CHAPTER 39

From Love Goodbyes
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May Heights, 1992

OPERATION RESCUE

The press didn’t rest over the weekend, as they tried to catch up with the events of Friday. CBS This Morning and Good Morning America producers called my legal assistant, Kim Ross, at home, looking for guests for the Monday show. Reporters still roamed the first-floor hallways of MRC—all were disappointed that the Cruzans weren’t talking. Upstairs, the PBS crew continued to film, but Rensey Arledge had transcended Joe’s category of “the press” long before. Joe called her daughter, Meredith, who was born just months before the decision by the U.S. Supreme Court, his “honorary granddaughter.” Arledge certainly didn’t sound like an award-winning documentary producer when she left long messages on the Cruzan answering machine, trying to coax a word out of Meredith for Joe and Joyce.

Don Lamkins also worked that Saturday, answering more questions from the press and reviewing his preparations. He’d been planning for some time for this eventuality—screening nurses so he didn’t force someone to participate, handling the press, and dealing with employee morale. As the pressure mounted, he worried about some major incident, especially one involving Joe. Like many of us, Lamkins had heard of Joe’s desire to take matters into his own hands. After a counseling session with Joe some years before, Lu Bay had come to Lamkins ashen-faced and told him that Joe had said he wanted to bring his shotgun up to Mt. Vernon, shoot Nancy, and then himself. She told Lamkins that she didn’t believe he’d carry out the threat, but from that day on, they kept an eye on Joe.
Lamkins had watched Joe at trial in November and had seen how emotional, angry, and frustrated he'd become. Now, as Nancy was going to spend perhaps as much as two weeks dying, Lamkins didn’t want an explosion if a nurse said something to Joe in his increasingly weary state.

Others were busy that weekend as well. The press release from the Missouri Citizens for Life that had called on Governor Ashcroft to intervene began to circulate among its members, as did a one-page yellow flyer with the caption, "DON’T LET NANCY STARVE!" It described Nancy as smiling at amusing stories, weeping after visitors had left, "eating bananas, potatoes, and link sausages, and drinking juice" after her accident—it claimed that the feeding tube simply made long-term care easier for the nurses. The flyer gave the phone numbers for Governor Ashcroft and the MRC, encouraging people to call and urge them to feed Nancy. And it invited all recipients to a “24-hour-a-day prayer vigil outside the Missouri Rehab Center (600 N. Main St., Mt. Vernon, MO.)” At the bottom, it had a phone number for more information—the Joplin area office of Operation Rescue.

After returning to MRC on Friday evening, Joe and Joyce stayed late into the night with Nancy before driving home. On Saturday, Joe was up well before dawn, packing and hooking his travel trailer up to his truck. The guys at work made fun of Joe's truck, saying you knew it was Joe coming around a corner before you ever saw the truck. He'd added a big sheet-metal box on the front of the pickup for tools, and even Joe admitted that he looked like Jed Clampett from The Beverly Hillbillies. Joe and Joyce parked the trailer on the MRC lot that Saturday morning. They were there for the duration.

Over the long weekend, the Cruzans learned the names of the nurses in the hospice and familiarized themselves with Nancy's new surroundings. On Saturday, Dr. Davis came in to talk to Joe and Joyce and to see Nancy. He noted no change in her condition. That night at home, Dr. Davis woke up sweating, startled from a dream where he walked into the room and found Nancy sitting up talking to her mother. On Sunday he checked on Nancy early, confirming it had only been a dream—actually “a nightmare,” he told a reporter—Nancy’s body lay like it had for almost seven years, condition unchanged.

Monday, December 17, 1990, 12:30 A.M.

Shortly after midnight on Sunday, a brown and tan 1985 Chevy van—carrying the Reverend Joe Foreman, his wife, Anne, and their five children—rolled into Mt. Vernon. Rev. Foreman was an ordained Presbyterian minister who lived in Atlanta but had no church there. He lived much of the time in the van with his family, traveling the country to protest abortion for a group he’d helped found, Operation Rescue, which reporters described as the “controversial right-wing of the anti-abortion movement.”

Foreman and his family slept in a church on Sunday night. By dawn, almost 20 others had arrived. By Monday afternoon, more than a hundred protestors had arrived in Mt. Vernon. The group moved to the nearby Bel-Aire Motor Inn and set up camp. Foreman—a tall, trim man with brown hair and a moustache—stood in front of a chalkboard, and over the course of several hours, the group formulated a plan to rescue Nancy. They had the floor plan of the hospital, which they’d received from sympathizers, and they’d learned where Nancy’s new room was. They diagrammed the entrance to the hospital on the blackboard, and talked about putting her on a stretcher and moving her quickly to a station wagon and a safe house, but ended up discarding that idea.

Ultimately, they settled on a plan to feed Nancy where she was. Some members of the group would create a diversion out front while several others would come up a back stairwell to Nancy’s room. As the men in the group barricaded the doors, Wanda Frye, a protester from Kansas City who was also a nurse, would drop a feeding tube down Nancy’s nose and feed her as much as possible without choking her. Rev. Foreman set the time for early the next day.

Joe called Monday afternoon to give me an update on Nancy’s condition—it hadn’t changed. At least one family member had been with
her most of the time. Betsey Arledge and the PBS film crew had been in, but not often, Joe said. Betsey wanted to respect their privacy. He and Joyce stayed most of the weekend with Nancy—things were quiet, and they were just waiting.

Joyce and I also talked. She and Chris were worried about Joe. Joyce was busy at work, trying to get the school payroll ready and have finances in shape for the end of the year. Chris was still taking final exams. Both women were driving back and forth to Mt. Vernon as much as they could and hurrying to finish up everything at home and work so they could relieve Joe. They were concerned about how tired he looked already, and worried that he was spending too much time alone with Nancy without their support. He wouldn't leave Nancy for long. He either slept in a chair in her room, or he'd head out to the trailer and try to take a nap for a couple of hours. Joyce wanted me to tell Joe to try to get some sleep.

Don Lamkins received two strange and troubling phone calls Monday. Lamkins and Charlie Stokes, the owner of the Bel-Aire Motor Inn, were both members of the Mt. Vernon Rotary Club, and on Monday afternoon, Stokes told Lamkins that a man named Foreman had rented several rooms and had asked how to have extra phone lines installed. Foreman had told Stokes that he was organizing the protest at MRC.

And at home that evening, Lamkins received a call from radio personality Bob Priddy. Don Lamkins had admired Priddy's radio journalism for years, and he was flattered to talk to Priddy about the case, but it turned out that wasn't exactly why Priddy was calling. "Mr. Lamkins," he said, "I just got a phone call from a group of protestors from Chicago who say they're going to storm your hospital tomorrow morning. They wanted me to ride on their bus. I told them no, and I thought you should know about this.

Lamkins talked to Priddy for several minutes and thanked him repeatedly for the heads-up. When Lamkins ended that call, he immediately dialed the sheriff.

In normal times, MRC had a single security guard for their entire facility, and they often sent him to towns on errands. On Tuesday morning, Don Lamkins would have armed officers from the Mt. Vernon police, the county sheriff's office, and the state highway patrol all at MRC, joined together to secure the facility, following the security plan that Lamkins had in place for more than a year, just in case a court ever ordered Nancy's tube removed. One group of officers would operate out of a command center in a room just down the hall from Nancy's.

Joe Cruzan was alone in Nancy's room when he saw the first protestors on Monday evening. Looking out the window, Joe saw a group of about 35 people gathering on the lawn. They formed a circle; holding candles and apparently praying. A nurse told Joe that some others had delivered flowers for Nancy. He spent the night, mostly awake, on a chair in Nancy's room.

Thursday, December 18, 1990

Chris and Joyce came up to the hospital early Tuesday morning and found Joe wide awake, sitting by Nancy's bed. The hallway outside the room was filled with law-enforcement officers moving around, checking doors, talking on radios. Joe periodically left the room to go out and talk to the officers, asking if they had heard anything. Inside the room, he paced from the door to the window, watching the front drive below. He watched the media gather on the lawn out front (someone had notified the media that the protestors would arrive at nine that morning, although the protestors claimed that they had sent no such notice). As he paced, Joe said to his wife and daughter more than once, "Just let some son-of-a-bitch try to come through that door."

Around 9:00 a.m., a police officer out in the hall told Joe that he'd better stay in the room. A stocky, muscle-bound young officer in glasses strode briskly down the hallway and said into his radio, "Cease all radio traffic unless necessary." At about 9:25, Joe saw a van with the sign "Abortion Kills Children" in its back window and a blue school bus with the word "MIRACLE" written on it pull up in front of the MRC. Dozens and dozens of protestors emerged from the vehicles and began to walk swiftly, some even jogging, toward the hospice wing. Joe was alarmed by how many protestors there were and how fast they were streaming into the building.
Down on the ground floor, in a commotion of voices and confusion, the group split up—some people rushed toward the stairwell, while the rest crammed onto an elevator. When the elevator reached the second floor, the doors opened, and the protesters started to step off toward Nancy’s room, but abruptly stopped: Four officers stood directly in their path. The moment the elevator doors opened; a signal went to an MRC employee in the electrical control room, and he shut down the power to the elevator. The protesters could go nowhere, nor would the elevator doors shut, so they decided to kneel down on the floor of the elevator and pray.

The Cruzans could not see that the police had the situation in hand—all they could hear from inside the room was the confusion of shouting voices and people moving in the hallway. Chris later said that her heart was pounding. Joe leaned hard against the door with his shoulder, not sure what was about to happen.

The protest group heading up the fire stairwell made it no farther. This group was much larger than the one on the elevator, and it included Wanda Frye in her nurse’s uniform, with the feeding tube showing in her front shirt pocket—like a fancy pen. This was the group that had planned to reach Nancy’s room, freed up by the diversion at the elevator. But they didn’t make it either—three officers stationed in the hallway at the top of the stairwell blocked their path just as officers had blocked the other group from exiting the elevator.

A protester near the top of the stairs walked up to the top step, just in front of the officers, and called over his shoulder down the steps in a loud voice, “Go as far as you can, kneel, and pray as we agreed.” The three officers blocking the way looked uncomfortably at one another as the praying started. One officer bowed his head. The group followed the prayer with a disjointed singing of hymns.

Soon a woman from MRC administration entered the stairwell and asked the protesters to move to the chapel to continue praying. They refused her repeated requests. Rev. Foreman told her, “We’re talking about simple compassion of food and water.”

The MRC woman had heard enough; “But I’m saying to you that you would make a bigger impact if you stopped acting like a bunch of ghouls hanging around here and got down on your knees and prayed to Almighty God!” She was leaning over the railing, yelling down at Foreman. By the time she finished, her face was flushed and her right index finger wagged at him. It was a surreal moment for the usually sedate hospital.

Joe told me later that he was prepared to “knock anyone out” who tried to force his way into Nancy’s room. Once the hallway sounded as if it had quieted down, Joe stuck his head out of the door and soon came out. The officers told him that they thought they had everything under control.

Although no one tried to make a break past the armed officers, several protesters also would not retreat. Nineteen people in all refused to leave, and many curled up into tight balls with their arms wrapped around their knees in the elevator and on the stairs. One by one, officers lifted and dragged them, or rolled them out in wheelchairs, and carried them to the county jail with several trips of the MRC handicapped-accessible van. The job wasn’t finished up until about one in the afternoon. Each person arrested had told officers that his or her name was “Nancy Cruzan.”

Dozens of protesters were not arrested, however. Some milled around out front of the hospital, watching as the police carried their brethren away; others moved to the chapel to pray and sing. One man, Gary Tebbets from Kansas City, walked around on the first floor near the administrative offices for nearly an hour, carrying a Styrofoam cup filled with water. He confronted a police officer and said, “I’m commanded by the scripture to give a friend a cup of water, that’s all I’m trying to do.” When the officer told him he couldn’t see Nancy and moved to escort him out, Tebbets yelled, “You’re a party to murder! Why aren’t just take a pillow and smoother her?”

The clean-cut officer looked with amusement at the plump, middle-aged man with thin hair combed over his balding head. He held Tebbets lightly under the arm as they moved out into the open air and asked him, “What are you trying to do, sir?”

Tebbets took his wide glasses off and brushed away a tear with his big hand. “I’m trying to give a dying patient a cup of water,” he said, his voice cracking with emotion. The officer shook his head and went back into the building. Once the cameras left that afternoon, most of the protesters went back to their war room to regroup.

When Joe called me to tell me about the protests, I had other bad
LONG GOODBYE

news for him. A petition for an emergency writ seeking an order to resume tube feeding had been filed that morning in the state court of appeals in Springfield by two men from Kansas City (both turned out to be part of the protest group). The clerk of the court faxed me the petition on Tuesday afternoon, and when I described it to Joe, he let loose with a loud, "Goddammit!" I told him that I thought the court would dismiss the petition and asked him not to worry, which by that point was not possible for him, if it ever had been.

That evening, I flipped from channel to channel to watch parts of each news broadcast, and I caught the end of a report by longtime Kansas City anchorman Phil Witt: "Missouri Governor John Ashcroft spoke out for the first time since the Cruzan ruling. The governor, a right-to-life supporter, says the protesters are all fine by him, but the state would not involve itself in her case."

"Maybe not the governor," I thought, "but what about his courts?"

Wednesday, December 19, 1990

On Wednesday, Dr. Davis downgraded Nancy's condition from stable to deteriorating. She had a low-grade fever, which he told the Cruzans probably represented early dehydration. They saw no change in her appearance, however. Her face still had its bloat and pimples, her arms and legs were still stiff and drawn up to her body, and her eyes still roamed aimlessly.

That morning the protesters began to build their "city." Pop tents appeared on the MRC's front lawn, and signs began to dot the lawn: "Missouri Euthanasia Center," "Arosley [sic] Torture Murder," "Please Feed Nancy," and "Mercy or Murder." Demonstrators sat on the front steps of the hospital that morning, talking, praying, and reading the Bible.

About a dozen protesters went back inside and demanded to meet with Don Lamkins. Lamkins obliged, anxious to set up ground rules for a peaceful protest. He met with three women from the group—two from Pennsylvania and one from Milwaukee—around 10 A.M. Lamkins rebuffed their requests to begin feeding Nancy, and he urged the protesters to remain outside. Lamkins told them that he feared something horrible might happen, and he explained that Joe Cruzan was emotionally volatile and had threatened in the past to shoot Nancy and then himself to "end things."

When Lamkins sought to end the meeting, he found that neither the leaders nor the protesters waiting in his outer office would leave. Again, police were summoned from their posts, and ten protesters were rolled out of MRC in wheelchairs. This time they were simply set outside, some curled up into balls. Nobody was arrested.

Don Lamkins met with the officers, and they decided to lock all entrances to the facility around the clock and only allow building access through a police checkpoint at the front door.

After the initial splash on Tuesday, protesters adopted a siege strategy. Along with the tent city and signs, many told reporters they were fasting in solidarity with Nancy, and about 20 planned to spend the night in sleeping bags on the steps of MRC. All of the protesters awaited the promised arrival of hundreds, perhaps thousands, of reinforcements, and also of Randall Terry, co-founder and head of Operation Rescue, who was scheduled to arrive from New York sometime Wednesday night. A national spokesperson for the group told the media, "This may be the most important story in pro-life history."

Chris looked out the window of Nancy's room and remarked to her parents in disgust that the only time the protesters raised their signs was when the television cameras came on. But the protest was now set up to run around the clock, with reinforcements coming in shifts.

Lamkins asked Joe if the Cruzans would sleep in the hospital rather than in their trailer in the parking lot, again fearing a confrontation between Joe and the protesters. Lamkins wanted Joe to take the trailer back to Carterville and stay inside the MRC.

The state court of appeals dismissed the emergency appeal late Tuesday. But other protesters filed two more suits on Wednesday, one in the same state court of appeals in Springfield, and the second at the Missouri Supreme Court. And now they had a Missouri lawyer signing the papers, someone I didn't know, Dewey Crepeau from Columbia, and he was apparently being helped by someone I did know, Mario Mandina, a good Kansas City lawyer who represented the Missouri Citizens for Life. Jim Deusch from the attorney general's office faxed me the papers and told me he'd monitor the case and let me know if he thought I needed to send a response.
Thursday, December 20, 1990

I did not like what reporters were hearing. The Joplin Globe and Kansas City Star each cited "court sources" saying that five of seven judges on the Missouri Supreme Court had deliberated on Wednesday afternoon whether to restart the tube feeding for Nancy, and that they intended to resume the meetings this morning. Jim Deutsch didn't know anything beyond that. I could not imagine having to make the phone call to tell Joe that the court had decided to issue an injunction of some kind.

On Thursday morning, Don Lamkins met with Randall Terry, the national leader of Operation Rescue. A newspaper article said that Terry and another man, the Reverend Patrick Mahoney, had come to Mt. Vernon to spearhead a nationwide effort to have Nancy Cuzan reconnected to her life source. Terry requested that Lamkins reconnect the feeding tube and that he give the protestors 24-hour access to the chapel. Lamkins denied both requests and pleaded with the protestors to stay outside and remain peaceful.

On the front steps of the hospital, Terry fielded reporters' questions with a stand of microphones in front of him and dozens of protestors surrounding him in support. He spoke in extreme terms: "If we don't work quickly, Nancy will be dead. The issue is a matter of life and death. Isn't there someone who will stand by the woman to save this woman?"

And Terry turned the focus on state officials. "Where is Governor Ashcroft? Where is Mr. Webster? Why have they deserted Nancy Cuzan? Mr. Webster, you wanted to be the big pro-life hero—where are you now? Now that America needs you, now that Nancy Cuzan needs you, where are you now?"

The Cuzans moved into a room across the hall from Nancy on Thursday, and took turns in a 24-hour vigil of their own. One family member would stay with Nancy at all times. Her temperature remained slightly elevated, the corners of her mouth were red and moving across the whites, and her time turned dizzy. But to all outward appearances, now at age six, Nancy looked exactly as she had for many years.

With national leadership on the scene, the protest expanded. Hundreds of phone calls went to the offices of Governor Ashcroft and Attorney General Webster, pleading that they have the tube reinserted. Thirteen protestors made their way up to Jefferson City and camped out in the marble lobby just outside the offices of Attorney General Webster. They remained in Jefferson City all day, demanding to see the attorney general, who wasn't there. At the end of the day, they refused to leave. Missouri Highway Patrol officers moved in and removed the protestors from the building.

"The blood of Nancy Cuzan is on the hands of William Webster, as well as on the hands of all of us" shouted Rev. Matt Trewhella of Milwaukee as two highway patrolmen grabbed him across the polished marble floor of the Missouri Supreme Court building. "America, because of what has happened to Nancy, has slipped one big notch closer to hell!"

When General Webster made it back to town that evening, he found blood splattered on the hood of his car.

One group most perplexed by the events of the week were the 35 children of employees in day care at the MRC. The kids could not understand why they weren't able to go outside on the playground in weather that had turned nice again, especially when other children (those of the protestors) were outside. They didn't like having to use a different entrance from their normal one, and the police officers scared them, as did the people sleeping and sitting on the front steps.

On Thursday morning, jane Valentine, the day-care director, gathered the children and tried to explain. She told them Nancy's story, and small hands shot into the air.

"Why do they have to stop feeding her?" one child asked. This was a hard question for adults, too.

"Can you imagine if you had to stay in bed for seven years?" Valentine asked. "That's longer than you've been alive. Can you imagine if you could never run or eat or sing again?"

Another hand went up. "Do you want us to sing for her?" the child asked. They had been working all week on songs for the MRC Christmas party that afternoon.

"No, she needs to be by herself and with just her family now."
Valentine tried to explain that the protestors weren't there to hurt anyone, and that the policemen were friends, there to keep everyone safe. "We're safe. We're real safe," she told the children.

That afternoon at the Christmas party, Don Lamkins tried to give similar assurances to the MRC's employees. He stepped to the podium and talked about the events of the last several days. When he started talking about the effect on the people of MRC, emotions choked his voice off, and he could not speak. He stepped back from the podium and nodded to Jamee Valentine for the children to sing. The songs and paperดาวers of the children brought some smiles, but Nancy Cruzan was on the minds of all. After the children sang, Lamkins took a deep breath and returned to the podium. "This is Mr. Vernon, Missouri," he said to his assembled staff. "These things don't happen here."

Late Thursday, I was able to give the Cruzans some good news: After a day and a half, the Missouri Supreme Court had dismissed the emergency appeal. I'd just finished my shift ringing a Salvation Army bell with volunteers from our firm, and I thought that the call from Jim Deutsch, and the relief it brought, was my Christmas present. The only court left where the protestors had a chance, in my opinion, had turned them down. Near the end of that day, the court of appeals dismissed the appeal filed there, too.

Thursday afternoon, Joe Cruzan walked out of the hospital past the protestors toward his truck and trailer. He planned to move it off the grounds as the administration had requested, unhitch the trailer in Carthage, pick up mail, check the house, and drive back to Mt. Vernon. As he walked past the protestors, he didn't speak, and no one spoke to him. They didn't appear to know who he was.

Friday, December 21, 1990

Most people in this part of the country have heard the cliché about Missouri's fickle climate: "If you don't like the weather here, wait five minutes." The previous Friday, when Judge Teel had handed down his decision, had been a dark day with a biting rain that turned to snow. Within a day or so the sun had returned and melted the snow, and all week the protestors had enjoyed warm weather. By Thursday, December 20, the temperature had climbed to an unseasonable 60 degrees as the protestors stood in shirtsleeves in the bright sunlight around Randall Terry on the MRC steps.

Thursday night that all changed again. An arctic blast bore down on southern Missouri, dropping the thermometer 50 degrees in less than 24 hours. By Friday morning, the thermometer had plummeted to eight degrees, and the protestors huddled together for warmth. With the cold came snow, with a forecast of more snow and worse cold to come. Maybe a white Christmas was on the way.

Another kind of flurry also hit on Friday—a flurry of new lawsuits. Judge Byron Kinder, a state trial court judge, had scheduled a hearing in Jefferson City for a suit that named the attorney general. Mario Mandina (the Kansas City pro-life lawyer) filed a new appeal in the Missouri Supreme Court, and Randall Terry had moved the battle to federal court in Kansas City late Thursday, with an emergency hearing.
set for one o'clock Friday afternoon before Judge Dean Whipple. Terry had given Christian radio stations the phone number of the federal courthouse in Kansas City, and on Friday morning, more than 2,000 phone calls jammed the courthouse phone lines with people asking the judge to intervene.

"My phone call that morning made it through to the judge himself. "Judge, I don't have time to file a written motion, but I wish you'd consider ruling on these papers without a hearing," I said. "But I'll be there at one o'clock if you want me to."

"Why no hearing?" Judge Whipple asked in his deep, Midwestern drawl. I knew him through other cases, and I'd run with him a few times in a 5K race that was held at the annual meeting of Kansas City lawyers and judges down at the Lake of the Ozarks — one year we even came in second together.

"A hearing will bring the television cameras and just give these idiots more publicity," I said, not exactly statesmanlike, and probably violating the rules about contacting judges, but my patience was gone. I described all of the other lawsuits that had been filed and dismissed that week.

The judge told me that someone would let me know about the hearing. Thirty minutes later, his law clerk called to say that the judge had cancelled it. Soon after, they faxed over his one-page ruling, which dismissed the case and cautioned the protesters that any further filings could be an abuse of process. Good for the judge, I thought as I read his order. A person in the system Joe always railed against had taken a stand.

In front of the courthouse, Randall Terry talked to a small group of reporters, but cancelling the hearing had in fact deflated Operation Rescue's publicity balloon. "Whipple is a coward," Terry shouted, "and I hope history remembers him as such. Isn't there a Judge in this whole blessed state who has the integrity to stand up for this woman?"

The Missouri Supreme Court quickly dismissed the new filing as well, and Judge Kinder listened only briefly to a protester's plea before interrupting. "I just despise people like you," he said. "Get out of here."

The judiciary had apparently had enough of these protesters.

Now at one week without feeding or hydration, Nancy's condition had changed only slightly. The main difference was her appearance — her face had started to lose its bloom. All week, relatives and friends came to sit briefly with the Cruzans. On Friday, Angie and Miranda came to visit. Miranda, now 14, squirmed in her chair, for she was a few feet away from a dying person for the first time.

Chris tried to talk to her youngest daughter. "Are you scared?" she asked.

Miranda nodded, wide-eyed. She smiled nervously and then started to cry. Chris moved toward her, but Miranda held her hand up to stop her mother, and she wrapped her own arms around her body — just as Chris had done almost eight years before at Freeman Hospital, right after Nancy's accident. Chris extended her hand and covered Miranda's, and the two hands gripped one another.

The different PBS interviews of Miranda and Angie over the three years of filming revealed the prominent role Nancy's case had played in their lives growing up. On the first PBS show, with footage shot mostly in 1987, they were little girls, ages 11 and 12. Now 15, Angie spoke to Betsy Arledge at length in a poised, reflective voice, without an intona-

pected "like" or "you know" anywhere in her speech. "I think in a way Nancy's sort of given us something here," she said. "She's given us — we've had to grow up a lot faster, but we've also learned a lot about life in these past seven years. We've learned a lot about how people have to live, and about pain you have to go through. And that things aren't always given to you on a silver platter, and things happen — and everything doesn't turn out the way you want it to. So, in a way, Nancy hasn't been here, but she's been giving us something all this time." When she finished, Angie looked over at her sister — no tears came, just a small smile of understanding between the two. Growing up around public controversy was really all Angie and Miranda knew.

Out front, the protesters were having a wholly unintended effect on the employees of the state hospital — they were generating support for the Cruzans. With a few exceptions, these demonstrators were outsiders — from as far away as Oregon, Georgia, and Pennsylvania — not Missourians. Employees had to weave between protesters in sleeping bags just to gain access to the building through the only door that remained open, and they often had to hear calls of, "Feed Nancy" or
"Murders?" as they passed by.

Even Barbara Shown said something favorable. "We also don't think they should harass the Crusans," she told reporters. "We may not agree with the Crusans, but they have come to their decision with a lot of soul-searching. They won't in the courts. They should be left alone."

Inside, the glares—so obvious a week earlier—had mostly stopped. The Crusans saw few people and seldom ventured out of the hospice wing. Joyce called the nurses in the hospice "angels," since they were so gentle and supportive.

On Friday afternoon, Joe Cruzan walked past the protesters and drove to town. He came back and walked straight up to them on the steps, carrying a box. Joe handed it to the apparent leader of this shift, David Hall, the head of a Ft. Worth, Texas, anti-abortion group. Inside was a coffeepot, an extension cord, and coffee that Joe had just bought in town. The PBS crew happened to be near and filmed the encounter, and until one of the crew told the protesters, they didn't know who Joe was.

Joe's beard, almost completely gray now, matched the sleeveless sweatshirt he wore at the hospital day after day. Now he just wore a denim jean jacket over that sweatshirt to protect against the bitter cold. He stood about a foot away from Hall with his eyes on the protester. "I guess I'm very concerned about you people being out here, particularly the young people," Joe said.

Hall fought back tears as he tried to speak. "Our prayers are with you," Hall said. "It's a very tough time, but we don't begin to think we could understand or go through what you have gone through. We're standing out here praying and doing all that we can do in a way that we feel God would have us do."

Joe had heard all that before. "And we're doing the same," Joe said, without much emotion. "We're doing what we feel God has directed us to do, and that is to carry out what we believe."

Newspaper and television reports described the encounter with words like "poignant"; Joe told me he was "just trying to beat the protesters at their own game," and it angered him that "those stupid sons-of-bitches have kids out there." He told Bessey Attridge, "Let me have my daughter back and they can have all this stuff. I'll go home and prop my feet up in front of the television and watch the evening news, without seeing 'Cruzan' splashed all over it." He told Tootie at work later, "I wished they would've choked on that coffee."

It was now December 21. The protest leaders said that if Nancy lived until the day after Christmas, thousands would descend upon Mt. Vernon after celebrating their holidays at their homes. The administration had a plan in place to evacuate Nancy if necessary, with two ambulances leaving the hospital simultaneously, each heading in opposite directions. One ambulance would be a decoy, and not even the drivers would know who had it.

Late that afternoon, the police wondered if the onslaught had begun early when several burly men strode toward the front door of MRC, dressed in tan industrial coats. A state trooper stopped them at the front door and asked, "Can I help you?"

"We're here to see Joe Cruzan," answered a soft and respectful voice. It was Tootie. He leaned over to the trooper and said, "He's not with us," gesturing at one of the protesters. A man had fallen in step with Joe's co-workers as they climbed the front steps—the officer escorted him back outside. Three other officers, who had showed up when called on the radio, stood looking at the sheet-metal workers, and Tootie heard one of them ask who they were.

"Glad they're friends," his partner responded when told, "or we would've had a mess." The workmen were headed to Springfield for the company Christmas party, and they had decided to stop by and see if Joe wanted to join them.

Joyce came down to the lobby and talked to Tootie and the men. She told them that Joe was asleep. She didn't think that he would be willing to leave Nancy, even for a short while. She told them to just go on without Joe. Tootie wished Joyce a Merry Christmas, and they hugged.

Saturday, December 22, 1990

On Saturday, I drove down to say goodbye to Nancy and the Crusans. It was bitterly cold, the temperature staying in the single digits, with a cutting wind, and packed snow covered the roads. I wore jeans and a KU sweatshirt—no need to look like a lawyer anymore. The protesters had erected a lean-to with a kerosene heater inside, and most were huddled near it. As I started toward the steps, they called out "Save Nancy!" I held back the urge to reply, shook my head, and passed by.
The police let me inside, and a nurse directed me to Nancy's room in the hospice wing. I hugged Chris and Joyce and shook hands with Joe. We all looked at Nancy, whose appearance had changed. "She's lost the bloke in her face," I said, and they nodded.

"She looks a little bit like she used to," Joyce said. They smiled.

We discussed the events of the week, and I told them that the protestors had appealed Judge Whipple's order. I'd talked to the clerk of the appellate court to ask if I needed to be at a hearing on Monday (Christmas Eve), and he'd told me that he did not think the panel would schedule a hearing. He was having a hard time even finding the judges; many of them had already started their holiday. I told the Cruzans not to worry about the court.

Chris had taped up some Christmas decorations, and several cards were displayed in Nancy's room—otherwise, it looked like a normal hospital room. In one corner was a small sink; a couple of chairs sat on either side of the bed; the walls were painted light grey; and fluorescent light bulbs illuminated the room. A thick, stuffy smell reached to all corners as this family gathered around their dying loved one.

Joe showed me the mail—while the stacks they received at home were mostly positive, at MRC, they were mostly negative. These included prayer cloths for healing and strategies to have Nancy walk again. Randall Terry's handwritten letter on Bel-Aire Motor Inn stationery said, "I beg you, in God's name, to reconsider your decision." And a letter from Senator Danforth said, "I hope this Christmas season will be a time of hope for you and your family. May God bless you."

Joe said, "I guess this God can cut both ways." He kept the letters from Danforth, state senators, and other important people in a separate stack.

After a while, we stopped talking and just sat together. When it came time for me to leave, we reviewed how to contact me: Kelley and I were leaving early Monday for Florida to visit my parents. I asked Joe if they wanted me to come back for the funeral and to deal with the press.

His eyes lifted to mine, with effort: "You should be with your family," he said.

I nodded. The lawyer work was done. I rose to leave. Everybody hugged, even Joe and I, although clumsily.

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**Chapter 41.**

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**NANCY'S CHRISTMAS GIFT**

Monday, December 24, 1990

Kelley and I left Kansas City early Monday morning, and I called the appellate court clerk from the airport in Atlanta. He told me that a three-judge panel had decided to dismiss the emergency appeal. I thanked him and wished him a Merry Christmas. I called Joe at the hospital. "Thank God," he said, when I gave him the news.

He told me that the protestors had stayed outside the previous night, even though the temperature had dropped down near zero. He begrudgingly admired their persistence. Joe also told me about a big new sign that had gone up that morning: "Nancy's Gift at Christmas from her Parents and Doctor—DEATH!"

"They're right," he said. "That is our gift to her." He said that Nancy's heart rate had increased and that she had some slight trembling in her hands, but that she looked more peaceful than he had seen her in a long time. Joe said that Dr. Davis did not think it would be much longer. I told him to call me.

Chris drove back home for Christmas Eve. Joe and Joyce stayed in Nancy's room, taking turns holding her hands and caressing her arms. Joe's Uncle George had come in from Denver a couple of days before, and he stayed with Joe and Joyce at the hospital. Joe was close to his uncle, who had been a steady voice throughout the trauma of the last eight years.
Outside, one of the protestors played a trumpet, his lips somehow able to work in the frigid cold, and the strains of "O Holy Night" filled the air. That evening, the lights in every room in the six-story MRC building were dark, except for a single window in the second floor of the hospice unit.

Late in the day on Christmas Eve, as we'd arranged, Kim Ross left word on my answering machine that the appellate court's dismissal had been appealed to the U.S. Supreme Court. According to Operation Rescue, the U.S. Supreme Court had set Cruzan for a hearing at 9:00 A.M. on December 26. That seemed unlikely to me, but I planned to call Sandy Nelsen at the Supreme Court first thing on the day after Christmas to be sure.

Christmas Day, 1990

Nancy remained stable through the night, and Joe and Joyce decided to drive back to Carterville early Christmas morning to be with their granddaughters when they opened gifts. Uncle George told Joe that he'd call immediately if Nancy's condition changed in any way.

The Cruzans left for Carterville before 6:00 A.M. and they got to Mel and Chris's house while Angie and Miranda were still asleep. Chris met them at the front door. She'd sat awake in a chair for most of the night. The four adults sat around the tree, drinking coffee, as the girls opened their gifts.

Before eight o'clock, Joe and Joyce went to their own house; Chris, Mel, and the girls joined them soon after. Grandpa Les, Grandma Jack, and Donna were supposed to come over, too, but they hadn't arrived yet. Chris, Mel, and the girls had just sat down by the small artificial tree when the phone rang. It was George. Nancy's blood pressure had dropped.

Joe barely paused. He grabbed his coat, made sure that Joyce and Chris would come separately, and rushed out the door. He sped up I-44 to Mt. Vernon, hurried up the front steps past the protestors, and into the hospital. When he reached Nancy's room, he realized that he'd made it in time. George told him that her pressure had stabilized. Soon after, Joyce, Chris, Mel, Angie, and Miranda arrived. They found Joe and George in the room with Nancy, a scene that looked much as it had for the last several days.

Nancy's condition was changing, however. Her heart rate had risen to 156, and her blood pressure had weakened. Late Christmas morning, Dr. Davis came in for an exam, and he downgraded her condition from deteriorating to serious. Joyce stood rubbing Nancy's arm in a slow, circular motion as the doctor conducted his exam.

"I was wondering," Joyce asked, "will she probably go into a true coma at some point, possibly?"

Dr. Davis said Nancy would likely just grow less responsive. "The sense of the word responsive meaning she won't wake up as much," the doctor said.

Early that afternoon, Chris stood in the hallway outside Nancy's room. "It's Christmas Day," she sobbed as her husband held her. She felt that she should stay, but she could not imagine being away from her family on Christmas. Mel spoke to her softly, as the girls stood near. "You should stay here," he said. "It'll be okay," Chris felt like a part of her was being ripped away as she watched Mel, Angie, and Miranda walk away from her.

At 3:15 P.M., nurse Angela McCall came to the room as she had each day. The PBS crew had talked extensively to her, calling her "the angel." McCall was an articulate, attractive woman who wore her red hair pulled back underneath a starched white nurse's hat. She'd originally opposed the Cruzans' choice, but she always treated the family with kindness and respect. That afternoon, she checked Nancy's vitals and then pulled back the pink-and-white quilt that Joyce had handmade for Nancy. She moved Nancy's fingers and arms, which bent for the first time in years. "Look, her fingers are more relaxed," she said to Chris.

"Oh my gosh," Chris responded, "I hadn't seen that." She reached for her sister's other hand and caressed it. Nancy's face was pointed toward the ceiling, as it had been all day, and her eyes were blank.

"What does the fact that she's perspiring now, what, what — " Joyce sounded too tired to find the words she needed.

"What might it mean?" Chris finished her mother's sentence.

"It could be that her heart is starting to give up now," McCall said. She took Nancy's temperature, and looked across the bed at Chris and Joyce sitting together. "I've got to go now," she said, "so I'm gonna go.
LONG GOODBYE

give a report and pass these things on. As she walked around the bed, setting her thermometer and stethoscope on a table, she reached out to the women, saying, "In case I don't see you."

Chris embraced the nurse tightly. "You've been so great," she said.
"You guys are wonderful people," Angela McCall said. "I'm so glad I had the opportunity to get to know you." She stepped over to Joyce, who stood. "I don't know if I'll be seeing you again," the nurse said. "I hope I do, but you know what I mean. You tell Joe 'bye for me." The two women knew their time together had been special, and that it was over. They held a long hug before McCall broke away.

"Okay," said Joyce, smiling. "Thank you. You've been a big help."

Nurse McCall brushed her tears away, with the back of her finger and turned at the door to look at her patient and family one final time.

By late afternoon, the nurse who came on after Angela could not detect Nancy's blood pressure. Her breathing had become slightly more rapid, and she was less responsive to stimuli. At 5:05 P.M., Dr. Davis downgraded Nancy's condition from serious to critical, yet her appearance remained peaceful. The trembling of the day before had stopped, and by now even her neck had grown less rigid. The family sat around Nancy's bed, talking, holding her hands, and praying.

Mel had been right: The hospital room was where Chris Cruzan White was supposed to be. When asked to describe what the room was like on that Christmas Day, Chris later said, "There was a feeling that everything was right. There was a closeness, love, and peacefulness that I had not felt for years."

When the new nurse arrived at midnight, Joyce asked that the nocturn Nancy or try to take her blood pressure—Joyce didn’t want Nancy to be disturbed any further. Joe kept falling asleep in a chair, and Joyce made him go across the hallway to rest in a bed. She told him they would come get him if anything changed.

Chris was lying on the floor on a sleeping mat that George had brought, dozing on and off. George sat in a chair, doing the same. Joyce stayed awake. Around one in the morning, Nancy's breathing grew more labored. At about 1:15 A.M., she spit up a tablespoon of dark, foul-smelling liquid. Joyce cleaned it away and called out to Uncle George, "George, go get Joe." Joe walked back into the room with his uncle, startled out of an uneasy sleep, Joe's hair going in several directions.

Nancy's Christmas Gift

George left to go get coffee to leave the Cuzzans alone. The three of them stood around Nancy's bed. Nancy's breathing grew weaker. For the next hour and a half, they held her hands, kissed her, and told her they loved her. Joe put his forehead on Nancy's and whispered, "Everything will be okay."

Around 2:30 A.M., Nancy's breathing grew even more labored—a book one nurse had given Joe called it "fish-out-of-water" breathing. Joe cradled Nancy's head in his arms; Joyce stood right next to him, holding Nancy's hand; Chris stood across the bed, rubbing her other hand.

At 2:47 A.M., Nancy's breathing stopped. Joe reached his hand to Nancy's face and pulled her eyelids closed. Uncle George looked back into the room and saw the end had come. He walked down to the nursing station and said, "I think it's over."

Fifteen minutes later, Joe reached me in Florida. "Bill?"
"Hi, Joe," I said, not fully roused from a sound sleep.
"It's over," he said. His voice was clear and steady.
"Thank God," I said. He told me about the last few hours. "What are you going to do now?" I asked.

He paused for a time, the question harder than it sounded. "I guess we'll all go home," he said.