

Kol Nidre 5776  
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Ladies and Gentleman, Court is now in session. The honorable Holy One Blessed Be God, the King of Kings presiding. That's how the ancient rabbis wanted us to think about tonight.

For a thousand years of Rosh Hashanahs and Yom Kippurs our people has heard: "*Unetane Tokef K'dushat HaYom*—Let us declare the sacred power of this day. It is awesome and full of dread. For on this day You God, are our Judge." Tonight we are in court and the evidence of our lives, all of it, is an open book.

Have you ever imagined standing before a judge? Have you imagined being handcuffed in shame before your weeping children, your wife, your aging parents? Have you imagined prison? I have. I have stood alongside the accused, the trembling, the frightened, the humiliated, the shamed. It is a fearful thing—to be judged.

I was there when the woman who killed Dave was judged. It was one of two cases that concluded this year in which a Temple family's loved one was killed while walking across the street.

This is what Dave's father said at the sentencing hearing. I am quoting now directly from the transcript:

"Your honor, I speak today as a dad. Thirteen months ago a police officer came to our house and said, 'Your son was found in a roadway and he's been transported to UCLA medical center.'

I'm thankful that before he went out that night Dave gave me a big hug and he said, 'I love you, dad.' We had a wonderful week together. He had recently graduated from the film school at UCLA, and his friends were in town, it was Christmas week, and he was going out.

We said, 'We know you're going to drink. Be careful. Don't drive.'

'Don't worry, I won't. I love you dad,' and he left.

We went to the hospital and a lady came out and said, 'Well, your son is brain dead.' That was the way it was conveyed to us.

Over the next four days we prayed with our friends, we hoped for the best and we held, ultimately, the broken body of our son when he died. And when I say broken body, I mean a child who had part of his skull removed and bones protruding from his leg. He had been annihilated by a three-ton vehicle. And I thought to myself over and over again through this grief, how are we going to go on as a family?

The image of my son with tubes in his throat, lying on that bed, and all of his friends streaming through saying goodbye, not being shy, not sparing themselves the pain of seeing such a horror, had a profound effect on me.

We buried our son. We had a lovely memorial service. We had perhaps 1500 of his friends there and they kept us afloat.

When you talk about a hit and run, you're talking about leaving someone like road kill, to be run over by the next truck, the next car.

You ask yourself what kind of person is capable of leaving a broken body on the highway and driving away, and then going back home, switching cars and driving back to work. What kind of person works four blocks from where I live and continues to see our pain through the newspapers every day?

Finally, the police get a tip. They go to a house and find a car that's been painted.

I know the court has a transcript from the interview where the defendants didn't know that they were being recorded at the police station. The wife, the primary defendant in this case, here's what she says to her husband: 'Just lie about everything. Don't say anything. Don't admit anything. Just lie about everything.'

Detective Skaggs says, 'If we continue with this charade, you'll both be in jail. I'm going to get your phone records in about a week. That's going to tell me

where you were and where your husband was, and when I show you on Chautauqua I'm going to put you in jail and he's going to jail for helping you lie.'

The wife, 'I don't know. I don't know nothing about that.'

Detective Skaggs, 'You need to do the right thing, Marguerite.'

'I have nothing to say. I have nothing to tell. 'I don't know what happened. How can I tell you?'

Detective Skaggs: 'Because you were driving.'

'I drove the red car to work that day.' She doesn't just deny it. She lies again about the car.

Detective Skaggs: 'When you go to prison, do you want the bottom bunk or the top bunk?' And the translator writes that she starts snickering.

I want to believe in the best. Early on in the press I said, 'If you come forward, I will do my best to understand. It might tear my heart out, but I will try.' And I meant that.

I understand that people can become frightened and make mistakes. I also said, 'If you don't do that, I will feel just the opposite.' And that's the way I feel today. Just the opposite.

These people had an opportunity every day of the week for months to do the right thing. People say sentencing will bring our family closure. It won't. Every day is just pain management. That's what it is."

Pain management, every day. That's what this woman left behind for Dave's family when she hit and ran.

In the second case this year involving the death of a Temple family's loved one, the perpetrator Camie made a different choice. She explains the accident this way:

"I am 50 years old and a mother of 3 children 19, 16, 8. I wrote a children's book used in schools all over the country. My husband is a television producer. I have lobbied in Washington, shaken the hands of our senator, walked the red carpet at the Golden Globes, and heard my children chanting Torah. You can say I had a perfect life. The only problem with perfection is that it's not.

I was driving with my son in the car and waiting for a call back about a play date. The phone fell off the center console on to the floor. This had happened before, but on this day I wasn't lucky.

I reached down to get it and with the phone in my hand I saw an old man making his way in the crosswalk—he was doing what he was supposed to be doing—I was not.

I had two thoughts as his body flew to the ground. 'God please let him be Ok.' And, 'My life is over.'

Imagine me kneeling by his body, picking up his hearing aid and checkbook, waiting for the paramedics to come, taking a sobriety test, my young son standing on the sidewalk not knowing what was happening and the victim's adult son Bobby rushing into the street to rescue his father Bill.

Bill was 83 years old. Fractured hip, fractured spine, fractured skull, fractured shoulder, fractured wrist, internal bleeding. I called the hospital every day but I couldn't see him or send flowers. I wasn't welcome. All I could do was cry and pray.

I called the traffic officer and said, 'I can't stand it any longer I have to say I am sorry.' Five minutes later he called back and said, 'William just passed away – you better get yourself a lawyer.' My lawyer said there was a real possibility I could go to jail.

Bill's widow told the judge she did not want a mother of three to go to jail, so I received 360 hours of community service. I gave speeches to kids about the dangers of texting and driving.

I cleaned up the beach three times a week, eight hours a day for months and I walked those beaches alongside other people who had broken the law. Tax evaders, drug users, shop lifters. I cleaned toilets.

I picked up things so ugly I cannot mention. I understood the idea of physical labor as punishment and the penance gave me a place to put my anxiety I carried around every day.

It was the people at the beach cleanup that really made a difference for me. Homeless Joe who washed his hair every day in the fountain to create some sort of dignity for himself. Suki who had ecstasy in the car but was building a

website to sell her jewelry designs and Sholanda who cleaned a toilet better than anyone else I've ever seen in my life.

Up to that point I saw myself in the eyes of Bill's family—a monster. But finally, I saw myself as fallible, as human.

By this time Yom Kippur was coming. I was panicked to sit in the Temple and face God. I had committed murder. I felt like God's finger was pointed at me saying "You!"

I didn't know what to do. So I drove to my childhood home in Encino—the cull de sac of my youth. I turned the motor off and started sobbing uncontrollably; my fingers were trembling, my ears ringing. I felt like God was witnessing me. I felt exposed. I hit a human being. I took a life.

I opened the car door and ran in front of my childhood home where the essence of me was created and said out loud, 'I stand before you God. Here is my plea from my chest.'

I went to the cemetery. I was shaking in the bumpy grass near the grave. I spoke to Bill and I asked for forgiveness. In her book *Sacred Therapy*, Estelle Frankel writes that the sound of the shofar is like the grieving of a person dedicated to fixing their ways...that was me on Yom Kippur.

Something happened to me while sitting in the temple. I noticed four words that I never really paid attention to before: 'May God Bless You.' Simple really, that God could bless me, me the woman who hit Bill.

Even though I committed this terrible act I could still be blessed...I could be good and if I could be good then maybe I can accept the love and support of my family and friends and if I could accept that love and support maybe I could be lovable and if I was lovable I could start to love myself and learn to forgive myself."

In addition to her criminal and civil penalties Camie chose to do something the courts did not require. I learned about it when Bill's widow Helen—a Holocaust survivor and Temple member—called me.

"Rabbi, the woman who hit Bill has asked if she could meet with me and our son Bobby to seek forgiveness. I don't want to Rabbi but if you tell me I should, I will."

“You should.”

“I knew that was what you would say. Will you be there with me?”

“I will.”

Helen, Bobby, and I met a week before the meeting with Camie. I wanted to prepare them by teaching them something I want to teach all of us now, which is how repentance and forgiveness really work in Jewish law.

The greatest rabbi of all, Moses Maimonides—the Rambam, distilled it down to four steps. If we go through these four steps with sincerity, the result is forgiveness.

#### Step 1: Stop.

Stop whatever destructive action you are engaged in. If you are losing your temper with others, stop. If you text and drive, stop. If you gossip, stop. If you cheat, stop.

#### Step 2: Regret.

Feel true regret for your error. Feel guilty. Feel the sadness that comes from being something other than your best self. Be sorry for the hurt and the harm you caused. When visited by guilt—examine your life.

#### Step 3: Verbalize.

This doesn't have to be done at synagogue but it has to be done. Talk to God out loud, not just in your head. Tell God that you are sorry for whatever you did wrong. Then, you must go to the person you hurt and say the three most difficult words for most of us to say out loud. “I was wrong.”

“I was wrong.” Say it out loud to your friend, your wife, your husband, your kids, your parents, the stranger, and the Judge of Judges—Say it. “I was wrong.” Because saying “I was wrong” changes everything.

#### Step 4: Make a Plan.

Figure out a way to make sure that the mistake won't happen again. Put the phone in the glove compartment. Get into treatment for the addiction, therapy for your family dysfunction. Pay a self-imposed fine every time you gossip or say something unkind. Whatever your sin, make a plan not to repeat it.

The completion of these steps is called *teshuva gamurah*, or "complete return." It is the real purpose of tonight. If you are here tonight to stand before the Judge of Judges and lie; if you are here to stand before your family and pretend; you should be somewhere else.

I taught Helen and Bobby one more thing. That according to Jewish law when a person like Camie who sincerely went through all four steps seeks forgiveness and is refused three times, she is no longer accountable for her sin. The person who will not accept a sincere apology is the one considered sinful for bearing a grudge.

Camie arrived looking so frail and afraid on the day of the meeting. She spoke first. "I wasn't allowed to speak to you until after the trial. Now that it's all over I want you to know how sorry I am for what I did to Bill, to your family. It was my fault.

I was wrong and I have tried my best to do everything right since that terrible day but I know that will never bring him back to you. I am so, so sorry and I beg you to forgive me."

Bobby, a big, bearded, teddy bear of a man spoke next. "Can I ask you a question?" he wanted to know. "How's your son? He looked so afraid the day of the accident."

"He's ok. Not the same. But ok."

"Can I give you a hug?" Bobby offered.

As he stood Camie fell sobbing into his huge arms. Helen stood and moved toward Camie. She cupped Camie's face in her hands and said: "God bless you," and then, she kissed Camie's tear drenched cheeks.

It was powerful. It was beautiful. It was, over.

Helen called me the next day to say it was the first time in three years she slept through the night.

Long ago I learned as a writer, a son, a father, a husband, a rabbi, a man, that the most important things are said with the fewest words. "I love you. I'm here. No. Yes. It's a deal. He's gone. It's a girl. I was wrong."

The difference between these two accidents is the difference between “Just lie. Lie about everything,” and “I was wrong.”

“Just lie about everything,” leaves searing pain management every day. “I was wrong,” heals.

No one here will likely ever hit and run. That’s true. But we all hurt and run. We all hurt and run. We’ve all left someone’s feelings behind like road kill.

Can we be big enough, brave enough, and honest enough as we stand before the King of Kings and those we love tonight to say “I was wrong?”

Can you say it? Can you say it out loud to end the heartbreak in your broken friendship, your bitter business, your troubled marriage?

Can we say it? Can we say it out loud, we brothers and sisters who do not speak, we parents and children who wound each other over and over and over again; we who hurt and run?

I was wrong. Say it.

Look into each other’s tear filled eyes and say it.

Hold each other.

Heal each other.

And may God bless you in the year to come. Amen.