

An Outdoorsman and the Law

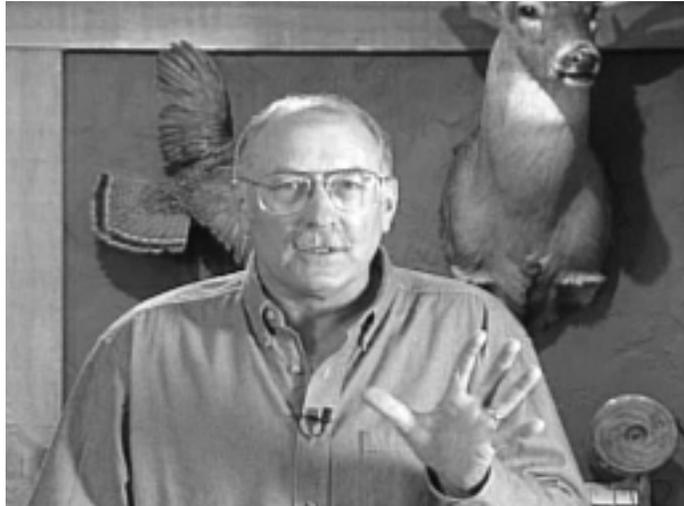
By Naseem Stecker

He had many reasons to rail against the justice system. Slapped with a libel lawsuit, poorly defended by his attorneys, and “devastated” by a four million-dollar judgment against him, he experienced subsequent bankruptcy followed by malpractice lawsuits. The center of this legal maelstrom? The well-known host of public television’s *The Practical Sportsman*, Fred Trost.

An investigative report he aired on truth in advertising exposing a manufacturer’s “fraudulent” claims started the legal nightmare in 1990 that dogged him for several years. The experience generated angst and soul searching but led Trost down another road to explore justice—through law school.

His thought was, “if I were an attorney, I wouldn’t be in this jam, because I would have seen what was coming up and done what was necessary to protect myself.” So, in August 1995, he enrolled at Lansing’s Thomas M. Cooley Law School.

“When I went into law, I was very mad. I was mad at the system. I was mad at everybody. But I found out that the law professors weren’t there to teach people how to be snakes and to be deceptive. This was a totally up and up study of law. It changed my attitude towards the system. This is not a system of people conspiring to shaft the public—there are a lot of people around here trying to find out what justice is, and I found out it is much more complicated. There are sides, views, attitudes, and perspectives. When you look at them, they all make sense—which is much better than having the attitude that the



Fred Trost

This is not a system of people conspiring to shaft the public—there are a lot of people around here trying to find out what justice is, and I found out it is much more complicated.

system is stupid, it’s unfair. I found out no, it isn’t. If you don’t know the procedure than you’re nailed and confused. I think it’s too bad that everybody can’t go to law school.”

The intellectually stimulating environment of law school calmed his fires, fostered a new love of reading, something Trost particularly dreaded, and deepened his interest in writing. He once turned in a 300-page paper for a jurisprudence class. “I found law school to be the most fascinating thing I’ve ever done in my life. I miss it. As I write up

motions, I wish I were back in law school, I loved it,” Trost recalls.

His background and experience in television helped during his law school days. While many students were petrified of reciting cases in class, he couldn’t wait to be called on. The law training has also influenced his television program. “It helped me to sort out what to present and how and what’s persuasive and accurate.” What is aired also depends on his interests. “I want to convey information and I want to teach people. I prefer to teach them something that they have a misconception about.”

Doing a television show is rigorous work. “People thought I was out hunting and fishing and some crew was filming me—[that it was] what I did every day. I’d wake up and go on another adventure. That’s what it looks like and that’s what it’s supposed to look like.” The reality is that there’s all “the grunting, groaning, deadlines, technical problems, and the things that go on to make this appear so relaxed, fun, and interesting.”

The challenge for him now is to balance two demanding careers—television and the law. As a solo practitioner, he focuses on constitutional law, criminal defense, and matters relating to firearms and hunting, property rights, DNR tickets, and defamation. Based in Bath, where he has a television studio and continues to report, produce, and edit his weekly *Practical Sportsman* program, Trost now has the added advantage of being able to more authoritatively question and discuss policies that he takes issue with, especially those impacting the outdoors.

He keeps a sharp eye on developments at the Department of Natural Resources and



has been very concerned about its growing regulatory powers. Such “watch dogging,” as he puts it is a necessary part of the American justice system. Trost is particularly uneasy about the agency’s orders and feels that “the delegation of authority to the DNR has gotten way out of hand. It’s unconstitutional and my concern about regulation is that we’re over-regulating ourselves.” As an example, he points to Michigan’s fishing regulations. “For every single regulation there is a crime. It goes on your record as a misdemeanor, jail time, fines—all that stuff goes with it. It’s supposed to be recreation!”

“It used to be that the legislature had a big role in making regulations. These were political issues. Now the DNR is openly saying that they are making regulations not for biological reasons but for social reasons. They’re setting ethics. They’re deciding what people should do. In other words, the regulation really doesn’t matter to the fish or the game. There’s no concern here of extinction or anything close to that, but the DNR is making regulations based on what they think the people either want or should want. That’s a legislative job, that’s not the job of an agency.”

After studying jurisprudence and the history of law, Trost is inclined to think that the “evolution in this country will be that we will over-regulate ourselves to the point where people will not be willing to accept the laws that are coming down. Then, they start violating the laws, then they have an attitude—‘I’m not going to go with this.’ When that happens, the country falls apart. I think that’s the danger of over-regulation.”

There was a time in his life when Fred Trost thought he would become a game warden, trapper, oceanographer, or even a marine biologist. As it turned out, he majored in English with an emphasis on writing and landed a job in television on Michigan Outdoors and later the *Practical Sportsman*. Now with his new skills as lawyer, he is in many ways able to incorporate all his interests under one umbrella—the experienced outdoorsman willing to take on the fight if and when necessary. ◆

Naseem Stecker is a staff writer for the Michigan Bar Journal.