

The United States Versus Curtis Strong

I AM COVERED WITH THE BLOOD OF THE LORD.
I'M NOT TALKING; I'M CARRYING OUT HIS WILL. . . .
I AM DAVID, AND I'M GOING AGAINST GOLIATH.

—ADAM O. RENFROE JR., TALKING TO THE MEDIA
AFTER A DAY IN THE COURTROOM

THURSDAY, SEPTEMBER 5, 1985.

“That morning, I was nervous as hell,” recalls James Ross. “I was thirty years old, I was a brand-spanking-new lawyer, and I was going to be opening the largest case in the country at the time. I kept thinking about what I was going to say.”

Handpicked to try *United States v. Curtis Strong* alongside his boss, J. Alan Johnson, the young assistant U.S. attorney was given the task of delivering the opening statement, and he was looking for a zinger—something that would deliver a blow to the defense early and get the attention of the jury.

Ross was at his breakfast table finishing his meal when it came to him.

He strode to the brownstone federal building inspired and ready for the task at hand. But first, he would need to make his way through

the gauntlet of television crews, media, fans, and other rubbernecks who had ignored the hot and humid early September temperatures and made their way to Grant Street to take in the action. Thirteen camera crews battled for position, all eager to catch the next big shot. One cameraman compared the scene to covering President Reagan's campaign. Media scofflaws who chose to ignore the NO PARKING signs posted directly in front of the courthouse were quick to learn that the newly anointed "Most Livable City in America" wasn't one to play favorites, as Pittsburgh motorcycle cops began ticketing and towing the offenders. A circus tent may as well have been erected over the whole city block.

The trial was finally set to begin. The desire for an untainted and impartial jury had led both sides to prolong the jury selection process, turning what usually took less than an afternoon into a meticulous, two-day-long affair.

The eighth-floor courtroom No. 1 was overflowing with reporters and spectators. In comparison, a normal federal criminal case might have attracted a half dozen spectators on a busy day. The proceedings would take place under the watchful eye of Judge Gustave Diamond. Considered even-keeled and calm, Diamond resembled the actor Gregory Peck, and many in the crowd began comparing him to Peck's Atticus Finch character in *To Kill a Mockingbird*. "I really haven't seen anything like this," said Diamond, a judge for seven years and a U.S. attorney before that, speaking of the packed house. He then clarified, in jest, "Oh, maybe a couple of massage parlor trials."

The affair was highly anticipated due to the expectation of not only star witnesses but also of oral combat between the two lead attorneys. The Associated Press reported the trial was "likely to feature verbal and legal sparring between the conservative Johnson and the flashy Renfroe, who clashed repeatedly in a July hearing" and also noted that Johnson "has made it evident he dislikes Renfroe's flamboyant courtroom style and the defense attorney's frequent media interviews, many of which have been critical of the U.S. attorney."

Judge Diamond intended to keep firm control of any courtroom dustups or contentious relations. "There won't be personal comments back and forth," Diamond warned. "We will not be making personal statements towards each other. You are professionals, and I expect you to act like professionals."

The judge had been forced to intercede on three separate occasions during jury selection in order to stem quarrels between Johnson and Renfroe, with one incident coming after Renfroe attempted to dismiss a potential juror for obviously being "attracted" to Johnson.

But before Johnson and Renfroe would be afforded the opportunity to further their battle, it was up to the young Ross to deliver the opening statement.

"During this case, you may hear some things about major league baseball that will distress you and upset you," Ross said. "There is one thing to keep in mind throughout: *Major league baseball is not on trial here. The defendant, Curtis Strong, is.*"

Despite his breakfast-table epiphany, Ross didn't think the line overly spectacular. Little did he know it would become the sound bite of the trial and land Ross on *CBS Evening News* that night with Dan Rather. He may also not have realized, however, the great effect to which Strong's attorney Adam Renfroe would turn the line around.

The thirty-five-year old Renfroe spoke only two sentences before an objection was sounded from the government's side. He continued. "We will show you, ladies and gentlemen, that these heroes are nothing but criminals," he said, alluding to the government's player witnesses. "These hero-criminals actually sell and have sold drugs and still are selling the drugs to the baseball players around the league." Finally, Renfroe repeated Ross's statement, but with a twist.

"We will show you, ladies and gentlemen, that major league baseball *is* on trial," Renfroe asserted. "We will show you that not only is major league baseball on trial, but we will show you that the poor man is on trial. We will show you that the rich and the powerful can get away with anything. We will show you, ladies and gentlemen, after it is all over, that my client, Curtis Strong, is not guilty of

anything but being a pitiful sports junkie who idolized ballplayers, like you or I.”

Renfroe’s strategy was simple. He intended to take the focus off his client and place it squarely on the dirty shoulders of the players themselves. His opening statement sounded a theme that the other defense attorneys for the Pittsburgh Seven would pick up on. Across the board, in the defendants’ preliminary hearings and to the press, the same refrain was sung: these were cases of minor league dealers being played out in a major league setting.



LONNIE SMITH was the first baseball player to take the stand. Smith began his career with the Phillies in 1978 before moving on to the St. Louis Cardinals in 1981 and the Kansas City Royals in May 1985, four months before the start of the trial. Smith’s testimony was explicit and at times poignant. Saying that cocaine made him feel “strong, brave, and invincible,” Smith testified that he met Strong in 1981 through his Phillies teammate Dick Davis. He became a regular customer of Strong’s and received cocaine from him wrapped in “girlie magazine papers,” sometimes via the U.S. mail. He became addicted to the drug during the Cardinals’ championship season of 1982. Once, in 1983, Smith recalled, “I stayed up all night using it. The next morning I was too jittery and uncontrollable to play.” That was when he sought out manager Whitey Herzog and admitted he had a problem with cocaine. Smith entered a rehab center in June 1983. “It was an addiction that kept telling me that I needed it,” Smith said. “I was addicted to cocaine. I was hard addicted to cocaine.”

Then it was Renfroe’s turn. The young attorney pounced on the witness. No holds were barred as Renfroe stormed from his seat and began to shout at, berate, and argue with Smith. Renfroe attempted to solicit as many players’ names as possible from the witness. Armed with the FBI’s 302 report and interview with Shelby Greer, which stated that Dave Parker had told Greer that Phillies legend Mike Schmidt used cocaine, Renfroe asked Smith about his former teammate. Johnson objected, and Judge Diamond told the

jury to disregard the question because there was “no adequate basis” to bring up Schmidt’s name. Renfroe plowed forward. By the end of his cross-examination, Renfroe had Smith recite the names of the Phillies who had been implicated in a 1980 amphetamine scandal—Pete Rose, Greg Luzinski, Randy Lerch, and Larry Bowa—as well as the names of two other coke users on the Phillies, Gary Matthews and Dickie Noles. Smith also said he used greenies during the 1980 season with Nino Espinosa and Bake McBride.

While repeating that he was aware of no national league players who bought or delivered drugs for profit, Smith did admit to having bought drugs for pitcher Joaquín Andújar and Keith Hernandez in the past. Andújar, the Cardinals’ staff ace, was currently smoking fastballs past national league hitters to the tune of twenty victories thus far in the 1985 season. Smith further stated that Andújar would sometimes return the favor of delivering the coke, although again, without making a profit. This prompted an argument between Renfroe and Smith over the meaning and definition of “distribution.” Right off the bat spectators as well as MLB officials wondered whether the actions Smith described could be interpreted as the players selling drugs, which would open up the players to possible suspensions.

By the end of the first day of testimony, Renfroe had received one threat to hold him in contempt of court, was told to stop screaming at witnesses, was forced to mercifully put an end to his over two-and-a-half-hour cross-examination of Smith after repeating the same questions, and had been admonished on so many occasions that Judge Diamond felt it only fair to remind the jury that just because a lawyer receives the judge’s admonishment, it has no bearing on his opinion as to the defendant’s guilt or innocence.

Johnson, meanwhile, was rebuked twice himself by Judge Diamond.

Lonnie Smith, for his part, kept his cool throughout and did his best to keep his answers direct and sometimes even humorous. In one exchange, Renfroe grilled Smith about how he knew the substance he purchased from Strong was actually cocaine.

“Who told you it was cocaine?” Renfroe asked. “Was it hearsay?”

“No,” Smith said, looking at Strong. “It was his say.”

After the day’s session ended, Renfroe vented to the media, as would become customary during the trial. “Since May, my anger had been building over the arbitrary and capricious arrest of my client, and those emotions had to come out,” he said. “There may have been a point when I turned off some people. I can only hope and pray that I did not offend anyone on the jury.”

Renfroe also took a swipe at Commissioner Peter Ueberroth, telling reporters that Ueberroth knew of Andújar’s drug involvement and failed to address the issue. “The commissioner is condoning this type of behavior by not doing more to those people than give them a slap on the wrist,” he said.

