

Scofflaw

by **Gary Fincke**

I was sixteen the first time I was inside a police station. My mother took me after I received my first traffic ticket.

My violation was making an illegal U-turn around a median strip at the end of the block where my father's bakery was located. I'd made that turn every Friday after I finished my shift at the bakery, working until 5:45 a.m. when I then drove the station wagon back home and gave it to my mother to drive to the bakery and open the store at 6:00 a.m.

But that Friday, because I was scheduled to take the SATs Saturday morning, I'd worked from 7:00 to 11:00 p.m. like I'd done when my mother had picked me up in that station wagon every Friday from eighth to tenth grade. She'd made that U-turn every time and so did I, completing it, this fateful night, while a police car sat at the light.

"Whose name is on that ticket?" my mother said when I showed it to her. She was in her pajamas, but she buttoned a coat up over them and slipped on a pair of shoes while I tried to make out the signature.

"Ralph something," I said.

"Ralphie Stumpf," she muttered, grabbing her keys. "You bring that thing with you, and we'll see about this."

"Is Ralph Stumpf here?" my mother asked the policeman at the desk.

"No, Ruthie," the policeman said, and I marveled.

"Ralphie Stumpf," my mother said. "I've known him since he was in diapers."

"I expect so, Ruthie." The policeman suddenly sighed and looked old enough to retire.

My mother showed him the ticket. "Everybody makes this turn," she said.

“I can name people you wouldn’t dare ticket who make that turn. You know who I’m talking about. Prominent people who have businesses on that block.”

“You don’t know that for a fact, Ruthie,” the policeman said, but he allowed us to sit down to wait.

A few minutes later, Ralph Stumpf walked through an inside door. My mother tugged me to my feet as she rose from her chair. “Ralphie Stumpf,” she waded in, repeating her assertion about the prominent people who disregarded the law. Ralph Stumpf looked more embarrassed than angry, and I drifted a few steps away from the conversation, hoping that Ralph Stumpf didn’t begin interrogating me. I wanted my mother to stop. I wanted to pay the ticket and get out of there.

A minute later, Ralph Stumpf tore up the ticket and my mother walked out of the station in triumph. “You see?” she said. “You have to know how to deal with these people. I hope you learned something.”

Fourteen years later, I tried to remember just what it was I’d learned when, after lunch near the end of June, I received a call from Sam Stambaugh, who identified himself as the county constable and said he’d been chasing after me for a couple of months. “Since April. Almost three months now, and no luck at all until today. You don’t reside where your registration says you do.”

“What registration?” I asked.

Stambaugh didn’t seem to hear me. “I went to your apartment on 19th Street,” he went on, “and the people I talked to said you didn’t live there anymore.”

“I moved.”

“Your registration says you didn’t. I checked it through Harrisburg three times. You don’t just take somebody’s word on this. You don’t do this job for long and still believe neighbors. Finding you has cost me an awful lot of time.”

“I’m in the phone book,” I tried, but I started considering whether constable was a patronage job, whether Sam Stambaugh was an idiot but had a brother or an uncle in the right place to hand him something to do.

“Harrisburg finally nailed your address for me. I have a warrant here with your name on it, and I can drive out there and serve it, but I thought I’d do you a favor and

call to see if you'd come in on your own. I found out you teach at the college, so I figured you for somebody reasonable. You're a doctor, so I can call instead of driving out."

His tone made me decide to be diplomatic. "I appreciate that," I said, "but what's the problem?"

"Scofflaw. A fine outstanding for too long."

Now I felt lost, like maybe there was some other Gary Fincke who lived in Beaver County. A long shot, but possible. "What fine?"

"It's just scofflaw. A couple of minutes at the JPs."

"Somebody's made a mistake."

"Couple of minutes, ok? Help us both out."

It seemed easy to comply, but I wondered what Stambaugh the respecter of advanced degrees and college instructors would think if he found out I would be officially out of work in less than a week. Maybe he'd show up with lights flashing and sirens wailing.

I didn't have his enthusiasm for the two-year college where I'd worked. After five years of teaching the same two composition courses and having to stick to reading lists and assignments prescribed on a syllabus created by the main campus faculty, I'd become impatient. The year before I'd received a Ph.D., and in the intervening months I'd begun to publish scholarship, how-to articles about teaching, and some stories and poems that found their way into small magazines. Nobody else in the English department had published a word since I'd been hired. Six months earlier I'd suggested to the Director of Adjunct Campuses who visited once a year from the far away main campus that maybe there were alternatives to being told how to teach, what to teach, and when to teach it. He looked at me and suggested I should begin to search for another job if I felt that way

"Ok," I said. "I'll do that," not exactly what he wanted to hear. To make things worse, I made it clear to the on-campus administrator to whom I reported that I had to "deprepare" to teach my classes in order to meet the requirements I had to follow. Two months later I was out of a job.

When I arrived at the Magistrate's office, it looked empty except for a secretary who seemed to be expecting me. "A parking ticket," she said without prompting. "Unpaid from January."

"I've never received a parking ticket," I said, so confident in the truth of that I expected her to apologize when she discovered a mistake had been made.

"In Monaca. Facing the wrong way. Five dollars plus a twelve dollar late fee." She handed me a yellow copy. "This jog your memory?"

"I've never seen this."

"The file says the constable's been working on this quite some time. Ninety days delinquent makes you a scofflaw."

The address was where I had my car serviced. I told her I'd be right back. The car dealer said he was willing to absorb the loss. He wrote out a check and told me that sometimes the guys servicing cars were in a hurry and maybe left my car where it didn't belong. He smiled and added that they were expanding their parking lot so cars wouldn't be parked on the street in the future.

The secretary took the check, but then she frowned. "Twenty-seven dollars and fifty cents for the constable's fee is also due."

"For a local phone call?"

"According to our records, the constable drove to your residence on two occasions. He logged several calls to Harrisburg."

My fragile patience snapped. "He drove to where I lived a year ago. He went back again when he already knew I didn't live there. He called Harrisburg instead of opening the phone book for my address."

"He performs his duties in a manner satisfactory to Magistrate Luberto."

Enough was enough, I thought. "I'm not paying for his incompetence."

A door opened and a man's voice intoned, "Do we have a problem here?"

"One of our scofflaws is becoming abusive."

"If he continues, call in a disturbing-the-peace."

"Just like that?" I said. "Raising my voice slightly is nowhere near disturbing the peace."

The woman dialed the phone. The police, she said a minute later, were on their way. I sat and waited.

The policeman, when he arrived, looked as young as my students. He wore the uniform as if it were as unfamiliar as a graduation robe. "I understand you have a disturbance here," he said to the receptionist, who nodded toward me.

"I'm the guy who talks too loud," I said. I wondered if I should mention that I held a Ph.D. and was a college professor, but I counted on being calm and polite to serve me well.

The policeman motioned me toward the door. He walked me outside and said he was surprised because I was a professor at the local college and didn't look like anybody who needed to be arrested, a quick reminder about how law enforcement works. I answered him in coherent, complete sentences sprinkled with polysyllabic words. He told me to forget it, that some people were touchier than others, and I thanked him and left.

I had bigger problems than unfairly owing a small sum of money to the county, but when I arrived home I filled my story with obscenities directed at the Magistrate and Constable who were Fascist assholes and fucking morons. My wife shook her head and put a finger to her lips. She was holding our ten-month-old daughter, but our son, who was about to turn four, was somewhere nearby.

Beginning in July I could collect unemployment compensation. I'd worked up a monologue on humiliation and embarrassment that I declaimed to my wife, but as the day when I would become eligible drew close, I put on a coat and tie and drove off to Beaver Falls as if I was about to begin a new job that just happened to be in a government building.

It was a beautiful summer day. The office was located on a residential street that was tree-lined and well-kept, as if somebody was softening the blow by not locating it downtown among the largely abandoned store fronts that led down the hill to the closing factories or uptown toward the soon to be closing mill.

The only women in the room were employees. In the summer of 1975, only men seemed to be out of work. Though I was the one applicant dressed as if I had a wedding

to attend, none of the men looked shiftless or crazy or drunk. Nobody talked except when their turn at one of the desks or windows arrived. I filled out my application and answered a clerk's questions. Very shortly I would begin to receive a weekly check that would continue to arrive for one year. The woman I was speaking with looked me over for a few seconds before telling me I wouldn't have to report to receive my check. All I had to go on as to whether this was unusual was her telling the two guys in front of me that they had to report each week to receive their checks in person.

She didn't ask me about my months-long search for another college teaching job. If she had, I would have told her I'd applied for fifteen college jobs and one high school position as Chair of an English Department. I'd had one interview so far. That interview hadn't been on a college campus. It had been in a New York City hotel room and made me more despairing than hopeful. I had nine postcards thanking me for my interest while telling me the position had been filled. So far the rest of the places I'd applied to had been silent.

A week after receiving my first unemployment check, arriving home from a day in the park with my wife and two small children, I found a note tacked to my back door that read: "Because of your failure to complete payment of all existing, past due fines, I visited your residence today, 7/15/75, to serve a warrant for your arrest. Please be so advised."

I crumpled that note into a tight ball, but before I threw it away, I copied the address and waited until the following day to settle in front of the typewriter. I wrote a reasonable, educated note to Magistrate Luberto requesting a formal hearing.

I explained the circumstances for which I was being persecuted in polite and correct language. I used my title of Doctor both at the end and, ready-made, on one of the return-address stickers my mother had bought for me the moment I told her I'd passed my dissertation defense. I attached a stamp to an envelope whose address I double-checked for accuracy in the phone book. "There," I told my wife. "It's time for at least a little bit of justice."

The unemployment checks arrived exactly on time, but as July closed down, I was in panic mode. For another month I could tell any potential employer my reason for

leaving my teaching position was that it required obedience more than creativity. Framed in the right way, I could make myself sound ambitious rather than the arrogant, over-confident jerk I'd let surface with my superiors, but by September I'd be susceptible to even a cursory background check.

As August began I got a phone call from a college in Michigan I'd applied to in June, so late in the hiring season that I thought they might be desperate. The man on the phone said they wanted to interview me, and I didn't hesitate to say I'd be happy to drive to their Michigan campus. "We sometimes meet our applicants half way," he said. "We could interview you in Detroit to save you some miles on such short notice."

My excitement dimmed. Sure, I lived near the Ohio border, but it was still Pennsylvania, and Detroit was about 300 miles away. How could that be half way unless it was just a figure of speech? I told him I'd let him know by the following day. I owned a United States Atlas, and I opened it to Michigan. I couldn't find the city. Not at first, at least. Not until I realized it was located in an insert that contained the Upper Peninsula because there wasn't room for the entire state according to scale.

I thought of blizzards and wolves and every other problem that went with what was essentially the same job I'd let slip away because I hated doing nothing but teaching the same two sections of composition over and over with no chance of that schedule changing in the foreseeable future.

The next day, as I waffled about having the nerve to turn down a possible job offer, I received yet another early August job opportunity phone call, and this one, though it was the high school job, at least didn't sound like a safety net. There was an on-site interview in upstate New York. When could I be there? I chose three days from then to make it look as if I had options.

Two days later I answered the door without thinking of anything but the good fortune of having an interview the following afternoon, and there stood Sam Stambaugh. He didn't produce a warrant. He asked if I'd be willing to ride with him to the Magistrate's office to get things taken care of once and for all. When he assured me I'd be having a hearing, I said I'd ride along. "You ought to have cleaned this thing up

sooner,” he said on the way over. “I’m surprised somebody with your education wouldn’t see the sense of it.”

Luberto showed up looking like somebody who’d just finished mowing his lawn. “We have the matter before us of \$27.50 in constable’s fees unpaid,” he intoned. “And additional costs of the court to transport you to these proceedings. Are you contesting?”

I began as evenly and clearly as I could muster. “I sent you written request for a formal hearing. I put everything in the letter.”

“This office has received no correspondence from you,” Luberto said, and then, as if he could read my mind, he added, “Did you make your request by registered mail?”

Anyone could see how this would end, but I soldiered on. “I mail hundreds of letters a year,” I said. “Every one of them gets through. They’re sent first class with the correct postage and a return address. It’s foolproof.”

“We have no letter,” Luberto said, and I sensed Sam Stanbaugh shuffling closer.

“But you received it.”

Luberto looked at Stambaugh as he said, “Are you questioning the truthfulness of this court?”

There was nothing for it but to go all-in. “You bet,” I said.

“Do you have a copy?”

Stambaugh stood so close now I could feel his breath. “No,” I said.

Luberto seemed satisfied. “One of the two parties in this dispute is being dishonest. The court has no reason to lie. A total of \$82.50 is due now. If you are unwilling or unable to produce payment at this time, I will direct Constable Stambaugh to transport you to the prison to begin your five-day detention.”

To save face, I told him to lock me up, but in the morning I had to be up and out of the house by 7:30 at the latest, and my bravado was extinguished by the time we arrived at the county prison. Scofflaw in the face of authority was one thing; getting a job before all of my education and ambition crumbled was another.

My fingerprints were taken. Like millions of possible felons, I was “in the system.” When the guard confiscated what I was carrying, I asked him for my contact lens case. I have to have that, I explained, and he was reluctant. “Use your call if you wanna,” he said. “Explain your special needs to somebody else.”

I played tennis regularly with a lawyer. I was wearing shorts and t-shirt he would recognize if we were meeting at the courts. I looked up his number. His response was brief. "You have a case. You'd probably win, but it will cost you more than you'd receive. You could paint yellow lines for all the no parking zones in the county, but you should get your wife to ante up before the Magistrate shuts off his phone for the night."

Never had such perfect sense seemed so readily apparent. I gave him my phone number so he could call my wife and tell her to pay up.

Shortly thereafter I was led down a hall lined with cells. Every cell had a couple of residents. Every prisoner was black. Not one of them said a word.

Downstairs was what appeared to be a rec room half-filled with cots. The rest of the space held a television set and a ping pong table and a handful of chairs. Every prisoner was white.

"What you bringing us?" one guy said.

"Scofflaw."

There was laughter all around.

"How much goddamned scofflaw we talking about?" the same guy asked when my escort had disappeared. I told my story. I included each of the tiny sums of money. The prisoners seemed fascinated and empathetic. "Ain't that just the fucking way the man works?" seemed to be the consensus comment. The room, as I quickly learned, was populated by repeat DUI offenders and failure to pay child support deadbeats. Each one of them wanted me to know how "the man had fucked him over for nothing."

The Pirates were on the television, but they were losing, and baseball seemed trivial. But the ping pong table was available, and I picked up a paddle. During the next hour, until my wife showed up to drive me home, I won half a dozen games because I was the only person in the room who seemed to know what topspin could do to the ping pong ball.

Just before midnight, we picked up our children at our neighbors' house. My wife accepted our daughter, and I carried our son back to the house. Neither of our neighbors asked a question. "What did you tell them? I asked my wife.

"That you had a problem that was running late and you needed a ride."

“A problem?”

“What was I supposed to call it?”

“We’re going on a trip to New York in the morning,” I told my son. We’ll wake you at seven. You can sleep in the car.” I found one clean and ironed shirt in the closet. To get a head start, I hung it and a tie and a sport coat from a hook in the back of our car.

In the men’s room of the McDonald’s ten miles from my interview site, I put on my clean shirt and tie. I combed my hair, happy that I’d had the foresight to have my wife trim it two days before. It was as short as it had been in five years; without asking, she had halved the length of my sideburns.

Fifteen minutes later, because of the early August heat, I carried my sport coat inside the high school before I put it on, one more step toward acting like someone who had qualifications to be in charge of an English Department even though I was sure my one year of high school teaching and six credits of education courses made me the least qualified of the other ten current members to lead.

No matter. I was going to talk to my strengths. What I knew was, no matter whether students were bad or terrific, few of them could write. I went on about how I would design a curriculum built around writing. I took a detour to talk about rapport and large group discipline situations when the principal seemed on edge about those things not being part of the resume of a college teacher. I added plans for a literary magazine and sending out PR to the media about student accomplishments when they entered regional and state-wide competitions. I was ready to make the school well known for writing, a model other schools would copy.

The Superintendent of Schools nodded along. When I paused, he sat back in his chair and said, “I like having my male English teachers carry themselves like men because English teachers have to work with all kinds.”

I didn’t need an interpreter to understand that I’d passed one large section of my job test by the accident of heredity. I’d walked into his office at 6’2, 210. My years as a tennis coach at the two-year college were on my vita. The conversation switched to sports and how I’d managed to occasionally come off the bench for a small-college basketball team. “Between you and me,” he said before I was escorted to where the

high school Principal waited to talk, “some of our male English teachers haven’t earned the proper respect from their students.”

The Principal, however, needed more than size and a history of sports. He wanted specifics about how I would handle large-group disciplinary situations, and I fell back on my one year of high school teaching, the job I’d had while I finished my Masters Degree. I told him about study hall duty in the school auditorium, two teachers handling 200 bored and restless students. He started to nod the way the Superintendent had and let me move on to literature, reminding me that, for now, the curriculum emphasized reading and remembering because New York required students to succeed on a state-wide Regents Examination. I cited writers that I knew were safe choices and added a few contemporaries. I told stories about tests I’d taken full of spot passages to identify. When he told me that the test results for each teacher’s students were published in the local newspaper, I said I welcomed the challenge.

My graduate education was never brought up. Not one question was asked about my research. Not one question was asked about the handful of essays, stories, and poems I’d begun to publish in the last two years.

By the time the interview ended, it had been sixteen hours since I’d been released from jail, but nobody had to know that, not even my children.

A secretary showed me around the school while the Principal and Superintendent discussed me. When I returned, the Principal gave me a school yearbook to help me get to know my colleagues. The Superintendent walked me down to his office for some paperwork. “We work fast when we think we’re ready,” he said. He made it clear that he liked the idea of having a teacher with the word “Doctor” in front of his name.

I walked out into bright sunshine and saw my wife and the kids sitting near the creek that ran across the street. The town looked absolutely picturesque. Sweat ran down my back and over my chest by the time I reached them, but all that was left of that day was the drive back home and extraordinary relief. By the time we reached our house, it would be nearly twenty-four hours since I’d been freed. Our neighbors would see us return if they were awake, if they weren’t worn out from staying up late with our kids the night before.

I'd spent not quite two hours in jail, a time very long or very short depending upon who you believe you are and what follows. In less than a month I was going to be the head of an English Department. Now I had to become someone other than who I appeared to be to my former employers and the local judicial system. A scofflaw who was full of untested opinions and a disregard for authority. Someone easily dismissed.



Gary Fincke's latest collection of personal essays *The Darkness Call* won the 2017 Robert C. Jones Prize for Short Prose and was published in early 2018 by Pleiades Press. His collections of stories have won the Flannery O'Connor Prize and the Elixir Press Fiction Prize, and earlier nonfiction books were published by Michigan State and Stephen F. Austin.