caught in my headlights as if he were on stage, his face, an unnatural mask of terror, with bulging eyes, grossly dilated that seemed to portend with certainty the end of his life. I could hear a muted thud, followed almost immediately by an eerie little yelp, like a puppy whose tail had been stepped on. I jammed on the brakes as I twisted the wheel, causing the car to go into a crazy spin.

In those days I never bothered with seat belts. My chin smacked against the steering wheel, a glancing blow that stunned me. Though it seemed like an eternity, it was probably no more than a few seconds before I was able to focus once again, at which point I discovered that my car had turned a full hundred and eighty degrees before stalling in the middle of the road.

Restarting the engine, I drove off the road onto a grass shoulder. Directly in front of me was a sign marked DEER CROSSING.

“Maybe I hit a deer,” I thought to myself, a wishful delusion I suppose, brought on by my confused state of mind. Over the years I had witnessed more than once patients becoming temporarily unsound when faced with life-and-death situations.

Was it possible, I asked myself, that I had only side-swiped the bearded man, that he might still be alive? There's always a chance, I thought. It takes a lot to kill a human being. He might have sustained only a few minor

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fractures, a broken collarbone, maybe a dislocated shoulder, at the worst a temporary concussion.

I kept a first aid kit in the trunk of my car: Band-Aids, an ace bandage, peroxide, a bottle of aspirin. The kit was designed to patch up minor bruises when Jeremy, my oldest son, played soccer and would be banged around if the game turned rough.

Ten years ago, when I first went into the practice of internal medicine, I would occasionally make house calls. Instead of a first aid kit, I carried around one of those old-fashioned black bags, stocked with items such as a sphygmomanometer, a stethoscope, a needle and syringe, drugs such as adrenaline and insulin, an otoscope, and both a rectal and an oral thermometer. The bag hasn't been used in years.

Today, if a patient cannot make it to a physician's office, an ambulance is dispatched and he's driven to the emergency room. Insurance companies don't pay for house calls and, even if by some miracle they did, what they paid probably wouldn't cover the extra cost of the additional malpractice insurance billed through another division of the same company.

I opened the trunk and found the first aid kit, along with a flashlight, and, as I hurried toward the blinking lights of an old Chevy parked about twenty-five yards down the road, I couldn't help but think about that black bag stored in a closet in my office. Make the most of what you have, I told myself. An ace bandage could be used as a tourniquet to stop a hemorrhage, and, if necessary, I'd be able to perform a tracheotomy and open an airway with my Swiss knife and ballpoint pen.

The front wheel on the driver's side was jacked up. There was no tire on the wheel and I concluded that the driver must have been changing the flat when my car had rounded the bend. The Chevy's trunk was open and another tire, presumably the spare, was leaning against the rear bumper.

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I shone the flashlight down a small, grassy embankment. Leaning against a large bush was a tire, probably the flat, which must have rolled down the embankment when I hit the man. Next to the tire, my light zeroed in on the barely discernible figure of a person lying in the grass. I raced down to examine him.

My optimism about his being alive was short-lived. The man's right shoulder was smashed beyond repair, raw bone splintered through his shirt; his arm was almost completely torn from its socket. A gaping wound appeared to originate at the base of the skull, his neck was twisted more than ninety degrees. I felt for a carotid pulse. No miracles here, I said to myself. I was examining a dead man.

Slowly, I returned to my car and replaced the first aid kit and flashlight in the trunk. Sitting again behind the wheel, I reflected on the cruel reality of where I was and what had happened.

"There's no taking it back," I said to myself.

A curious, unguarded anger seized me. Why in hell had this man chosen to change a flat tire on this dark reservoir road? Couldn't he have pulled off onto the grassy shoulder? What about warning flares? I kept warning flares in my trunk for just such emergencies.

I wanted to lecture him. Tell him that in any automotive store one can purchase for next to nothing emergency kits that included flares. Was I speeding or in any way driving recklessly? Why should I be blamed for hitting this person when the accident should never have occurred? The unfortunate man needed only to have taken a few reasonable precautions and he would still be alive today.

What about the drinking, I asked myself. Am I really blameless? Okay, I had a few cocktails before dinner, a glass of red wine with the veal chops, a small cordial after dessert. With the time factor and the food I had consumed, my blood alcohol level was probably well within the legal limit. Of course, one can never be absolutely sure about

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those types of indices. Breathalyzer tests can kill you in court.

Damn that Iris. If only she had gone to the meeting with me, she would have been at the wheel, which was our usual practice when we dined out and I would have one too many drinks. I had begged her to come to the dinner with me.

“Not tonight,” she had said in that special, uncompromising tone that could make my insides knot.

Granted that she hated annual AMA dinners for good reasons. Wives showing off their furs and jewelry. Doctors talking about their investment schemes. Actually, I had no use for these affairs myself, but since it was the annual dinner, it would have been in poor taste not to show up.

Of course, the real reason she wanted to pass up the dinner was her tennis match at the club in the morning. She needed to be sure that she'd enjoy a decent night's sleep. The woman was obsessed with tennis, which I suppose is not the worst of vices in a country where obesity is probably its single most significant health problem.

“I'd prefer to read a good book and listen to a Beethoven Symphony,” she had said. Beethoven? All of a sudden Iris, a perennial jazz buff, had turned into a classical music lover.

I don't know at which point in my thinking that I began to realize that I would probably be charged with vehicular homicide while *under the influence*.

“But I am not drunk.”

In retrospect, it is remarkable how intelligent men who drink too much can become arrogant on the subject of their drinking. Consider that moments ago I had killed a man, mangled him almost beyond recognition, and still I was questioning my degree of complicity in his death.

When I had left the restaurant, I remember reminding myself to drive under the speed limit, a practice that had become a long-standing habit if I had been drinking. Driving that dark, winding reservoir road at night can be

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precarious even under the best of conditions. In addition, there were the deer, who, when attracted by an auto's headlights, could dart out in front of you without warning.

Nevertheless, I was fairly certain that the traffic would be modest at ten P.M. The day had been long and tedious and I wanted only to get home as quickly as possible. The alternative route, which would have taken me on brighter, more accessible roads, was at least a ten-minute detour.

Who could have anticipated anyone changing a flat tire in the middle of the road?

The police would demand explanations. A written report is more important to the law than what the writing is all about. Only last year I was ticketed for going through a stop sign at a deserted intersection and the cop took half an hour before he wrote up the ticket. You'd have thought he was writing a Master's dissertation. In the past, MD plates were my shield against minor infractions on the road, but this cop was so young and inexperienced that he probably didn't even realize what an MD plate stood for.

So there you are. Anything is possible with the police. Uniformed men are sworn to obey the law, and some of them take their jobs seriously. I might be given a considerate, favorable response to my story, but more likely I'd be breathalyzed and wind up spending the night in jail.

*A man has been killed and you are drunk. You can go to jail for years for running down a man while you are "under the influence."*

While these thoughts raced through my mind, two cars streaked by on the opposite side of the road. Neither car stopped or slowed down. But I couldn't be sure that the next one might not check the Chevy and discover the dead man. I had to make a decision fast.

I ran like a thief in the night. Why did I do it? The alcohol? The fear of going to prison? Why should a life be ruined because of one careless moment?

At the end of the reservation road is the Paper Mill Playhouse, suburbia's answer to Broadway. A play had just

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ended and cars were pulling out from the parking lots adjacent to the theater, as well as those across the street. A policeman with a large, bushy mustache was holding the reservoir road traffic to allow the parking lots to empty. I was at the beginning of the line and found myself looking directly into the cop's face.

I turned my head to avoid eye contact. Was my gesture too late? Had the man already managed a good look at me? When he finally signaled me to drive on, I told myself to remain calm. I was thinking already like a fugitive, a man on the run.

Once through the downtown section of Millburn, I drove several miles until I arrived at a large diner at the intersection of Morris and Springfield, where I pulled into the parking lot. Fifteen minutes ago, I was a well-contented, healthy, forty-year old man living the life I had chosen for myself. Now that life was in question. I could hardly breathe. My head was pounding. My blood pressure was probably off the board.

I flipped on the radio, looking to distract myself, to discover a way to gird up my spirits for the final ride home and the inevitable confrontation with Iris. A deep resonant voice announced that a Mozart violin concerto was about to be played. It's not Beethoven, Iris, but Mozart's not a bad second choice.

A moment of real conscience struck me. Perhaps, it had something to do with the music's lyrical sound, though I like to think that I still possessed a shred of decency that had nothing to do with Mozart. I began to speculate about who the dead man might be. He could have a wife and children who depended on his love and support, no different than my own wife and children.

I had taken one life, and quite possibly ruined the lives of others. At which point I considered the possibility that another car driving on Brookside Drive might smash into the Chevy, and remembered the flares in my trunk. I had it

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within my power to prevent more blood, more broken bones.

By the time I had backtracked to the Playhouse, the lots had been cleared out and the cop with the mustache was gone. As I approached the accident scene, two police cars were flashing their swirling blue and red lights. A uniformed officer with a flashlight stood in the middle of the road waving on the traffic. There was nothing to do but continue on my way.

Iris was reading an ACLU newsletter when I entered the bedroom. Recent ACLU newsletters, along with Planned Parenthood and Greenpeace bulletins, were piled on the small night table on her side of the bed.

When I first married Iris, given her quiet, studious nature, I would never have guessed that eighteen years later she would turn into such an ardent political activist. When she wasn't assisting me at the office or playing tennis, she was either on the street picketing some factory that was spewing its industrial muck into the atmosphere or at a Trenton courthouse petitioning against the death penalty. There was no place within a thousand miles that Iris would not travel to fight racial injustice or a woman's right to have an abortion. Admirable—yes. But, to be honest, living with a saint could at times get on one's nerves.

Before undressing, I went to our bed and kissed her, a little peck, our customary, perfunctory greeting upon seeing each other at the end of a working day.

She put down her reading glasses. "What happened to you, Max?" she asked. "It looks like someone hit you in the face with a baseball bat."

I went to the mirror hanging above a bureau and saw a large, ugly hematoma in the midline of my jaw. In the confusion following the accident, I had forgotten about the injury to my face. That isn't unusual. Over the years I had observed that patients often didn't realize they'd been

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injured following the sort of trauma I had just experienced. Gently, I touched the wound. Almost immediately, my jaw began to smart.

“I fell in the parking lot,” I said to Iris, who was now staring at me with a curious expression. Since I had never before lied to her, making up a plausible story on the spot was no small effort.

I brushed my hand over my face, a useless gesture, but like all inexperienced liars, I groped for ways to look sincere, to appear more convincing. “It’s nothing serious,” I added.

I sat at the edge of the bed and began to remove my shoes and socks while avoiding her gaze. Iris was no fool. I would have to be on my guard.

“You smell like a saloon,” she said.

There was surprisingly little condemnation in her voice. She didn’t like it when I’d drive and drink and usually expressed her disapproval without hesitation, and I wondered if she might be feeling a little sorry for me because of the injury to my face.

“Suppose the exchange calls and there’s an emergency,” she said.

Forget the “sorry for me” stuff. Injury or no injury, Iris wasn’t about to pass up a chance to remind me that a doctor is not supposed to be slopping up the booze when he’s on call.

“There’s the ER,” I reminded her. “And I can always call Willy Kantrell to cover for me if necessary. Anyway, I’m perfectly all right.”

“You don’t look perfectly all right.”

I set my shoes down alongside the bed with my socks stuffed inside them, a habit I’ve acquired over the years in case I’m awakened in the middle of the night and need to rush to the hospital on an emergency.

“I wish you’d have come with me,” I said. I was immediately sorry that I had opened my big mouth. What



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kind of a response could a husband who drank too much possibly expect from his temperate, thoughtful wife?

"I'm sorry, Max. I find your doctor friends a bore, and their wives make my skin crawl, so taken with themselves and their extravagant tastes."

"That's pretty strong," I felt obliged to say in the defense of some intelligent women I have come to know over the years who were married to doctors.

"That's the way I feel."

"All doctor's wives don't live useless lives. Look at yourself, Iris. You're a doctor's wife. Don't be so goddamn self righteous."

I had managed to silence her—which gave me no satisfaction. I never enjoyed holding the upper hand when we would sometimes engage in these minor spats, since deep in my heart I knew that she was the better person. Thus, more than willingly, I wanted now to give her an opportunity to take control of the conversation.

"You could have discussed your national health care schemes at dinner," I said.

She seized the moment, as I knew she would. "Forty million people have no health care at all, and your colleagues sit around dining on *filet mignon* while extolling their virtues as health care professionals."

But then the dialogue took a downturn when she announced solemnly that she was through talking, that she only wanted to catch a little extra sleep so she wouldn't be a zombie on the tennis court in the morning.

I went into the bathroom to brush my teeth and study the damage to my lower jaw more closely. The blow had been dead center, right at the mandibular symphysis, and under closer scrutiny, appeared to have abraded the skin more severely than I had originally thought. The pain was moderate. While it was improbable that there was a symphysis fracture, you couldn't rule out the possibility of a hairline fracture at the necks of either maxillary condyle. Tomorrow, if there was significant pain or swelling,

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reluctantly, I'd call Stan Markowitz, a dentist down the block.

When Markowitz first went into practice years ago, human nature being what it is, whenever we'd run into each other, he'd slobber over me hoping for referrals. More recently, now that he was well-established, I had lost my preferential status and would find myself reading old *New Yorker* magazines in his waiting room for as long as half an hour before he'd take me in.

I cleansed the wound with peroxide, and then smeared it with methylate. I felt like painting a giant "M" on my chest—my own personal "*Scarlet Letter*." I swallowed two aspirins and went back into the bedroom.

I turned off the light on my side of the bed. I wasn't sure whether Iris had already fallen asleep. The woman slept so silently I would sometimes wonder if she were breathing. Would she be so relaxed if she realized that less than an hour ago I had killed a man, and that our lives might never be the same again?

I turned the light back on. Perhaps, if I read a little, exhausted myself, I might be lucky enough to fall asleep. I reached for last month's AMA journal and began to scan articles that I had already read.

Iris rolled toward me. "How did you say you fell?" she asked.

"I thought you were sleeping."

"Just wondering."

"The lighting was bad in the parking light outside the restaurant and I tripped on a crack in the asphalt."

"Maybe if you had drunk less, you would have seen the crack."

She wasn't going to let it go. Damn her. "There was a crack and I tripped. I wasn't drunk."

The lie slipped out easier this time. I was almost beginning to believe it myself. Would I also have been able to lie to the police with the same composure? But

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there would have been nothing to lie about if I hadn't run away.

*"I was driving down the road, officer. It was pitch black. The man was changing a flat tire and standing in the middle of the road. I wasn't going very fast, but I couldn't stop. I braked as hard as I could. Observe the tire marks in the middle of the road as my car skidded. I'm a doctor and I regret that I could do nothing to save the man's life."*

"I'd appreciate if you'd stop making an issue of those few lousy drinks I had."

She rolled back away from me. "Shut off the light and go to bed."

What had happened tonight wasn't the sort of mishap one could keep from a wife of eighteen years. Tomorrow, I would tell all.

If I were Catholic, I could go to confession. A priest is bound to silence, no different than if one is talking to a lawyer or a doctor. I could ask for forgiveness and the priest could grant it to me in the name of God. How nice to be able to atone for one's sins through prayer. Jews have no such luxury. They are bound by their conscience. God cannot help them. There can be no relief from sin beyond personal self-deprecation and the punishment that they must be willing to accept from those whom they have sinned against. Does it make Jews more moral than Catholics? No. Only, perhaps, more tortured.

"What time will you be home tomorrow?" I asked Iris.

"What's that?"

I repeated the question, then added, "I might want to have my jaw x-rayed. If you were in the office, it would make it easier to get away."

"What about Beverly?"

"You can do things that she can't when I'm not around."

When I had first hired Beverly about five years ago, she had proved to be a competent, intelligent assistant. But after a tough divorce several years later, she became

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unreliable. At times she seemed to be operating in a mental fog. Whenever I'd criticize her, she'd sit down and stare at my diplomas on the wall and tears would well up in her eyes and she'd begin to wail about what kind of a worthless, useless human being she was, until I'd apologize. She was like a sad-eyed canine who you wanted to get rid of because she whined too much, but you didn't have the heart to actually do it. Of late, to her credit, she had become more aggressive in defending her inefficiency, and though at times I wanted to put my hands around her throat, I preferred her that way to the old, *hopeless, feeling sorry for myself* Beverly.

I had first met Iris while I was a medical student at Jefferson medical college in Philadelphia. Iris had recently graduated nursing school and was stationed in the ICU at the hospital. Within a year after we met, we were married. When I first set up my home-office in Westfield, NJ, ten years ago, she worked as my assistant until she rebelled.

That singular event occurred while we were grabbing a fast sandwich after a hectic morning. In the sort of decisive, imperious voice that would not accept rejection, Iris proclaimed that she was quitting. "Aside from cooking and cleaning and raising two children, I develop x-rays, do EKG's, take blood, make appointments and fill out insurance forms. When I married you, you never told me that I was going to spend sixteen hours a day slaving away in both a home and an office."

Thus, Beverly entered our lives.

"Can you get back by three?" I asked Iris. "I'll cancel my late afternoon appointments. There's a ton of forms to fill out. You could really help out."

She must have picked up on my tone, which though not exactly polite, conveyed a certain air of desperation. "All right, Max, but I'm not happy. This is all because you drink too damn much."

"I'd really appreciate if you'd cut out the drinking shit." I seldom cursed, but there were times when Iris

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simply didn't know when to put the final period on a subject.

She shuffled about in bed trying for a better, more comfortable position. "Good night, Max," she said, and there was, in spite of all that had transpired between us tonight, a loving twinge in her voice, which was not surprising since Iris is, in fact, a very compassionate person. While she is not without strong opinions, I know her capacity to find in even the vilest racist, a glimmer of humanity, let alone her willingness to forgive a husband who was all beat up and hurting.

Once again I shut off the light. In the darkness, my mind drifted back an hour. All that goddamn blood! The truth is that even when I was a medical student, I had an aversion to blood and raw guts. Courses such as gross anatomy were not amongst my favorites. The first time I observed an autopsy, I threw up and almost passed out.

I realize that it is inexplicable, this contradiction of my being able to dissociate my feelings when I treat sick, often terminal patients on the one hand, but am queasy when I come face to face with mangled flesh. I suppose when one talks about dissociation, given the circumstances, I could hardly have expected myself to remain cool and objective after I had witnessed the ruined body of the bearded man. As I lay in the darkness now, I wondered if there could ever be a sufficiently long enough time lapse in my life that would allow me to forget that tortured, terrified look on the man's face at that split fraction of a second before my car struck him.

I made a decision. Tomorrow, after the story appeared in the paper, I'd go to the police and confess. I'd own up, tell them everything, let the chips fall where they may, so to speak. When asked why I had run from the scene, I'd tell them that I never realized that I had hit the man that I thought he had jumped aside at the last moment. It wasn't until I read the paper that I understood what had happened.

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They might still demand a blood test. Traces of alcohol would show up, but would they be able to determine my blood level at the time of the accident? And would they buy my story about my not realizing that I had hit the man?

Okay. Suppose I don't give myself up. Suppose I try to get away with the hit and run. What about the two cars that had passed by? After reading about the accident, one of them might remember the Lincoln Continental parked on the road near the Chevy. And the cop directing traffic at the Paper Mill Playhouse? He had taken a long, hard look at my face. He might also have remembered the make of my car.

You must tell Iris, I told myself. She will know what to do. Forget about legality. If there is one person in this world who understands the difference between right and wrong, it is Iris.

Of course she might well say to me: "There are people who loved that man. He could have had a wife and children." And then she would demand that I take responsibility for my crime.

Damn it, Iris, I'm innocent. What happened wasn't my fault. *I wasn't drunk*. I was in full control of my senses. It was almost as if the man were waiting to die.

Read the headline, Iris: PROMINENT WESTFIELD DOCTOR ARRESTED FOR HIT AND RUN. I could be found guilty of manslaughter and go to jail for years. At best I would lose my license to practice medicine. Who knows for how long? Six months, a year, twenty, maybe permanently.

What happens to the life we have worked together to build for the last eighteen years? My practice would go down the chute. What about our children? Their school, their friends? We would have to sell the house, move into some cheap apartment in Newark or Elizabeth. You'd have to go back to work, Iris, gainful employment. You'd have to quit those committees that wish to end the death penalty. The anti-abortionists and the earth's polluters would go

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unchallenged. Tennis would be on public courts, if you are able to find the time to play at all.

I said aloud, not sure whether Iris was sleeping or not, "I was thinking that next month we ought to take a little vacation. The kids have a week off. We could fly to one of the Islands. I might try a few rounds of golf. You could give me a tennis lesson."

"Go where?" was the groggy response.

"Never mind. We'll talk about it another time."

It was like being struck by lightning or suffering a massive coronary. Not a moment to reflect on what your life has been all about.

I asked myself: "*Where's the justice? Where's the fairness?*"