



BOBO

I don't know what King done.

O'BRIEN

Nothing further.

CUT TO: MS of JURORS from STEVE's point of view (POV). One JUROR, a middle-aged man, looks directly toward the camera for a long time. The camera then moves away as if STEVE has turned away from the accusing stare.

PETROCELLI

The people rest.

FADE OUT.

FADE IN: Concentric colorful circles and hurdy-gurdy music: A hustling, bustling **CARTOON CITY** comes alive on the screen. Then a small **CARTOON MAN**, dressed in an old-fashioned nightgown, looks out of his window.

CARTOON MAN (shouting)

The people rest!

On-screen all CARTOON CHARACTERS stop, cars screech to a stop, and then everybody sleeps. The people are resting.

CUT TO: INTERIOR: COURTROOM.

JUDGE

I'll take motions this afternoon after lunch. The defense can start its case the first thing in the morning. It's a nice day out, and we'll adjourn and give the jury the rest of the day off unless somebody has an objection.

We see the JURY leave, then the various parties leave in turn. We see MRS. HARMON come over and talk to O'BRIEN. STEVE's MOTHER is disturbed as a COURT OFFICER comes over and stands near STEVE.

FADE OUT.

*Grain 1
100'*

Tuesday, July 14th

Miss O'Brien came to see me this afternoon. She looked tired. She said that Bobo's testimony hurt us a lot and that she had to find a way to separate me from King, but King's lawyer wanted to make sure the jury connected us because I looked like a pretty decent guy. She talked to me for almost an hour. Several times she patted me on the hand. I asked her if that meant that she thought we were going to lose the case. She said no, but I don't believe her.

I am so scared. My heart is beating like crazy and I am having

trouble breathing. The trouble I'm in keeps looking bigger and bigger. I'm overwhelmed by it. It's crushing me.

It is a nice day on the outside. On the street below, people walk in what looks like a crisscross pattern across the narrow streets. There are yellow cabs inching along. On the corner there is a cart that sells food, frankfurters or sausages I guess, and sodas. People stand around buying what they want, then move away. It looks like something I would like to do, move away from where I am.

Tomorrow we start our case, and I don't see what we are going to do. I hear myself thinking like all

the other prisoners here, trying to convince myself that everything will be all right, that the jury can't find me guilty because of this reason or that reason. We lie to ourselves here. Maybe we are here because we lie to ourselves.

Lying on my cot, I think of everything that has happened over the last year. There was nothing extraordinary in my life. No bolt of lightning came out of the sky. I didn't say a magic word and turn into somebody different. But here I am, maybe on the verge of losing my life, or the life I used to have. I can understand why they take your shoelaces and belt

from you when you're in jail.

Miss O'Brien made me write down all the people in my life who I love and who love me. Then I had to write down the people who I admire. I wrote down Mr. Sawicki's name twice.

Mr. Briggs will present King's defense first. Miss O'Brien will go second, but she says she has to be careful because if she says anything that makes King look bad and Mr. Briggs attacks her, it will look bad for me.

"We can use some friends," she said.

When she left and I had to go back to the cell area, I was more

depressed than I have been since I've been here. I wish Jerry were here. Not in jail, but somehow with me. What would I say to him? Think about all the tomorrows of your life. Yes, that's what I would say. Think about all the tomorrows of your life.

When the lights went out, I think I heard someone crying in the darkness.

FADE IN: INTERIOR: COURTROOM: DOROTHY MOORE is on the stand. She is a brown-skinned, fairly pleasant-looking woman. She looks sincerely at ASA BRIGGS.

BRIGGS

And what time do you remember Mr. King coming to your home that afternoon?

MOORE

Three thirty.

BRIGGS

And you're sure of the time?

MOORE (confidently)

I am quite sure, sir.

BRIGGS

Nothing more.

PETROCELLI

Mrs. Moore, how often does Mr. King come to your house?

MOORE

About twice a month. He's my cousin.

PETROCELLI

Do you remember the purpose of the visit?

MOORE

He was just dropping by. He saw a lamp that he thought I might like and he brought it by. We talked about Christmas coming up.

PETROCELLI

He bought the lamp for you?

MOORE

Yes, he did.

PETROCELLI

Do you remember if he was working at the time? Did he have a job?

MOORE

I don't think so.

PETROCELLI

And still he took his money to buy you a lamp. You remember how much the lamp cost?

MOORE

No, I don't.

PETROCELLI

But that was nice of him, wasn't it?

MOORE (subdued)

I think it was.

PETROCELLI

And you like him a lot, don't you?

MOORE

I wouldn't lie for him, if that's what you're saying.

PETROCELLI

Before this visit, when did you last see Mr. King?

MOORE

I guess a few weeks before that. I don't know the exact date.

PETROCELLI

What kind of work was he looking for?

MOORE

Just a job. I don't know.

PETROCELLI

Does he have a driver's license?

MOORE

I don't know.

PETROCELLI

You really don't know a lot about your cousin, do you?

MOORE

I know I saw him that day.

PETROCELLI (condescendingly)

And what do you do for a living?

MOORE

I do day's work, but I wasn't working that week, because I had hurt my ankle. I went to the doctor that Monday, and you can check that.

PETROCELLI

You don't have to verify what you were doing, Mrs. Moore. Did anybody see Mr. King at your home on that day?

MOORE

I don't think so.

PETROCELLI

Do you still have the lamp? The lamp Mr. King so kindly bought for you?

MOORE

It broke.

PETROCELLI

Should I take that to mean you no longer have the lamp?

MOORE

They don't make things to last anymore. I think it was made in Korea or someplace like that.

PETROCELLI

Again, should I take that to mean that you no longer have the lamp?

MOORE

I don't have it now, but I did have it.

PETROCELLI

Yes, of course. Thank you. Nothing further.

CUT TO: GEORGE NIPPING on stand. He is about 50 and wears wire-rimmed glasses. He speaks precisely and generally makes a good impression.

BRIGGS

Mr. Nipping, do you know, as a matter of fact, if Mr. King is right-handed or left-handed?

NIPPING

He's left-handed. I know that because when he was a kid, I went out and bought him a glove, a baseball glove, and I had to take it back because he was left-handed.

BRIGGS

Have you ever known him to do anything of significance with his right hand?

NIPPING

No, I've never seen him use his right hand for anything.

We see STEVE writing on a pad.

CUT TO: The pad. O'BRIEN is writing a note under STEVE's question, which reads "What's that about?" She writes: "The wound was on the left side of the body, which might mean that the shooter was right-handed. It's a weak argument."

BRIGGS

And for the record, how long have you known Mr. King?

NIPPING

I'd say about 17 to 18 years.

BRIGGS

Thank you.

CUT TO: NIPPING on stand facing PETROCELLI.

PETROCELLI

Have you ever seen Mr. King shoot a man?

NIPPING

No, I haven't.

PETROCELLI

So when he shoots a gun, you don't know what hand he uses. Is that right?

BRIGGS

Objection!

PETROCELLI (ignoring objection)

If Mr. King was struggling with someone and the gun happened to be on the right side, do you know what he would do?

NIPPING

No, I don't.

PETROCELLI

Nothing further.

CUT TO: FILM CLASS. MS of MR. SAWICKI.

SAWICKI

There are a lot of things you can do with film, but you don't have an unlimited access to your audience. In other words, keep it simple. You tell the story; you don't look for the camera technician to tell the story for you. When you see a filmmaker getting too fancy, you can bet he's worried either about his story or about his ability to tell it.

CUT TO: INTERIOR: ROOM where lawyers meet with their clients. SPLIT SCREEN: One side is O'BRIEN, pacing nervously. On the other side is STEVE, sitting.

O'BRIEN

You're going to have to take the stand—look at the jury and let the jury look at you—and say that you're innocent. I know the judge will tell the jury not to infer anything if you don't take the stand, but I believe that the jury wants to hear from you. I think they want to hear your side of the story. Can you handle it?

We see STEVE nodding in the affirmative.

O'BRIEN

The prosecutor's strongest point against you is the connection between you and King. She has Bobo admitting to being in on the robbery and his link to King. You've told me you know King. I don't know why you've chosen this man as an acquaintance, but it's going to hurt you big-time if you don't manage to get some distance between you and him in the eyes of the jury. You're going to have to break the link. He's sitting there looking surly. Maybe he thinks he's tough;

I don't know. I do know you'd better put some distance between yourself and what-ever being a tough guy represents.

You need to present yourself as someone the jurors can believe in. Briggs isn't going to put King on the stand. That helps you, but when he sees us separating you from him, he's going to realize that his client is in trouble.

STEVE

How do you know he won't testify?

O'BRIEN

King made a statement to the police when he was arrested. He said he didn't know Bobo. But the prosecution can prove that's a lie. So if he takes the stand, they can use his own statements against him and he's cooked. If you don't testify, you'll just make the tie between you and King stronger in the mind of the jury. I think you have to testify. And the way you spend the rest of your youth might well depend on how much the jury believes you.

STEVE

That woman said that King was with her.

O'BRIEN

Right, but Petrocelli didn't even bother with a lengthy cross-examination. Did you notice that? She dismissed Mrs. Moore with her tone of voice. A cousin who likes him testifies that he was with her. Big deal. Against all the evidence against him, it doesn't count for very much. His lawyer is going to rely on his closing argument to win the case, and I don't think that's going to be effective unless he's very, very lucky. Cases are won on closing arguments only on television, not in a real courtroom.

SINGLE MS: We see **STEVE** nodding, but he is looking down. We see **O'BRIEN** looking at him, studying him closely. She sits down and takes a deep breath.

O'BRIEN

(Puts a paper cup on the table.) Okay, Steve, now stay with me. We're going to play a

little game. I'm going to take this cup and place it on the table. Then I'm going to ask you some questions. When I like the answers you give me, I'll leave the cup facing up. When I don't like the answers, I'll turn it upside down. You figure out what's wrong with the answer you gave me. All right?

STEVE

Why? (O'BRIEN doesn't answer. Then we see STEVE nod his assent.)

O'BRIEN

Did you know James King?

STEVE

No?

CUT TO: O'BRIEN turns the cup down.

STEVE

Yeah, casually.

CUT TO: O'BRIEN turns the cup up.

O'BRIEN

When was the last time you spoke to him before the robbery?

STEVE

Last summer?

CUT TO: O'BRIEN turns the cup down.

STEVE

I don't know for sure. I mean, he's not like a guy I talk with a lot.

CUT TO: O'BRIEN turns the cup up.

THEN: The camera moves farther and farther away from the pair. We see another prisoner and lawyer enter the room. We don't hear O'BRIEN's questions or STEVE's answers but we see O'BRIEN turning the cup.

FADE TO BLACK.

FADE IN: INTERIOR: CELL at nighttime: We barely see the outlines of the inmates, 2 of whom are sleeping on the floor.

when you were out there on the street. Now you talking survival. You talking about another chance to breathe some air 5 other guys ain't breathing.

VO (INMATE 1)

You get up on the witness stand and the prosecutor talks about looking for truth when they really mean they looking for a way to stick you under the jail.

VO (INMATE 3, in a cry for help)

I've spent half my life in the joint, man. Where's my life? Where's my damned life?

We hear the toilet flush as scene ends.

CUT TO: INTERIOR: JAIL. STEVE is dressing for court. We see him checking out his hand, which is slightly swollen.

CUT TO: STEVE sitting in back of van. He holds his hands out in front of his face. They are shaking.

CUT TO: STEVE on stand.

O'BRIEN

Mr. Harmon, did you act as a lookout for the drugstore robbery or check out the store so that a robbery could be safely committed?

STEVE

No, I did not.

O'BRIEN

Mr. Harmon, did you discuss with anyone that you would act as a lookout or that you would check out the store?

STEVE

No, I did not.

O'BRIEN

Mr. Harmon, were you in the drugstore owned by Mr. Nesbitt, the victim, on the 22nd of December of last year?

STEVE

No, I was not.

O'BRIEN

Are you sure in your mind that you know what a lookout would do?

STEVE

Yes, I am.

O'BRIEN

One last question. Were you in any way involved with the crime that we are discussing here? To make it clear—were you, in any way, involved with the holdup and murder that occurred on the 22nd of December?

STEVE

No, I was not.

O'BRIEN

Nothing further.

CUT TO: PETROCELLI riffling through papers. She stops occasionally, looks toward STEVE, and nods. PETROCELLI leans back in her chair and visually confronts STEVE for a long beat. Then she gets up and goes to podium.

PETROCELLI

Mr. Harmon, do you know James King?

STEVE

I know him from the neighborhood.

PETROCELLI

You talk to him much?

STEVE

Once in a while.

PETROCELLI

Once in a while. When was the last time you spoke to him before the robbery?

STEVE

I don't know exactly, but it was during the school year.

PETROCELLI

Didn't you speak to him in December?

STEVE

I don't think so, but I might have.

PETROCELLI

Which is it? You don't think so or you don't remember?

STEVE

Both. I mean, I might have spoken to him, but we don't talk about anything important enough to remember.

PETROCELLI

What do you talk about?

STEVE

Usually I see him in the playground. Maybe he'd say something like "Those guys can't play ball," stuff like that.

PETROCELLI

"Those guys can't play ball." Did you ever see him play ball?

STEVE

I don't remember seeing him play ball.

PETROCELLI

You having trouble remembering what you've seen?

STEVE

No, but I've seen a lot of ball games. I watch a lot of ball games.

PETROCELLI

Are you nervous? Do you want to take a few minutes?

STEVE

No.

PETROCELLI

You talk to Bobo sometimes?

O'BRIEN

Objection. We've been referring to the witness as Mr. Evans.

JUDGE

Sustained.

PETROCELLI

Have you spoken with Mr. Evans?

STEVE

I might have said "Hi" to him. I've