

THE PLAIN DEALER

As heroin takes a son, parents take on a quest

Sunday, May 22, 2005

Story by Joanna Connors
The Plain Dealer

The Plain Dealer

Dr. James Psarras carries the autopsy report from the Cuyahoga County coroner's office in his briefcase: Case Number 1N000251250, the official record of how his son, "Andrew Parr Psarras, whose body was at the Coroner's Office on the 17th day of January, 2004, came to his death."

Jim put the report in his case the day he got it from a Shaker Heights detective. Sometimes he stumbles on it when he's looking for something else.

He understands what it says better than most parents would.

He is 53, a psychiatrist for 22 years, practicing privately and on staff at St. Luke's, St. Vincent Charity and now at Windsor Hospital in Chagrin Falls, where he is medical director.

As a doctor, he understands the toxicology numbers. He knows firsthand the protocol the report describes: the standard Y-shaped incision on the torso, the dissection of the soft tissues, the removal of the organs.

His wife, Dr. Elaine Campbell Psarras, 55, is also a psychiatrist.

She refuses to read the coroner's report. She did a rotation in pathology in medical school, and she doesn't want to think about the pathologist cutting into her son, holding and weighing his organs. That heart was precious. It was gold. Did he have any idea what he held in his hands?

But Jim finds an odd solace in the report. It's almost like having a part of Andy. The final word on his son. His remains.

When he reads the report, it tells him that his son's heart weighed 400 grams. His brain weighed 1,450 grams. He was 73 inches in height and weighed 151 pounds.

The report tells him that his youngest child was "a well developed and well nourished white male whose appearance is consistent with the reported age of 19."

The report tells him that the cause of Andy's death was "acute intoxication by heroin, codeine and venlafaxine.

"ACCIDENTAL."

But the report does not tell him why.

Why did his son die from a drug that kills rock stars and street junkies, not healthy kids with loving parents and a future full of promise?

Why is heroin, so scary to adults who remember the famous overdose deaths of the 1970s, now an epidemic in the Midwest -- an epidemic that has led to a 300 percent increase in heroin-related deaths in Cuyahoga County alone in the last decade?

Why did Jim and Elaine -- psychiatrists who have treated patients with drug issues -- know nothing about Andy's heroin use?

Why did this happen to a family that Jim always thought communicated better than most?

This is the story of the search for those answers.

The limousine came early.

To Jim Psarras, looking out the window of his grand house on South Park Boulevard in Shaker Heights, it felt like the messenger of death. Black. Sinister. Just waiting for them.

The last time a limo pulled up to the house, less than two years ago, it was picking up Andy for his senior prom.

Today, Jan. 21, 2004, this limo had come to take Jim and his wife, Elaine, and their children, Peter and Molly, to Andy's funeral.

Jim turned from the window.

The messenger of death was 20 minutes early.

Let him wait. Just let him wait.

The black limo snaked along the snow-covered boulevards of Shaker Heights. It slipped past mansions built in the 1920s, enormous Tudors and Georgians built by the steel and banking magnates of Cleveland's glory days.

Those days are long gone. But Shaker Heights still promises a mythic American Dream.

This new dream takes shape at summer block parties on Shaker's leafy middle-class streets, in brick schools known nationally for high achievement and in the yellow buses bearing the slogan: A Community Is Known by the Schools It Keeps.

Shaker Heights, like so many American suburbs, promises that most ordinary and elusive of baby-boomer hopes: a good, safe place to raise children.

Jim and Elaine moved to Shaker in 1983, first to a house on Drummond Road, and then, in 1991, to a classic symbol of Shaker Heights prosperity: an enormous Georgian with a coach house on three acres, large enough to throw the annual end-of-season party for Peter's swim team and to fit in all the relatives at Christmas.

When Andy, the baby, went to kindergarten, Elaine went back to school herself. In 1989, at the age of 39, she enrolled at Case Western Reserve University Medical School. She always had wanted to be a doctor; when she first met Jim at University Hospital's Hanna Pavilion, where she was a nurse and he was a psychiatry resident, he made her sign a promise that one day she would get her M.D.

She loved med school; she would get home before the children, and they would have tea and do their homework together. Those were the happiest four years of her life.

The next years got even busier. Elaine started her internship, then her residency. Peter and Molly joined the swim team. Andy took tennis lessons. Peter went to the state finals in Columbus with a winning science-fair project. They went to Disney World or Hawaii every summer.

The dream was coming true.

The limo crossed Shaker Boulevard, not far from the place the kids call the Rock.

Just about every suburb in America has its version of the Rock. In Shaker Heights, you get to it by going down by the rapid tracks near the middle school, into the woody median dividing the boulevard.

Over the years, at least until the police started watching it, countless seventh- and eighth-graders have followed older kids down to the Rock. There they have nervously put a joint or a pipe into their mouths, inhaled and then exploded in coughing fits mixed with pride.

Andy's older brother, Peter, tried marijuana for the first time at the Rock. Did Andy? All his parents know is that in middle school, Andy's grades started to go south. He got B's and C's when he was trying; C's and D's when he was not. Most of the time, he was not.

His parents did not suspect marijuana. Not then. They did not know that by the time Andy hit high school, he had found his group: the stoners.

Drive by almost any high school at lunchtime or look for kids at 4:20 p.m. -- known to teenagers everywhere as weed-smoking time -- and you can see them, huddled in a dented Chevy or Toyota, the windows clouded with smoke.

Andy's friend, Dave Rupp, remembers that their little group was pretty bold. "We'd come in after lunch just stoned out of our minds," he said.

If they went in at all. "Our favorite pastime was not going to school," Dave said.

They cut whole days at a time. If it was cold, they'd go to someone's house, sit around, play spades or euchre. Listen to Phish. Get high.

When the weather turned warm, they had another secret place, within walking distance of the high school. They called it the Bayou, a swampy patch of land behind the Shaker Heights Country Club.

They'd make sure the police weren't watching, then step over the rusty chain with the "No Trespassing" sign. At the end of the path, overlooking Doan Brook, was a treehouse someone had put up long ago.

They'd climb up, play cards. And smoke dope.

From 10th grade on, the core group was Andy, Dave Rupp, Dave Stone, Ben Fuerst and Grace Corbin.

If you climb over the chain and follow the path to the Bayou today, you almost can see the four skinny boys and one beautiful girl -- the Lost Boys and Wendy -- up in their treehouse, hiding from the grown-up world that expected them to get good grades, apply to college, succeed.

The limo pulled up to Plymouth Church, near Shaker Square, where Andy waited in his casket.

It seemed like most of the Class of 2002 of Shaker Heights High School filled the pews, home from Syracuse and Duke, Ohio University and Miami University. The news had gone from cell phone to cell phone, college to college: Andy Psarras died this morning. They think it's heroin. He was doing heroin with Ben Fuerst.

The Rev. James Antal, the minister at Plymouth Church, heard from his son Luke, at Dartmouth, who had heard about it in an e-mail. Antal recognized the name Psarras and looked it up in the church database. There it was: Elaine Campbell Psarras had joined the church not that long ago. When Antal got to his office, a phone message from Elaine was waiting.

As the funeral began, the family followed a bagpiper playing "Amazing Grace" into the sanctuary.

Jim looked at all the kids there, all of Andy's friends. Some of them had come to the house in the days before the funeral, when he and Elaine were doing more comforting than being comforted. Most of the kids had been at the wake the day before, gathering in clumps, crying.

The kids had talked to him and Elaine at the house. They had told them about all the drugs around -- Ecstasy and OxyContin, acid and cocaine and heroin.

So many of them are lost, he remembers thinking. It made him mad, made him despair: His son died because these kids are so lost.

Even in his own family.

One night, when no one in the family could sleep, they sat in the kitchen and listened to Molly and Peter talk about the drugs they had used. Peter was using so much cocaine his roommates were worried.

Molly had used cocaine the same night Andy was using heroin with Ben. It had made her so sick, she thought she might have overdosed.

Jim always thought he and Elaine talked to their kids enough to know what they were doing. It turned out they knew nothing at all. They were keeping it a secret, all these lost kids, even from the parents who were trying to be involved.

They were playing Russian roulette, and Andy took the bullet.

Jim saw Ben Fuerst among the kids -- pale, haggard, the most lost of the lost kids.

The day before, Ben needed Elaine to help him into the funeral home for the wake. When he saw Andy in his casket, with the Phish ticket stubs and guitar pick that Peter and Molly had put in, he collapsed.

Ben had become almost part of the family. He lived with them for several months, the summer before his and Andy's senior year and part of that fall. They fixed up a room in the basement for him, and he started calling Elaine "Mom."

It ended when Elaine came home one day to find Ben skipping school and drinking beer with three kids she didn't know.

But even after that, she still had a soft spot for him, and he always called her Mom.

The day after Andy died, Ben told the Psarrases that he and Andy had gone to Ben's apartment to watch television and use a "powdered pharmaceutical." He assured them that they had not used needles.

No one they knew used a needle, which is one of the reasons heroin has emerged as the most popular new drug among what the Ohio Substance Abuse Monitoring Network describes as "white suburban youths and young adults . . . the most prevalent groups of new heroin users."

They don't need to inject heroin because it has a much higher level of purity than it did in the 1970s. Back then, a Cleveland bag was typically 5 percent to 7 percent pure. Now, a \$15 Cleveland bag of about 100 milligrams can be anywhere from 25 percent to 50 percent pure, sometimes even higher. Bags bought in Detroit or New York can be 100 percent.

This new heroin has been a problem for more than a decade on the East and West coasts. Only recently, the drug has made its way into the Midwest. In its last report, in June 2004, the Ohio drug-abuse network reported "significant" increases in availability and abuse of heroin.

The Cuyahoga County coroner's statistics are even more stark: Between 2000 and 2004, 217 people died from heroin overdoses.

Most of them were in suburbs.

Looking out at the mourners, Elaine told them about Andy -- his smile, his generosity, his love of animals. She told them he always ended his conversations with "Peace." She told them his favorite color was orange, and that they were burying him in one of Jim's shirts that Andy especially liked, a shirt with orange and blue stripes.

Elaine ended her eulogy with a song. The Rev. Antal had warned her she might not be able to do it. He'd seen parents choke up many times just trying to speak at funerals for their children, let alone sing.

But Elaine was certain she could. Peter accompanied her, and Molly and Jim stood by. Her voice wavered only a little as she sang to her baby:

Smiles that once were mine

Tender eyes that shine

They will light my way tonight

I'll see you in my dreams.

Just as Elaine was determined to sing, Jim was determined to get a message to all these lost kids.

"Andy had a secret," Jim began.

Then he told them about the deception, the drugs and the dangers of keeping secrets from parents.

"A lot of people have speculated that Andy committed suicide," he continued, his voice strong. "I am here to tell you that my son did not commit suicide.

"My son was murdered."

Jim blamed the drug dealers.

But, at that moment, many of the kids in the church turned and looked at one person.

They looked at Ben.

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THE PLAIN DEALER

Andy brings his friend into the family fold

Mom develops a soft spot for son's troubled best friend

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Joanna Connors
The Plain Dealer

Previously: When 19-year-old Andy Psarras of Shaker Heights dies after using heroin with his friend Ben Fuerst, Andy's parents, both psychiatrists, begin a search for answers. Part 2 of 7.

Andy Psarras was always bringing home strays.

His mother, Elaine Campbell Psarras, would come home from work, and there it would be. A trembling kitten. An abandoned dog.

She'd ask, "Andy, who's going to take care of it?" But she already knew the answer. Andy got his love of animals from her, after all.

Andy's strategy for keeping the animals was simple: Let time pass. Sometimes his father, Jim Psarras, teased him: "Andy, is that cat gone yet?" Andy would just smile. The menagerie grew. Two dogs, two cats, two birds.

One day in 2001, Andy brought home Ben Fuerst.

Elaine could see right away that Ben fell into the same category as those little dogs and cats. Not that he was abandoned or unloved. But Andy could tell that Ben needed someone to take care of him, and Andy knew his parents would do that.

When he asked if Ben could live with them for a while, Jim and Elaine set up a meeting with Ben and his parents. They sat in the sunroom, Ben fidgeting on a couch between his mother and father. Elaine remembers that Ben was like a little puppy, anxious and uncomfortable. How could they not take him in?

Ben's parents separated when he was in seventh grade, and his father moved to an apartment, leaving Ben and his older brother with their mother

in Shaker Heights. By then, Ben was smoking marijuana and struggling in school.

His parents sent him to boarding school his sophomore year; he did so well, they let him come back to Shaker his junior year.

They went to family therapy, too. Ben remembers at least three social workers involved with his life.

They would find a new psychologist, and Ben would go once or twice and then say, "I'm not going any-more; it's not doing any good." He always found a way out.

They sent him to Stillwater, a rehab facility, where he lied about how much marijuana he smoked. Even with the lie, the staff told him his consumption put him in the top 10 percent of all high school smokers. He laughed at what they would say if he told them the truth.

If Ben's group of friends was like the Lost Boys, he was their Peter Pan — his bravado masking his

problems. Grace Corbin, their Wendy, knew that Ben had been through a lot in his life, but he was always good at seeming like he was fine. He never freaked out about anything.

Like when they went to his house after school, Grace remembered that he would pull out what they called the "Ben Is Bad" books — notebooks that his mother had filled with instances of Ben not doing what he was told. There would be entries, Grace said, such as "Day One: Ben told me that he was going to walk the dog today and he didn't."

The friends would get high, read the books and laugh — Ben louder than anyone.

Elaine saw what Grace saw in Ben. She could see that he struggled, but he had a sweet, lost-little-boy quality that made her want to take care of him. She liked that he called her "Mom."

By the time Ben moved in, Jim and Elaine knew that Andy and his friends were using marijuana and drinking. The year before, the police had been called to a party Andy threw while they were out of town. Andy went to court and did community service. Jim and Elaine grounded him. Elaine nagged Andy about stopping; sometimes they even fought about it. Ben remembers coming home high and listening to the Psarrases yell at Andy.

After Ben and Andy started their senior year at Shaker in the fall of 2001, Elaine went home for lunch one day unexpectedly. Ben was there, drinking beer with three kids she did not recognize and no Andy.

That was the end of their living arrangement. Ben moved out, but he still called her Mom, and Elaine was still happy to see him.

Ben dropped out of high school in the middle of his senior year.

But Andy wanted to go to Ohio State or Ohio University. His guidance counselor told him he might be able to get in, but only if he worked hard and brought his grades up. She warned the Psarrases she thought drugs were a factor in his low grades. They thought so, too. They talked to him every day about his marijuana use, telling him to stop.

He ended up going to the University of Cincinnati in the fall of 2002. Ben went down to Cincinnati, too, but not for school. He lived with friends off campus and spent a lot of time with Andy in his dorm.

OxyContin was everywhere. That was nothing new; Oxys had been around since ninth grade, Oxys and Percocets and Vicodins, and some kids used whatever they could find in their parents' medicine cabinets or could buy cheap.

But heroin was new to Andy and Ben. Lots of kids were snorting the drug, and a kid in Andy's dorm was even shooting it up.

Andy told his sister, Molly, about it when she came to visit. "You better not try it!" she warned him.

But he didn't listen to her, and he didn't tell his parents about all the heroin in the dorm. When he dropped out and came home in January 2003, at the beginning of his second semester, he just told them Cincinnati was not the right place for him.

He only told Dave Rupp, one of his best friends from high school, that he had been using heroin, too. Dave remembers that Andy got teary-eyed when he told him; he said he was scared by how much he liked it.

Ben was concerned, too. He had moved back to his mom's at Thanksgiving.

After he came home, Andy told his parents he was depressed. They took him to see a psychiatrist, who diagnosed clinical depression and a mild case of attention deficit disorder. They said the psychiatrist told them the marijuana wasn't helping his depression and told him he should stop.

The doctor also prescribed Effexor, an anti-depressant that Elaine knew well. She thought it was a wonderful drug; she prescribed it a lot in her psychiatric practice, because it helps with both ADD and depression. The Effexor made Andy feel better, he told his parents, and he didn't want to go back to the psychiatrist.

When the prescription ran out, Elaine gave Andy samples that had been supplied to her by the company that makes Effexor.

Elaine and Jim usually followed the unwritten, but commonly broken, law of medicine: Do not heal thy family. Jim never even prescribed them antibiotics, which he knew many doctors did. But since another psychiatrist had prescribed it, and Elaine was so familiar with Effexor, she felt comfortable giving it to Andy.

Elaine and Jim saw Andy trying to find his path. They set rules and conditions for living with them: He had to get a job, and he did, as an assistant at a local veterinarian's office. He had to take classes, and he did, at Cleveland State University and Cuyahoga Community College. His goal was to go to college in Hawaii, where he always loved family vacations.

Every time he messed up, got bad grades, he'd ask Jim, "Does this mean Hawaii is out?" And Jim would say, "Of course not, Andy." Jim's philosophy was, "There's always hope. We're always here, and nothing is ever so bad that you can't fix it."

By the fall of 2003, Andy and Ben were back to using heroin a few times a month.

The last time Elaine saw Andy alive, it was a Thursday night, Jan. 15, 2004. It snowed all day, the first big snow of the winter, and she stopped at the grocery store on the way home.

She got home at 5:30 and found Andy asleep on the green leather couch in the sunroom.

She shook him. "Andy, why are you asleep?" she asked. "When did you go to work?" He was sleeping way too much lately; she was worried.

He mumbled he'd slept in until 11 and worked until 5. But he really hadn't gone to work at all.

He'd been at a friend's house in Beachwood late the night before.

"Andy, you need to use good sense," Elaine said. "If you have to go to work in the morning, you need to get home earlier."

She went to the kitchen. The dogs' dishes were empty. She yelled across the three large rooms: "Andy, did you feed the animals yet?"

"NO!" he yelled back. "Stop yelling at me from the other room!"

Elaine was getting upset. Andy had stayed out all night Sunday, without calling them. Now he had an attitude. What was going on with him?

But Elaine didn't want to get into a fight. She unpacked her groceries, fed the animals and went back into the sunroom. Andy was still under the blanket on the couch.

"Andy," she said, trying to be reasonable. "You're too young and healthy to be lying here like this."

Andy didn't answer. He stared up at his mother. Then he pulled the blanket over his head.

That was too much for Elaine.

"Andy!" she snapped. "Is this the way you want to spend the rest of your life?"

Andy flipped the blanket off his face and looked up at her.

"Yes," he said.

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THE PLAIN DEALER

Floating and nodding out

A dreamlike high turns into a nightmarish end

Tuesday, May 24, 2005

Story by Joanna Connors

Photographs by Joshua Gunter

The Plain Dealer Previously: Andy's drug use grows more serious at college, so he returns home to try to straighten out his life. Part 3 of 7.

It snowed most of the day Jan. 15, 2004, the first big snowstorm of the year. By evening, the temperature had dropped to 10 degrees.

Andy Psarras watched "The Simpsons" on the big-screen television in the sunroom while he ate dinner. Cold cuts and Cheetos.

His parents, Elaine and Jim Psarras, had gone out to pick up Elaine's new Volvo station wagon. Andy had fought with his mother earlier, but when they returned, he jumped in with Elaine and drove the car up the driveway. He asked if he could have it when she was ready to pass it on.

At 8:30, he drove to Shaker Square to pick up his friend Ben Fuerst from his job. Ben had spent the day finding them some "work." That's what they called heroin: work.

Andy had done some really good work two nights before at a friend's house in Beachwood. "You're going to be mad at me," he told his girlfriend, Katie Porter, when he confessed the next day.

Katie graduated from Shaker Heights High School in 2003, a year after Andy. She was living with her mother, working and thinking about college. She hung out with Ben and Andy almost every night. They both had a crush on her, but two weeks before, she told Andy she had chosen him. They kept it a secret from Ben.

Andy always told Katie what he did. She knew he'd done heroin at the University of Cincinnati, that he'd dropped out his freshman year to get away from the drug scene in his dorm. Katie wasn't mad at him. But she was worried, she did not like drugs and she wanted to know if he was planning to keep doing it.

Andy told her no. He didn't tell Katie that Ben was looking for more of the same stuff.

Ben knew the dealer. He was a big guy, an athlete who had graduated from Orange High School. Now he was living in Cleveland Heights.

Word was, he supplied a lot of high school kids in Shaker, Orange, Beachwood, Pepper Pike, Chagrin Falls and Cleveland Heights. He even had freshmen at Orange working for him, kids said.

Ben started calling him at 2 in the afternoon that snowy January day. Eight calls back and forth later, he and Andy had their work lined up.

They smoked marijuana as they drove from Shaker Square in Andy's red Chevy Cavalier. Ben called the dealer on his cell to tell him they were headed his way.

The dealer wasn't ready. Andy parked around the corner from his house and waited. Ben called again. Not yet. Ten minutes later, he called again. Still not ready.

Just before 9 p.m., the dealer called Ben and said he'd meet them outside his house. He got in the back seat and gave them six 100-milligram bags of heroin. They handed him \$90.

The dealer asked if they could pick up his friend at the Wendy's on Cedar Road.

After Andy and Ben took the dealer and his friend home, they headed to Ben's place, a run-down Shaker duplex he had moved to on Latimore Road.

Ben lived on the third floor in two dark, cramped rooms with low eaves and a tiny bathroom. Ben shared the kitchen and living room downstairs with two housemates, but he wasn't getting along with them. They had called the cops on Ben a couple of times when he had loud parties, so he spent most of his time upstairs with his two dogs.

Andy had given Ben one of the dogs - another Andy stray, a pit-bull puppy. Ben named it Felony.

Up on the third floor, the smell of Felony's accidents mingled in the stuffy air with the smoke from Ben's cigarettes and marijuana.

They settled onto Ben's two beds to watch the movie "Spaceballs."

Andy took two bags of heroin. Ben took four. They dumped it out one bag at a time onto a CD case, cutting it into rails with a razor blade. They snorted it through a rolled-up coupon from a pack of Camels.

The heroin took 15 minutes or so to absorb through the nasal membranes and sinuses. When it hit Ben's and Andy's brains, it released a surge of dopamine -- the brain's reward chemical.

Ben lay back on his bed. Aaaaaaah.

He felt like he was floating. Floating in warmth. When he turned his head quickly, he saw trails of colors. Flashes of light. He forgot he was even lying on his bed. He was just . . . floating away. Warm. Numb. Sleepy.

At the same time the heroin released the dopamine in their brains, it hit their cardiovascular systems. Their blood vessels dilated. Inside the dilated vessels, their blood began to pool instead of flow. That made their blood pressure drop. Sometimes the drop makes people nod out.

Ben floated, nodding out for five or 10 minutes.

The heroin made their heartbeats slow down.

Ba -- -- dum. Ba -- -- dum.

"Spaceballs" ended, somewhere far away.

Back in the brain, the heroin triggered nausea. At the same time, in the gastrointestinal system, it started drying things out. Ben's mouth was dry, but he only felt the slightest bit sick. Sometimes it makes you really sick, but not this time. He took a sip of grape soda.

Fine. Just fine.

He lay back on his bed. Andy was lying on the other bed. They watched "Letterman."

Ben took his two dogs out for a walk about 12:30 a.m. When he came back, he nodded out in the living room, slumped against the front door. At 5:30 Friday morning, he woke up and went upstairs to his room.

A bit of heroin remained on the CD case. Ben rolled up the Camel coupon and finished it. Andy was in his bed, so he took the extra bed and fell asleep.

He woke up again about 8 a.m. when he heard Andy gagging and wheezing in his bed. White foam was coming out of Andy's mouth.

"Are you OK?" Ben asked.

Andy moaned, shook his head no.

Ben was still high; he felt like he was dreaming. What was happening? He stumbled downstairs and asked his housemate for washcloths to clean Andy up and give him a cold compress.

Then he got on the phone. At 8:19 a.m., he called a friend who might know what to do. The friend had been using heroin for a while.

The friend's mother answered. She told Ben her son had checked himself into rehab the day before.

At 8:35 a.m., Ben called the dealer.

Is this normal? he asked, worried. The dealer told him Andy would be OK; Ben should just keep an eye on him.

Ben went back to Andy, got him out of the bed and took him to the third-floor bathroom. He was going to put him in the shower, but Andy wasn't in any shape for that.

He laid Andy facedown on the floor, right under a shelf holding a yellow rubber ducky. He'd heard you put people on their stomach to help them breathe, make sure they don't choke on their vomit. Then Ben went back to his bedroom. He felt like he passed out. He's not sure how many times he got up to check on Andy -- four or five, he believes.

The last time he checked, at 10:15 a.m., Andy's face was blue, and he was not breathing.

Ben called 9-1-1.

His heart raced.

He told the dispatcher he didn't know if Andy had been taking drugs. He told her he thought he was drunk.

It seemed to Ben that five or six paramedics and firefighters ran up the stairs to the third floor. They were bringing in equipment, asking him all these questions, yelling.

"What can you tell us?"

"Was he depressed?"

"Was he taking drugs?"

Ben was evasive about the drugs. Some powdered opiate, he said. Maybe it was heroin, maybe painkillers, maybe morphine.

He stood out in the hall, shaking, while the paramedics bent over Andy.

The paramedics on Shaker Heights Fire Department Ambulance R245 later reported that they found Andy lying on the floor. No pulse. No breathing. They started CPR and hooked him up to a cardiac monitor.

The monitor showed Andy was asystole -- no heartbeat. They intubated him and used the tube to give him one milligram of epinephrine, an adrenaline to get his heartbeat started. They gave him two milligrams of Narcan, an agent to reverse the opiates. They started oxygen.

Right after the paramedics gave him the drugs, the cardiac monitor showed "possible Fine V-Fib," meaning some electrical activity in the heart.

They defibrillated, administering three shocks, stacked, one after the other.

Andy still had no heartbeat.

The paramedics ran an IV line and gave him two milligrams of epinephrine, two milligrams of Narcan and two milligrams of atropine, a drug to block the slowing of the heart.

Again, the monitor showed some Fine V-Fib. They loaded Andy onto the stretcher. On the way to the hospital, they shocked him again. Twice.

Again: no heartbeat.

It took the ambulance three minutes to get to South Pointe Hospital in Warrensville Heights.

Andy arrived at the emergency room in full cardiopulmonary arrest.

The ER doctor pronounced Andrew Parr Psarras dead at 10:55 a.m.

Forty minutes after Ben Fuerst called 9-1-1.

Two hours and 20 minutes after the drug dealer told Ben that Andy would be OK.

Jim Psarras was with a patient when the page came at 11 Friday morning. When he saw it was from South Pointe Hospital, he assumed it was about a patient under his care.

He called back and got a social worker who told him Andy was in the emergency room. It was serious, she said; he should get there as quickly as possible. She said something about drugs, that it had happened at a house in Shaker, that police were involved.

At Huron Hospital, Elaine was also with a patient. She took the call when she saw it was Jim.

"You need to go out to the hallway, it's something important," he said.

She sank to her knees when he told her; a secretary had to help her up.

Speeding down Chagrin Boulevard, Jim thought there must have been a party with lots of kids. At first he was angry; angry at Andy, angry at his friends. Then he started figuring out the next steps, detox or inpatient treatment or rehab. It's bad, he thought, but we'll do what we have to do and go forward from here.

By the time Jim got to the hospital, he somehow knew they would not go forward. He knew Andy was dead, and when the ER clerk showed him to the family room, he was certain.

A couple of minutes later, a doctor sat down, looked him in the eye and said, "Your son is dead."

Jim nodded, got up and went outside to wait for Elaine. He stood in the parking lot and wondered how you tell a mother that her son is dead.

But he didn't need to tell her. She could see by his face when she drove in.

Elaine fell into Jim's arms, and he helped her inside.

They asked to see Andy.

He was lying in a treatment room, covered with a sheet. The tube still jutted out of his mouth, still there from when the paramedics tried to revive him. His skin was mottled and bluish. Just above the sheet, Elaine saw burn marks on his chest from the defibrillator paddles.

She couldn't breathe.

The two Shaker Heights police officers in the room told Elaine and Jim not to touch the body. We're sorry, the officers said, but this is a coroner's case. They used the word "evidence."

The body? Evidence? Elaine looked at them. They were speaking about Andy as though he were a criminal.

"This is my son," she said.

Then she touched him through the sheet, the policemen watching.

Andy was already cold. She knew what the coldness meant. The mottled skin. The burn marks.

But now, looking back, she regrets not saying, "Andy, get up."

Just in case, you know? Just in case.

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THE PLAIN DEALER

A case of manslaughter?

Police, parents decide someone should pay for Andy's drug death

Wednesday, May 25, 2005

Story by Joanna Connors

Photographs by Joshua Gunter

The Plain Dealer

Previously: After Ben Fuerst and Andy Psarras snort six bags of heroin they bought from an area dealer, Andy ends up DOA at the emergency room. Part 4 of 7.

Sgt. Marvin Lamielle was supervising the Shaker Heights detective bureau on Jan. 16, 2004, the morning the call came in about the male in full arrest from a possible drug overdose.

Ordinarily, police don't spend a lot of time investigating suspected drug-overdose deaths. There isn't much to investigate. Most of the time, all they have is the dead person, alone in a room, with drug paraphernalia.

This case was different. In the 15 years Lamielle had worked as a police officer, this was the first time someone else was still there when the police arrived. That someone was now sitting across from him in the station's interview room, fidgeting.

Ben Fuerst was with Andy Psarras the morning Andy died. He told Lamielle that Andy got him into heroin and bought the drugs they used the night before. He said they both inhaled the drugs, three 2-inch-long lines, but he had more than Andy.

Lamielle wouldn't know what exactly killed Andy until the coroner's report came back. That would take weeks. Until then, the case would remain open as a suspicious death. The detective was suspicious anyway of the skinny, pale kid sitting across from him and of the things he was telling them.

Lamielle wanted to know: Why did Andy die, and Ben live?

After Andy's funeral, Elaine Campbell Psarras went to the cemetery to visit Andy almost every day.

"Mom's here," she called one day as she walked across the quiet knoll toward Plot 22-B. Sometimes, she would bring him orange tulips or birds of paradise. Another day, when no one was there, she put a Phish CD in her car stereo, turned it all the way up and left the door open.

Sometimes she saw that Andy's friends had been there. They left mementos on his grave: guitar picks, hemp necklaces, polished stones.

Ben did not go to the cemetery. He told himself he should, even made plans to, but he couldn't bring himself to do it.

He thought about Andy all the time. Whenever he did, he got an upset feeling in his stomach. He didn't eat much - he could barely drink a beer. He got thinner and thinner, dropping to 132 pounds from his normal 155 at 5 foot 11.

He still had Andy's pipe, too, so at least three times a day he was reminded of him, whenever he'd get high.

He went to his job six days a week at Captain Tony's, a pizza place on Shaker Square. He walked his two dogs three times a day. He spent a lot of time alone in his room on the third floor. He didn't like going out, and people didn't like coming over.

Ben didn't know why. Maybe they felt weird after Andy died there. Maybe they were afraid the cops were watching.

Ben knew what people were saying about him. Kids at the high school thought he was in jail. One kid told him the word was Ben was being charged with premeditated murder.

He talked a lot about getting out of Shaker Heights, moving to Arizona and working on a friend's ranch. Ben and Andy used to say they should have been cowboys.

Ben snorted heroin every day now. He went to the same dealer who sold to him and Andy when Andy died. Sometimes, if he didn't have money, the dealer would give him some free. When the dealer went away for spring break, he set Ben up with enough heroin to last the week.

Ben called the heroin a painkiller. And it worked. It was killing all the pain he'd been feeling. The way he saw it, heroin wasn't a problem, not at all. The only problem he could see was that he was spending his whole paycheck on it.

He wasn't afraid that heroin would kill him the same way it killed Andy.

Ben believed Andy's death was a freak accident. Maybe an interaction with the Effexor, the anti-depressant Andy was taking.

In March, seven weeks after Andy's death, Ben's landlord slapped eviction letters on the front and bedroom doors of the duplex. The letter said Ben and his housemates had to be out in three days. Ben left his letter stuck to his bedroom door and disappeared for a couple of days; his two housemates packed up and moved out.

Going back to work was supposed to take your mind off your grief, that's what everyone told Elaine. But in her psychiatric practice, she dealt every day with patients struggling with drug abuse, with depression. Sometimes she couldn't help it: When the clients were talking, she would say to herself, "You think you have problems."

Elaine and Jim kept their feelings mostly to themselves. Every other Tuesday, they talked to their therapist, who started out as a marriage counselor when they went through a rough period the previous year. Now he was a grief counselor.

And they talked to Lamielle, the Shaker Heights detective. He kept them up on his investigation, and so, in a way, he helped them through their grief, too. Elaine didn't know what she'd do without him.

One day in early March, Jim and Elaine went to see Lamielle at the Shaker Heights police station. The detective took them into the cramped interrogation room and offered them coffee. The bland functionality of the room, with its conference table and four office chairs, looked more like an insurance office, not a place where cops grilled their suspects.

Lamielle, too, looked more like an insurance salesman than a detective. He was 37 but looked 10 years younger; he always dressed impeccably in a suit and tie and was polite and reserved.

But he wasn't passive. He'd moved up fast through the ranks at the Shaker police department, starting as a cadet when he was 21 and going to the Strike Force when he was 26. He'd done two tours of duty with the Caribbean Gang/Drug Task Force, helping catch some major drug traffickers.

The FBI was impressed enough with him to make a "conditional offer of employment," he said, but he decided moving wasn't right for his wife and two young sons.

While Lamielle knew the drug world, he also knew what these grieving parents were feeling. Almost 20 years ago, his 24-year-old brother was killed by a drunken driver who was never arrested, let alone punished. His brother's name was Andrew, too. He watched how his brother's death changed his mother. It killed her spirit, forever.

That's why it bothers him when people say using drugs is a victimless crime. It's not victimless. Look at Elaine. Look at Jim. Tell him that they're not victims. So Lamielle agreed with the Psarrases that someone should pay for Andy's death.

They just didn't agree who.

Lamielle had suspected Ben was lying when he gave his first statement. When Lamielle subpoenaed the cell-phone records, he knew Ben was lying.

First, though, the detective received three phone calls from people identifying the dealer. Two of the calls were anonymous voice mails, saying that the heroin that killed Andy came from two Orange High School graduates. The messages said the two "were involved in having Orange High School freshmen selling heroin for them. They also were alleged to be selling heroin to many East Side suburban kids," Lamielle noted in his report.

The third caller identified herself and named the drug dealer. She gave the dealer's cell-phone number and address to Lamielle.

Then Lamielle got the cell-phone records. They showed that Ben called the dealer's cell phone several times on Jan. 15, the day before Andy died. The dealer called him back several times. Ben also called Andy several times that day.

But Andy never called the dealer, and the dealer never called Andy, according to those records. So much for Ben's story that Andy bought the heroin and took it to Ben's house.

Lamielle was even more interested in the phone records for the morning of Jan. 16, in the hours before Andy died. They showed Ben waiting for more than two hours and making two other calls before he called 9-1-1 to get help for Andy. Sitting in the interrogation room, where Ben had lied to him six weeks before, Lamielle told Jim and Elaine that he wanted to pursue charging Ben "for any crime that would fit with his negligence."

Just a few days before, the coroner who performed the autopsy on Andy had told Lamielle that his research showed that most people can survive a heroin overdose. "A male who is 19 years of age should have a good chance of survival had he received emergency medical treatment," Lamielle wrote in his report.

When he told them about the calls, Elaine got tears in her eyes. She told Lamielle that Ben was like a son. "I can't imagine what my poor Andy could have gone through that morning," Elaine told Lamielle. "Maybe Ben making that 9-1-1 call sooner could have gotten him some help. But Ben's going to have to suffer with that memory for the rest of his life."

Jim and Elaine did not want to charge Ben with anything. Instead, they wanted to go after the drug dealer.

The way Jim explained it, they as doctors are held accountable for the drugs they prescribe. They're expected to take medical histories and to warn patients about possible side effects and interactions with other drugs. If they do not, and a patient dies, they could lose their licenses and be sued for malpractice. Why shouldn't the law treat drug dealers the same way? Why shouldn't dealers be required to discuss a drug's dangers? Why shouldn't they be held responsible for the death?

Lamielle thought for a moment, left the room and came back with a thick book, the Ohio Revised Code. He flipped through the pages until he came to a passage. He read it to Jim and Elaine: "Section 2903.04: Involuntary Manslaughter. No person shall cause the death of another as the proximate result of the offender's committing or attempting to commit a felony."

Lamielle looked up. "Drug trafficking is a felony," he said. He flipped to that section to read the code to them: "No person shall knowingly sell or offer to sell a controlled substance."

There was silence in the room.

"That's what we want to do," Jim said.

Lamielle nodded.

In other states, prosecutors had been charging dealers with manslaughter and murder since the overdose

death of "Saturday Night Live" star John Belushi in 1982. Some states even passed special laws to make it easier. But Lamielle didn't know if it ever had been tried in Ohio. Maybe they could pull it off. To him, there was nothing more satisfying than seeing a drug dealer put behind bars.

"If we're going to go that route, we need a witness," he said. "We need Ben."

The Psarrases said they could persuade Ben to testify. But Lamielle wondered what kind of witness Ben would make. Lamielle suspected Ben had been lying about what happened since the day Andy died. Plus, he was a drug user, which could damage his credibility with a jury. Lamielle also heard Ben was still using heroin.

Still, the big question was: Could Ben step up? Would Ben step up?

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THE PLAIN DEALER

'You don't rat out your friends'

Resisting pressure to talk, Ben checks into rehab

Thursday, May 26, 2005

Story by Joanna Connors

Photographs by Joshua Gunter

Previously: Andy Psarras' parents and law-enforcement officials think they can make a case against the dealer who sold the heroin that killed Andy - if only they can get Andy's friend Ben Fuerst to cooperate. Part 5 of 7.

Ben Fuerst did not want to give another statement. He did not want to be a witness. He did not want to testify against the drug dealer who supplied the heroin that killed Andy Psarras.

More than anything, he did not want to cooperate with Sgt. Marvin Lamielle of the Shaker Heights Police Department, who was trying to build a manslaughter case against the dealer. Ben had grown to hate Lamielle and his questions.

Lamielle didn't like Ben much either. He felt that Ben had lied to him from the start and that he spent more time the morning Andy died thinking of how to protect himself than how to save Andy. Two doctors told Lamielle that Andy didn't have to die, that emergency treatment could have saved him.

But to build the manslaughter case against the dealer, the detective needed Ben. Ben was there when Andy died; only he could connect the dealer to Andy.

"Without Ben, all you've got is a kid dying in a room all alone," Lamielle said with a sigh.

As the weeks went by, it looked as if they would be without Ben. Lamielle heard he was talking about the case, telling people he was afraid of the dealer.

Ben tried to keep it a secret that he was going to the dealer almost every day to buy heroin.

At the end of March, about 10 weeks after Andy died on Jan. 16, 2004, Elaine Campbell Psarras, Andy's mother, called Ben to plead for his cooperation. Elaine and her husband, Jim Psarras, did not yet know the dealer's name, but they blamed him for Andy's death.

"Ben, we need you to do this for us, and for Andy," she said.

Ben wouldn't budge. "Andy would be rolling over in his grave if he knew you were doing this," he said. "You don't rat out your friends."

At first those words hurt Elaine; then she felt angry, really angry at Ben, for the first time since Andy died. All along she'd been thinking of him as "poor Ben." But if the situation were reversed, and Ben had been the one to die, Andy would tell the truth and testify. She and Jim would have made him do the right thing.

They both knew they had to form an alliance with Ben, so they asked him to come over for a talk. On March 30, Ben and his father, Tom Fuerst, sat with Jim and Elaine in the sunroom, the same room where they had discussed Ben coming to live with the Psarrases the summer before his senior year of high school. The same room where Andy had his last meal at home.

Elaine said the meeting lasted 20 or 25 minutes; Ben did not make eye contact with her or Jim once. He stared straight ahead, his face red, as they explained to him how they wanted to send a message to drug dealers, to make them pay for selling drugs that kill people.

She saw tears forming in Ben's eyes. "My life is over if this goes forward," he said. "You might as well just shoot me now." And they were in danger, too, he told them.

By then, he was crying, telling Jim and Elaine they had to understand, he lost his best friend.

No one said anything. Then Tom Fuerst quietly reminded Ben that Jim and Elaine lost their son. He told Ben he should think of them and go talk to Lamielle.

So, on the first of April, Tom and Ben Fuerst went with their lawyer to the Shaker Heights police station on Lee Road to see Lamielle. Not much came of the meeting.

"Ben informed me that he was in danger,' and the drugs were obviously pure,' " Lamielle wrote in his report. "He kept citing drug dealers, and what they do to snitches.' "

The meeting ended without a formal statement and without any agreements, except that they would meet again in a week.

But that wasn't going to happen. The next day, April 2, Ben checked into the detox unit of the Cleveland Clinic. Tom Fuerst told Elaine and Jim that the plan was two weeks of detox and counseling at the Clinic and then rehab at a wilderness treatment center for adolescent boys in Montana.

Ben would be gone for two months.

Good Friday, April 9, brought the first warm day of real spring. As they drove through the cemetery, Jim pointed out to Elaine and their daughter, Molly, the red buds at the tips of the crab-apple trees, ready to burst into blossom.

Andy's grave was still a mound of bare dirt. The headstone had not yet been delivered, and the rain-soaked soil was sinking, forming a crater that Elaine and Molly had been trying to fill in on their frequent visits. A bunny pot from their garden held orange tulips, Andy's favorite color.

Jim knelt to dig a hole in the middle of the grave for a new vase of flowers, birds of paradise, that Molly held.

Then, as usual, Elaine told Andy the latest news.

"Andy," she said. "We got a call from Ben last night, and you'll be glad to know that he's doing really well. He wants us to visit him at the Clinic tomorrow. He's so happy and glad that his life is on a different course, and I think you had a lot to do with that, sweetie. I really do. He's out of detox and going to groups, and he said he's planning on going to college.

"He was calling me Mom again."

The next day at the Clinic, Ben told them more. About the 80-year-old woman he met there who was addicted to pain medication. About the rehab program in the mountains of Montana. About how the Clinic staff had allowed his parents to bring his two dogs, Felony and Dozia, to visit.

Elaine had been so worried for Ben. She'd also wondered if this rehab decision was just a ploy to escape the pressure to testify. But this was a Ben she'd never really seen before; he had joy and hope in his voice. She decided to look at this as a positive sign, a sign that he was taking this much more seriously.

Still, she knew how much Andy always had wanted to do a wilderness experience like the one Ben soon would have. She would have loved to have gotten a call from Andy in rehab, asking her to bring the dogs up for a visit.

A week later, on the Saturday before Ben left for Montana, Elaine spiraled into an abyss. All day she stayed in her room, depressed and brooding: Life is just defending ourselves against death. That's all religion is, an invention of man. What better way to not fear death than to say that there is no death?

As much as she had clung to her faith in God before, it wasn't consoling her now. "Maybe there is no heaven, and it's just a matter of time before we all die and that's it, I'll never see Andy again," she said.

When Jim came home and asked how she was, she blew up. "How do you think I'm doing?" she snapped. "My son is dead. I didn't go to the cemetery today, because he's not there. I'm angry, and I'm not believing in God anymore, and I'm not going to church tomorrow."

That afternoon, Ben called the Psarrases from his father's car to say goodbye.

"Ben," Elaine said, her voice cracking. "I'm having a really hard day today. I'm missing Andy so much. I have so many regrets."

She told Ben she needed the truth from him. The morning Andy died, she was going to call him at 8 a.m. to find out why he hadn't come home the night before. But Jim told her she couldn't track him down all the time like a child, so she went against her mother's impulse.

"I will always regret that I didn't make that call," she said to Ben. "I need to know, would it have made a difference?"

Ben told her no, it wouldn't have made a difference. Andy was in pretty bad shape.

Elaine was crying now.

"Did he know he was dying?" she asked Ben. "Was he suffering? Did he call out for me?"

Ben told her no, Andy didn't know he was dying. Elaine expected Ben to call the next day, but Ben remembers only promising to call when he got back. He knew there was a lot she needed to know.

All day Sunday, Elaine waited for Ben's call.

It never came.

While Elaine waited by the phone, Ben was getting ready to go to Montana. He had a day pass from the Clinic. Katie Porter picked him up and drove him around that day -- to Circuit City to buy a CD player, to a field where Ben's father was helping with youth baseball tryouts.

Both Ben and Andy had had a crush on Katie; a couple of weeks before Andy died, she had chosen Andy. She loved Ben, but he was more like a brother.

As they drove around, Ben talked to Katie about Andy's death for the first time. He told her he couldn't look at himself in the mirror anymore. He stared out the car window and said, "It should have been me who died, not Andy."

In the afternoon, they walked Ben's dogs, went to the grocery store. That night, they had a going-away barbecue with a few friends, and for the first time in years, no one drank or smoked.

Except Ben. He slipped away from the others to smoke a bong.

He recalls saying to himself: "I'm going to rehab tomorrow, and this will be the last time I'll ever do this in my life."

Elaine continued to fall. That Monday, April 19, while Ben was on a plane that was taking him and her hopes for the case far away, the coroner's report came out. The ruling: "The death in this case was the end result of acute intoxication by heroin, codeine and venlafaxine, and was accidental in nature."

Elaine didn't see the report, but she talked to Dr. Stanley Seligman, the pathologist who had performed the autopsy. He explained that the codeine was present because street heroin is cut with codeine and that he did not find any stomach contents in the airways to indicate what everyone suspected in those first few days, that Andy had died by aspirating his vomit.

"Could my son have been saved that morning?" she asked.

"There's a good chance," he said.

She called Lamielle, who did not know that Ben had left the state.

"That weakens the case," he said, his voice more pessimistic than she ever had heard it.

"Sarge, you have to be your old optimistic self for me here," she said.

Finally she talked to Tom Fuerst about Ben not calling her.

"I was having a very bad weekend," she started.

"I know how that goes," he answered.

"No, Tom, I don't think you do," Elaine said, and the conversation went downhill from there, until Elaine was telling Tom that they knew Andy could have been saved that morning, that the police and prosecutor wanted to charge Ben, but she and Jim stopped them.

"I needed to make Tom know that we're not ignorant here; we're very much aware of those facts," she said later that day.

Ben's time in Montana passed slowly for Elaine and Jim, but not for Lamielle's investigation.

Rick Bombeck, an assistant county prosecutor, told Lamielle to continue to pursue the case. Another assistant prosecutor drafted a letter for Ben, offering to take his statement off the record so it couldn't be used against him.

On May 6, the Cleveland Heights Police Department raided the house where the drug dealer lived. They found heroin and packaging material.

The dealer was arrested and eventually charged with felony drug possession and scheduled to appear in court for his arraignment on June 30. He never showed up. The court issued a warrant for his arrest.

At the wilderness treatment center, outside of Marion, Mont., Ben had a full schedule of chores, group therapy, individual therapy, lectures, 12-step instruction and AA meetings every day, from wake-up at 7 a.m. to lights-out at 10:30 p.m. Near the end, he went on a 16-day wilderness expedition.

Elaine looked at the center's Web site, with its photos of smiling, sunburned boys posing on mountain bluffs. She mourned for Andy; he would have loved it there.

In late May, Ben's attorney told Lamielle that Ben had agreed to come home for one day in June to give his statement.

Then he would leave again, for 11 months at a halfway house in Louisiana.

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THE PLAIN DEALER

Gathering courage

Ben talks to police, but case against dealer hits another snag

Friday, May 27, 2005

Story by Joanna Connors | Photographs by Joshua Gunter
The Plain Dealer

Previously: Ben Fuerst resists testifying in the investigation into the heroin death of his friend, Andy Psarras. Part 6 of 7.

Ben Fuerst came home from Montana on June 18, 2004, clean and sober after two months in rehab. Sgt. Marvin Lamielle cut short his summer vacation and drove from his home in Akron to Shaker Heights to interview him.

Lamielle had been waiting to question Ben since the day he began investigating the death of Ben's friend, 19-year-old Andy Psarras, on Jan. 16, five months earlier. Andy had died after using heroin with Ben, and Lamielle always had suspected Ben lied to him about what happened. Now Ben was coming in with his father and his lawyer to answer the detective's questions.

The interview took more than three hours. Lamielle interrogated him the way a prosecutor might during a trial. He led Ben through the events of Jan. 15 and 16. Ben told how he arranged to buy the heroin, how much and how often he and Andy had snorted it and what happened the next morning, after Andy woke up moaning and gagging, with white foam coming out of his mouth.

Ben confirmed what the cell-phone records showed: Ben, not Andy, had arranged to buy the heroin and, the next morning, when Andy was in distress, Ben made two calls - one to a heroin-using friend, the other to the dealer - almost two hours before calling 9-1-1.

While Ben talked, Lamielle looked at him the way a jury might. Ben had gained some weight in Montana, put on muscle and color. He didn't look like a strung-out, wet rat anymore.

But Lamielle knew Ben still would be a weak witness. He had been a heavy drug user, and he had lied in his first statements to police. A defense attorney would use that against him. On the plus side, Ben came across as intelligent and sincere; he would be more likable to a jury than he was before.

Lamielle wasn't sure yet if Ben was more likable to him.

The next day, Ben went to see Andy's parents, Jim and Elaine Psarras. Dave Rupp and Grace Corbin - part of the old group of friends who hung out and got stoned in high school - went with him, along with Katie Porter, Andy's old girlfriend.

Elaine felt awkward at first; she didn't know what to say. To fill the uncomfortable silence, she and Jim told them about Andy's Foundation.

The idea for the foundation came to them in the week after Andy died; it was a way to commemorate him and create something positive from his death.

They found a young lawyer, who signed on to do the legal work pro bono, and they began putting together a board and a mission statement.

Andy's Foundation would "combat the use of illegal drugs and the irresponsible use of legal drugs" through several channels: education programs for both teens and parents, a hot line for teens to get emergency medical treatment, a process to secretly identify drug dealers.

The foundation also would support the idea that Lamielle was pursuing, prosecution of drug dealers for involuntary manslaughter when the drugs they sell kill someone.

Elaine even had come up with an idea for a hot line to turn in dealers: 1-800- NODEALS.

She said she saw enthusiasm from all the kids. Except Ben.

He told Elaine and Jim he was still reluctant to testify against the dealer who sold the heroin that killed Andy.

He still was frightened of the dealer, he said. Ben had just named him the day before to the police, and he was terrified the dealer would come after him. He has a gun, Ben said.

Then Ben started talking about organized crime and gangs and what they would do if the case went to trial.

Elaine studied Ben while he talked. He looked like a scared little boy. Her heart broke for him.

A couple of days later, Ben left for Louisiana for his next rehab step, the Power House. He walked out after three weeks of the strict 11-month program, which starts newcomers out with cleaning toilets and harsh punishments for infractions of rules.

Ben went to a pay phone and called his father. "I'm not staying here," he said. "You can help me, or not help me."

When he got home, he got a job rehabbing houses. Then he and his father moved into another house in Shaker, with the two dogs, and Ben started working two restaurant jobs. They put a photo of Andy on the refrigerator.

Ben went to a few AA meetings, but he never tried to line up a sponsor, and after a while he decided to do it one day at a time on his own. He said that he was staying clean for the trial.

As the chilly spring of 2004 turned into an overcast summer, the big house on South Park Boulevard in Shaker Heights seemed to be in mourning along with its owners. Weeds choked the flower beds in front; the swimming pool in the back yard, left to its own devices, turned as dark and cloudy as a pond.

Elaine couldn't look at the pool without thinking of Andy splashing around with the dogs the previous summer. She'd come home from work, and he'd be out there, laughing, his olive-toned skin glowing in the sun, telling her to come look at the new trick he'd taught their black lab, Cole.

Lamielle worked through lunch most days, keeping up with his 20 or so other cases while he continued his investigation, interviewing Andy's friends, trying to track down more on the dealer. It was slow. The kids would make appointments and then not show up. A couple of them hired lawyers, slowing things down even more.

"It's the typical Shaker mentality, typical of people who have money," Lamielle said one day, frustrated when yet another kid didn't show up for an appointment. "Hire an attorney to take care of it instead of facing up to your responsibilities."

At the end of August, Lamielle finished his report, organized it into neat sections in a big three-ring binder and sent it to the prosecutors.

Again the family waited.

Jim and Elaine heard from other kids that Ben was on edge, that he was not doing well. They worried he might start using again. They worried even more when Ben called, still scared and struggling, to ask what was going on with the case.

After four weeks, Jim called Lamielle to find out what was taking so long. Lamielle told him that justice moves slowly at the county Justice Center.

Assistant Cuyahoga County prosecutor Rick Bell, head of the major trials unit, got the report first. He said it was pretty good, but some key questions remained unanswered.

First, the coroner's report listed another substance in the blood besides heroin and codeine. Venlafaxine: What was it, and what role did it play in Andy's death?

Worse, the coroner had ruled the death accidental.

Bell sent a memo to a staff researcher, asking him to dig up what other states and Ohio counties have done with drug trafficking in connection with involuntary manslaughter. He also wanted to know if other jurisdictions ever prosecuted such cases with a coroner's ruling of accidental death.

He told Jim Psarras and Lamielle to set up a meeting with the coroner, Dr. Elizabeth Balraj, to see if she might consider changing the ruling and removing the venlafaxine from the substances causing the acute intoxication.

On Oct. 7, Lamielle, Jim Psarras and Dr. Ted Parran, an expert in addiction medicine whom Lamielle had consulted in his report, went to the coroner's office to meet with Balraj and Dr. Stanley Seligman, the pathologist who performed Andy's autopsy. They presented their arguments. The venlafaxine, they explained, was an anti-depressant more commonly known as Effexor. It was not a narcotic, and no studies had shown it to interact fatally with heroin.

Balraj would not budge on that one. Expert witnesses could tell the jury that the venlafaxine had no fatal effect, she told them, but the fact was, it was present in the blood and she had to keep it in her report.

Then they presented Ben's testimony implicating the drug dealer and asked her to change the ruling to homicide.

Again she said no: Andy used voluntarily.

Lamielle started to feel pessimistic about the chances of the case.

Back at the Justice Center, Bell and another assistant prosecutor, Blaise Thomas, who was now in charge of the case, found something that troubled them even more.

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THE PLAIN DEALER

Nothing will bring Andy back

As one effort dies, parents find a new path toward peace

Saturday, May 28, 2005

Story by Joanna Connors

Photographs by Joshua Gunter

The Plain Dealer

Previously: Shaker Heights psychiatrists Jim Psarras and Elaine Campbell Psarras continue to pursue the case against the dealer who sold heroin to their 19-year-old son, Andy, but complications arise. Part 7 of 7.

Every Tuesday, Dr. Jim Psarras went to the office of his wife, Dr. Elaine Campbell Psarras, for lunch. He always brought her soup.

On Tuesday, Oct. 25, 2004, he brought something else - news he did not want to give her.

He waited until they had eaten, and then he told her: "They didn't take the case."

Jim knew how much Elaine needed this prosecution to help heal her grief for their son, Andy, who died the previous winter after using heroin. He believed she saw it as something she could do for her son, a legacy of sorts. She had been putting more and more time into Andy's Foundation, another legacy, but he knew she was counting on giving Andy his day in court.

Jim's feelings were different. If they took the case, and convicted the dealer, yeah, he would be happy.

But so what? Jim still would come home on a Saturday afternoon, and it would be 3 o'clock, and he'd think, "Is Andy coming home?" And Andy would not be coming home.

His son was dead. Nothing anyone could do would change that.

That evening, Elaine sent an e-mail to Rick Bell, the supervisor of the major trials unit at the Cuyahoga County Prosecutor's Office.

Andy, she wrote, was not a heroin addict. She insisted he was just experimenting that night before he died; doctors said his blood level of heroin was not even toxic.

"Our message to parents, teens and educators is that heroin can kill at low doses, and drug dealers are still not accountable for selling these drugs," she wrote. "We chose to pursue this prosecution knowing that we might not win, but our efforts might send a message to drug dealers."

When Bell copied the e-mail to Blaise Thomas, the assistant prosecutor who had reviewed the case, he put a bracket mark next to the sentence, "knowing that we might not win."

To Bell and Thomas, this was not a matter of "might not win." They had looked at the case the way a defense attorney would, the way a jury eventually would, and they were certain they could not win the case. There was no way they could recommend it to their boss, Cuyahoga County Prosecutor Bill Mason.

Meanwhile, Elaine and Jim tried to figure out their next step.

"I won't take no for an answer," Elaine said. "If we have to, we'll get picket signs that say, 'Bill Mason

Supports Drug Dealers' and parade down at the Justice Center."

Elaine was fired up; the refusal to prosecute didn't make sense to her. "So individuals can sell heroin to kids, and the kids can die from it, and nobody will do anything? In the end, this will just be Andy's stupidity?"

"Well, that's another issue," Jim said quietly.

On the morning of Nov. 8, Jim and Elaine went to the Justice Center to make one last attempt at what they saw as justice for Andy.

Bell had agreed to a meeting. Jim carried his briefcase, where he had kept Andy's autopsy report for almost seven months.

Elaine held a 1998 ruling by the Supreme Court of West Virginia that she had found on the Internet; it upheld the murder conviction of a drug dealer who sold morphine to a man who died several hours later of an overdose.

The key facts were remarkably similar to the case Elaine and Jim wanted brought against the drug dealer, including the presence of other substances in the blood.

Bell and Thomas knew they had to handle this meeting gently. These were grieving parents, and the prosecutors knew from their e-mails and voice mails how much the case meant to them.

It was tense at first. Jim said the attorneys were defensive, that they spent the first hour making excuses for why they couldn't prosecute. He accused them of playing politics.

Elaine cried, hard. It embarrassed her, but after that she sensed that the prosecutors softened. They tried to explain the holes in the case: Ben was a weak witness; Andy took the drug voluntarily; it would be hard to make an argument that the drug sale led to the death, since more than eight hours passed after Andy snorted the heroin. A defense attorney could attack on any one of these issues.

Bell saved the most damaging point for last. He was careful about bringing it up; the last thing he wanted to do was add to these parents' pain.

He took some printouts of information Thomas had dug up and laid them on the desk in front of Jim and Elaine.

Report after report issued strong warnings about the drug Andy had been taking for depression.

A BBC News story said that between 1993 and 2002, 118 people in England and Wales had died while taking Effexor, or venlafaxine.

The British Medical Journal said, "Some data show that venlafaxine in particular may not be as safe in overdose as other . . . drugs, with reports of deaths, arrhythmias and seizures."

Elaine argued that two doctors had told them they would testify the Effexor did not have anything to do with Andy's death.

It didn't matter if it did or not, Bell explained. All that mattered was what a defense attorney could do with the information; even a bad one would have a field day.

Even worse, the defense would put Elaine on the stand and let the jury know that she, not a psychiatrist outside the family, had given Andy the Effexor -- and that he had told his parents he was feeling depressed, and they had allowed him to increase the dosage just two days before he died.

This took Bell back to the question Sgt. Marvin Lamielle had asked on Jan. 16, 2004, the day Andy died and his friend Ben Fuerst swore that he had inhaled the same heroin -- but even more of it -- that Andy had.

Why did Andy die and his friend Ben Fuerst live that day?

The defense attorney would have a credible answer for the jury, enough for reasonable doubt. The Effexor

might not have killed Andy, but it did kill the case.

Elaine had been dreading Christmas all year. The family always did the holiday up big, and this year she didn't have the heart for it. But she and Jim did it for Peter and Molly: the huge tree, the lights outside, everything. They added orange lights and ribbons to the red and green decorations. Orange, her dead son's favorite, was now the official color for Andy's Foundation.

They had been working harder on the foundation, a drug-education effort to prevent other kids and parents from going through what they went through. When a Mary Kay distributor who worked at Elaine's office suggested a fund-raising party, with all Mary Kay profits going to the foundation, Elaine decided it would take her mind off the case. The prosecutors had promised to reconsider; she and Jim were waiting for their final decision.

Elaine planned a big buffet and asked Ben Fuerst to help. Andy and Ben's old friend Grace Corbin came along, and on Dec. 12, while more than 100 of Elaine's friends bought skin creams and lipsticks, Grace and Ben stood in the kitchen, stuffing chicken salad into pastry cups. Ben looked good. He was still clean, working 70 hours a week at two restaurant jobs, living with his dad.

While they worked, Grace and Ben talked about high school friends. Grace said a friend of theirs was in deep trouble with Ecstasy; she thought they should go talk to him about it. Ben wasn't sure he could do it.

"It's weird to think about being that guy," Ben said. "To be the one telling him to stop doing what I love to do and would love to do."

As Jan. 16, 2005, the anniversary of Andy's death, approached, the case of the State of Ohio v. The Drug Dealer was dead.

Elaine and Jim still insisted it was a good case, but they now were focused on lobbying for what they were calling Andy's Law. It would make selling a drug that leads directly to a death not involuntary manslaughter, but murder, with a penalty of 15 years to life. Rick Bell had written the proposed language for them, and offered his support through the Ohio Prosecuting Attorneys Association.

Elaine sent a flurry of e-mails to state senators and representatives, called the governor's office, set up meetings. Maybe this was all for the best, she said. This law would do more to combat drug dealing, and save more kids, than prosecuting Andy's death.

She also ordered orange wristbands, like the popular yellow Lance Armstrong wristbands for cancer research. She had them stamped with "Y.E.S." for Youth Embracing Sobriety, an idea that came from Phish, Andy's favorite band; they had a song called "YEM," for You Enjoy Myself. Orange ribbon pins were already on order.

The evening before the anniversary of Andy's death, Elaine went to his room and opened the brown bag that the Shaker Heights police had given them months ago. She took out Andy's khaki pants, the ones he wore the night he went out with Ben Fuerst to buy heroin, and held them to her chest.

They smelled like Andy. She knew it looked silly, but she didn't care; she held those pants all night, like a child with a special blanket.

A year had come and gone. She thought things might get better as time went on, but they hadn't. They were worse.

She thought about Ben. Poor Ben. She knew her sisters still couldn't understand why she didn't blame him. But she followed her heart, and her heart hurt for Ben. Part of him had to have died with Andy, too.

She called Ben at work. He said he was getting ready to go to his second job, so they didn't talk long. Neither of them mentioned the anniversary, or Andy.

When it was time for goodbye, Elaine said, "Ben, I just want you to know I'm thinking about you tonight."

"Thanks, Mom," he said.

On May 4, Jim and Elaine made their first appearance for Andy's Foundation, speaking to the morning assembly at University School, in front of teenage boys, teachers and a few parents.

From the time they started the foundation, Elaine had worried about appearing in public. Wouldn't parents look at her and think: What can you tell me? Your son died, and you're a psychiatrist.

So Elaine talked to the boys instead. She told them about a national survey she had read, where teenagers grade their parents. Most years, she said, they gave their parents A's for things like academic support. But this year, for the sixth year in a row, parents had received an F for communicating with their kids about drugs and alcohol.

"Up until Andy's death, I would have given myself an A," she said. "Now I realize I have to give myself an F."

Jim said he still blamed the drug dealer but also felt he had failed Andy.

"We're both psychiatrists, and we didn't know what questions to ask him," he said. "If my son hadn't died, I would never, for the rest of his life, have asked him if he used heroin."

Andy's 21st birthday fell four days later, on Mother's Day. When Elaine and Jim went to Lake View Cemetery, it looked like a garden festival.

Under cherry and crab-apple trees heavy with blossoms, the sons and daughters of Cleveland carried spring bouquets to their mothers. Cars lined both sides of the narrow roads, slowing the passing traffic to a processional pace. At Garfield's monument, a large family gathered at a table for a picnic.

The knoll where Andy lay was far from the crowd. Only one other person was there, a woman with a pink wreath, walking up and down the rows shouting into a cell phone: "Nobody else is here yet! I can't find it! Where? Oh, HERE it is."

Jim and Elaine had planted tulip bulbs in the fall, and they had come up in a splash of bright orange, covering Andy's grave in a display so sunny it seemed almost cheerful.

Jim cleaned Andy's headstone with a towel. Someone had left two polished stones and a teardrop-shaped crystal on it. "He's had visitors," Elaine said. It mattered that Andy's friends still remembered him.

It was at just this time of day, May 8, 1984, that Elaine went into labor with Andy. He was born two hours later. He was so easy, the easiest of her three children. He was such a happy baby.

The woman on the phone stopped talking, and then Jim and Elaine were surrounded by quiet.

The months and months they had pushed for their case, and then for Andy's Law, were etched in deep lines on their faces. Their shoulders slumped.

They had accomplished so much. Their two older children, Molly and Peter, had stopped doing drugs; Peter would be applying to medical school soon, and Molly was working toward a degree in psychology. She wanted to work for Andy's Foundation.

Ben was still struggling, but made the decision to return to rehab, his father, Tom Fuerst said. Before that, Ben was talking about moving to Columbus with his brother and working in the AmeriCorp City Year program.

Andy's death had saved Molly and Peter, and maybe Ben. Perhaps other kids could be saved, too.

Still . . .

"I wish we could have gotten our day in court," Elaine said.

Jim nodded and put his arm around her.

They stood on the knoll, a mother and father wearing orange shirts, orange wristbands and orange ribbons. They stood with their son, who no longer had any secrets.

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THE PLAIN DEALER

A fine line between kids' secrets and safety

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Joanna Connors
Plain Dealer Columnist

The e-mails and voice mails started arriving at 6 a.m. last Sunday, the day the first story appeared in our series "Andy's Last Secret," and they have not stopped.

Some are an gry, most are sympathetic, but almost all have an opinion about what and who killed 19-year-old Andy Psarras of Shaker Heights, who died Jan. 16, 2004, after snorting heroin with his best friend, Ben Fuerst.

"It's the par ents' fault."

"The parents are so coura geous to tell their story."

"It is not Ben's fault; Ben is a good kid!"

"The only person who killed Andy was Andy."

The calls really started the day Andy died, when the news traveled from college to college, and from Shaker parent to parent.

I was in Park City, Utah, covering the Sundance Film Festival, when a friend called me. I now know, from the police records, that I heard about Andy's death while he was still in the emergency room, waiting to be picked up and taken to the coroner.

I didn't know Andy or his parents. But I live in Shaker; I have two teenage children. The death disturbed me, and I kept thinking about it after I got home.

You cannot be a parent in an American suburb today without hearing about this kid going away to a wilderness rehab, or that kid ending up in the emergency room with alcohol poisoning after a school dance. Police raid parties, and kids end up in court. Good, smart kids from good families.

You eventually learn a hard truth: Even good teenagers keep secrets. Even good teenagers take risks. Those two facts are immutable and timeless.

Teenagers keep secrets because it's part of their job description - to discover who they are, find their identity and become independent adults.

They take risks because that's where they are developmentally. All kinds of studies show that their brains have not caught up with their bodies: They do stupid things.

Andy and his friends are hardly alone. I did drugs when I was a teenager and in college; I took pills without knowing what they were, and I remember two instances where I asked my friends to take me to the hospital, and they did not. No one wanted to get in trouble.

It's our job as parents to try to find out our kids' secrets, the dangerous ones anyway. But it's also our job to let them become independent adults, and you don't do that by locking them up in their rooms or keeping a tail on them. It's terrifying to let them go out into the world, beyond our control and oversight. But we have to do it. We are hostages to fortune.

And guess what? It's even easier for them to keep secrets than it was for us. They have cell phones and computers and a lot more access to cars and money than we ever had.

They also have access to more and stronger and cheaper drugs.

This is not happening just in Shaker Heights. Coroners' reports across America show that heroin is the new popular suburban drug. And, contrary to the stereotypes created by television, movies and music, studies consistently show that white suburban teenagers use drugs far more than black urban or suburban teenagers.

Heroin and other drugs are dangled in front of our kids like a birthday pi?, full of treats.

You probably think your child is not among the ones whacking at the pi?. But before you judge Andy's parents, Jim and Elaine Psarras, or any other parent in the same situation, ask yourself: Are you sure your child has not been at the party?

I asked a friend to introduce me to the Psarrases for a selfish reason: I was scared, and I have been scared since my two children entered middle school. I thought, as many of you have: Here are two psychiatrists. Why didn't they see this in their own son? And if they didn't see it, where does that leave the rest of us? How can I save my children?

We all now can see the red flags Andy was flying, the flags that Jim and Elaine did not see then. They see them now, too, and Elaine especially is having a hard time reconciling that fact.

But Judy Stenta, a social worker who lives in Shaker Heights and directs the Social Advocacy for Youth program at Bellefaire Jewish Children's Bureau, put it in perspective for me a few days ago. "It's easy to see the problems in other people's children," she said. "But parents always want to see the best in their own children."

It's a natural instinct, just as it is a natural instinct to blame others. As the Psarrases and Shaker Heights Detective Marvin Lamielle pursued the manslaughter case against the drug dealer, I found these cases are being brought in almost every state in the country. Some states have passed special laws making a death resulting from drug trafficking murder, not manslaughter.

We all have to ask: Is this the right thing to do? The Psarrases think so; they view drug dealers as murderers. So do many prosecutors and police officers.

I'm sure defense attorneys disagree. Cuyahoga County Coroner Dr. Elizabeth Balraj did not rule Andy's death a homicide because, in the end, it was Andy who took the drugs. No one forced him.

Usually these stories play out quietly. Most stories about drug abuse that you find in newspapers or on television identify the sources as: "Jane" (not her real name) or "John" (who asked to remain anonymous)."

Jim and Elaine decided to tell their story, even at the risk that other aspects of their personal lives might be questioned and criticized. Their other children, Molly and Peter, and Andy's friends, Ben Fuerst, Dave Rupp, Grace Corbin and Dave Stone, also opened their pasts for examination.

They told me their drug stories, and they did it openly, with a tape recorder running, knowing that it would end up in the paper with their names attached.

Some of the kids were scared and embarrassed. Some have turned their lives around: They're in school and out of the drug scene. They are exceptional young people - no longer kids - and over the months I spent writing this story, I came to like them and admire their courage.

They did worry, at the end, as the story neared print: What would their parents and grandparents think? What about their employers? A girlfriend's parents?

But they didn't tell their stories for me. They did it for Andy. They did it for Jim and Elaine.

They did it for other kids who are, right this minute, keeping their secrets from their parents.

It's our job to listen.

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