

HOMICIDE: LIFE ON THE STREET
"Colors"

Written by
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FADE IN:

EXT. HICKORY AVENUE/ROLAND PARK - EARLY EVENING

An average, ordinary middle-class neighborhood. Solid homes. Well-kept lawns. Family-size cars. Completely out of place, a regulation Baltimore City Police Department Cavalier drives along.

BOLANDER (O.C.)

Nothing is real.

PEMBLETON (O.C.)

What do you mean, nothing is real?

BOLANDER (O.C.)

There is no reality.

PEMBLETON

Really...

The Cavalier pulls over to curb. FRANK PEMBLETON gets out of driver's side as STANLEY BOLANDER emerges from the passenger's. They head down the sidewalk.

BOLANDER

Take the color green. You see green, I see green. We call it "green" because as a society we have agreed that this thing, this color, is green. We think we're having the shared experience of green, but how do we know? Maybe my green is actually greener than your green.

PEMBLETON

You mean, maybe my green is red?

BOLANDER

Maybe. Take colorblind people, they carry with them a stigma --

PEMBLETON

A stigmatism.

BOLANDER

Because they don't see what the rest of us see as green. But maybe, just maybe, their perception is correct. Maybe a colorblind person is actually seeing pure green, the real green.

They pass through yellow plastic police lines. We become aware that the calm of the neighborhood has been shattered by a crime. An M.E. Van waits for its latest passenger. UNIFORMS hold ONLOOKERS at bay. Other POLICE PERSONNEL move in and out of a white, two story home.

PEMBLETON

Man, this is just my luck. I get a call. My partner's off tonight. So I look around the Squad Room. I see Munch. No. I see Howard. No. Felton. Lewis. No. No. I think Bolander. I'll take Bolander. He's the only one who won't drive me crazy.

BOLANDER

I'm driving you crazy?

PEMBLETON

Philosophizing. You're not know as the philosophical type, Stan.

BOLANDER

You get shot in the head, it makes you think.

They reach the front door of the house. The BODY of a seventeen year old, olive-skinned man, Hikmet Gersel, lies dead, shot through the chest. His face is covered with white stage makeup. He wears a leather jacket. ALYSSA DYER, Assistant Medical Examiner, takes notes. PEMBLETON turns to Officer STEVEN PASKULY.

PEMBLETON

Hey, Paskuly, what've we got?

PASKULY

The deceased name is Hikmet Gersel, G-E-R-S-E-L.

(MORE)

PASKULY (CONT'D)

Seventeen years old, exchange student from Turkey.

BOLANDER

Do Turks wear white makeup? Is that some kind of religious thing? Or is he a mime?

PASKULY

The owner of the house thought he was a burglar, shot him.

PEMBLETON

Where's the homeowner?

PASKULY

Inside. I got him and his wife in separate rooms. Plus a friend of this kid here. The friend says they were going to a party and got the wrong address.

PEMBLETON, BOLANDER and PASKULY enter house.

INT. LIVING ROOM/JIM BAYLISS HOME - EARLY EVENING

PEMBLETON, BOLANDER and PASKULY enter. COPS all over. A MAN in his mid-thirties sits with his head in his hands.

PASKULY (CONT.)

The guy's name is Jim Bayliss.

The MAN looks up, lost, confused. PEMBLETON registers surprise, leans into BOLANDER.

PEMBLETON

Stan -- Jim Bayliss, he's Tim's cousin.

BOLANDER looks at PEMBLETON, then at JIM. On JIM, in shock,

FADE TO:

MAIN TITLES

ACT ONE

FADE IN:

INT. TIM BAYLISS' CAR - NIGHT

CU on TIM BAYLISS' face.

PEMBLETON (V.O.)

You have the right to remain silent.
Anything you say can and will be used
against you in a court of law. Do you
understand?

JIM (V.O.)

Yes.

CAMERA PULLS BACK TO REVEAL BAYLISS, in street clothes, in
his own Car, driving, alone.

PEMBLETON (V.O.)

Do you need me to explain further?

JIM (V.O.)

No. I'm a lawyer.

PEMBLETON (V.O.)

Even so. I have to ask.

JIM (V.O.)

Of course.

BAYLISS pulls up to curb.

EXT. HICKORY AVENUE/ROLAND PARK - NIGHT

Car stops. BAYLISS gets out.

PEMBLETON (V.O.)

You have the right to an attorney. If you
decide not to speak to an attorney at this
time, no questions will be asked of you. Do
you understand?

JIM (V.O.)

Yes.

BAYLISS crosses to the Jim Bayliss' home as the M.E. TEAM puts BODY into van.

INT. DEN/JIM BAYLISS HOME - NIGHT

PEMBLETON sits beside JIM.

PEMBLETON

Do you need me to explain further?

JIM

No.

PEMBLETON

If you do decide to speak to us, you may stop at anytime. Do you understand?

JIM nods.

INT. LIVING ROOM/JIM BAYLISS HOME - NIGHT

BAYLISS enters, looks around at the chaos.

PEMBLETON (O.C., CONT.)

Do you need me to explain further?

JIM (O.C.)

No.

BAYLISS, on a mission, crosses to BOLANDER.

BAYLISS

Where is he?

BOLANDER

The den.

BAYLISS turns toward Den, BOLANDER reacts.

BOLANDER (CONT.)

Hey, Tim, wait --

BAYLISS keeps going.

INT. DEN/JIM BAYLISS HOME - NIGHT

JIM and PEMBLETON sit opposite each other.

PEMBLETON

If you wish an attorney, you will be
afforded one. Do you --

Door opens. BAYLISS enters.

BAYLISS

Jim, you okay?

PEMBLETON is up on his feet instantly.

PEMBLETON

Hey, hey, Tim, you know you're not allowed
in here.

BAYLISS

He's my cousin.

PEMBLETON

That's why you're not allowed.

BAYLISS

Frank, this is me here. Don't start giving
me regulations, don't shove procedures in
my face --

PEMBLETON

Calm down.

BAYLISS

And don't tell me to calm down --

JIM

Teege.

BAYLISS turns to face JIM.

JIM (CONT.)

It's okay.

BAYLISS

But --

JIM gives him an "I-got-it-under-control" look. BAYLISS

hesitates for a beat, nods, looks at PEMBLETON, turns, exits. BOLANDER closes the door.

JIM

Working Homicide has really changed him.
Teege never used to be so... aggressive.

PEMBLETON

Why do you call Tim "Teege"?

JIM

It's a family nickname. When we were playing basketball in school, we were the dynamic duo. Tim and Jim. T and J. Teege... Stupid, huh?

PEMBLETON

Growing up, my brothers called me Bucky.
Can't remember why.

(resumes his seat)

Okay. To repeat... If you want a lawyer,
you will be afforded one.

JIM shakes his head, no.

INT. MASTER BEDROOM/JIM BAYLISS HOME - NIGHT

SHANNON BAYLISS, mid-thirties, sits on canopied bed, holding one CHILD, six months old. On the floor, two other CHILDREN, three and six, play. BAYLISS enters.

BAYLISS

Shannon --

SHANNON sees him, smiles relieved. The CHILDREN also react. QUICK CUTS of hugs, kisses. Then:

SHANNON

It's a nightmare.

BAYLISS

Yeah.

SHANNON

I called my parents. Asked them to come watch the kids. The detective says I'll have to go down to Headquarters to tell

(MORE)

SHANNON (CONT'D)

what happened. He was very nice about it.

BAYLISS

Pembleton?

SHANNON

The white one. You want some coffee or something?

BAYLISS

Naw. Actually I gotta hit the head.

(hugs SHANNON again)

Everything's gonna be fine.

BAYLISS exits.

INT. HALLWAY/JIM BAYLISS HOME - NIGHT

BAYLISS enters, walks to Bathroom. The door is locked. He looks inside one of the Children's Rooms.

BAYLISS' POV: another seventeen year old, DAVID SCHOLTZ, whose face is also covered in white makeup and wearing a leather jacket. Bathroom door opens. BOLANDER emerges.

BOLANDER

There must been okra in the Kentucky Burgoo I had with dinner. I get a bad reaction to okra.

BAYLISS

(indicates SCHOLTZ)

Who's the kid?

BOLANDER

Friend of the deceased.

BOLANDER heads off. BAYLISS stares at SCHOLTZ, who looks up, sees BAYLISS and looks away, nervously. BAYLISS enters the Bathroom, shutting the door behind him.

INT. DEN/JIM BAYLISS HOME - NIGHT

JIM sits alone. Beat. PEMBLETON enters with a UNIFORM.

PEMBLETON

Alright, Jim, this officer is going to transport you to Headquarters where we'll take your statement.

JIM

I told the first policeman who arrived everything.

PEMBLETON

Uh-huh. But I'd kinda like to hear it for myself.

JIM

Okay.

Pembleton turns to UNIFORM, who takes out handcuffs. JIM reacts, surprised.

PEMBLETON

Sorry. It's standard.

JIM

Yeah... I know that.

UNIFORM cuffs JIM, who faces PEMBLETON with fragile smile.

JIM (CONT.)

I've just never been handcuffed before.

PEMBLETON nods to UNIFORM, who escorts JIM out.

INT. HALLWAY/JIM BAYLISS HOME - NIGHT

BAYLISS hovers by the Den door as JIM and UNIFORM come out, followed by PEMBLETON. BAYLISS sees JIM cuffed, reacts. BOLANDER approaches, carrying a .44 caliber Smith and Wesson revolver.

BOLANDER

We need you to identify this as the weapon you used.

JIM

Yes. It is. That's it.

SHANNON comes out Bedroom, see her HUSBAND handcuffed and the revolver. She lets out a WAIL. BAYLISS goes to her,

holds her. On JIM, being led out the door,

CUT TO:

INT. SQUAD ROOM/HOMICIDE UNIT - NIGHT

The name "G-E-R-S-E-L" is written on "The Board" in RED under Pembleton's name.

PULL BACK to REVEAL MELDRICK LEWIS leaning over the shoulder of JOHN MUNCH, who sits at his desk, poring over financial ledgers.

LEWIS

The restaurant is losing money?

MUNCH

The restaurant's not losing money, we're losing money. All of our money.

LEWIS

How's that possible? The bar's full every night.

MUNCH

The bar is full. The restaurant is empty. We gotta figure out a way to get people to come in and eat.

LEWIS

You wanna know the best way to get people to come in and eat? Serve good food.

MUNCH

We serve good food.

LEWIS

Our chef, Henri? He stinks. I don't even think he's really French.

MUNCH

You don't like the food?

LEWIS

The truth? Since you hired that frog man, I only are there but once. I tried his Croque Monsieur and I got the runs.

(MORE)

LEWIS (CONT'D)

I say we hand Henri his toque and point to the door.

BAYLISS crosses by.

MUNCH

Hey, partner, we need to have a confab.

BAYLISS

Later.

BAYLISS continues to "The Box", where the blinds are closed. PEMBLETON and BOLANDER exit.

PEMBLETON

Okay. I'll take him down to the lab, GSR him.

BAYLISS

Frank, can we talk?

PEMBLETON

Sure.

BOLANDER

You want me in or out, Tim?

BAYLISS

Out, Stan. Thanks.

BOLANDER crosses toward Coffee Room.

BAYLISS (CONT.)

Look, I'm sorry for the way I behaved at my cousin's house. You just gotta understand, Jim and me, we grew up next door to each other. He and his brother Kurt were like my brothers. Jim's dad died when he was thirteen --

PEMBLETON

Tim --

BAYLISS

No, no, listen to me, Frank. I'm telling you all of this so that you know the kind

(MORE)

BAYLISS (CONT'D)
of person you're dealing with. He's not
some sleazy smokehound. He's a fine man, a
fine human being.

PEMBLETON
I don't doubt that.

BAYLISS
(takes a step back)
Oh, I see...

PEMBLETON
See what?

BAYLISS
You're giving me that look you give when
you've got your mind made up, when you've
decided to hunt for bear. Well, I'm here to
tell you, Frank, I'm not gonna let you do
it.

NAOMI approaches.

NAOMI
Excuse me... Bayliss, you told me to tell
you when your cousin's wife arrived.

BAYLISS signals NAOMI to wait.

BAYLISS
I'm not gonna let you hurt my family,
Frank. I know all your tricks. You better
not take one little baby step outta line.

SHANNON enters "The Aquarium", escorted by UNIFORM. BAYLISS
follows NAOMI over.

PEMBLETON
Tim --

BAYLISS keeps going. PEMBLETON watches BAYLISS as he enters
"The Aquarium".

INT. CRIME LAB/POLICE HEADQUARTERS - NIGHT

A Crime Lab TECHNICIAN sits at a table as PEMBLETON and JIM
enter.

PEMBLETON (CONT.)

We're gonna test your fingers for barium residue. That's the powder on a person's hand after a gun is discharged.

JIM

I know that, Frank. And you already know that I fired the gun.

PEMBLETON

No offense, but you say you fired the gun. I believe you, but I don't know. Maybe you're saying you fired the gun to protect someone else.

JIM

I fired the gun.

PEMBLETON

After the test, we'll have proof that what you say is true. It's important, in a case like this to be sure, absolutely sure, about every single element.

JIM

Right.

JIM sits, watches as Crime Lab TECHNICIAN puts a thimble-like instrument, the "dabber", on his own finger. He dabs up and down JIM's hand, starting at the top of the forefinger, then into the webbing between the forefinger and thumb, making sure to cover the inside of the fingers and the back of the hand. As he does, dabbing about a hundred times, PEMBLETON and JIM talk.

PEMBLETON

May I ask where you got the gun?

JIM

I just bought it about a month ago. There've been a couple burglaries in our neighborhood. One couple got tied up. The wife was raped. I figured, these days, I'd better be prepared. I've never owned one before. Never even shot it before tonight.

PEMBLETON

Why'd you choose a forty-four?

JIM

Teege picked it out for me. He knows guns.

PEMBLETON

Me, I would've had you buy a three fifty-seven.

JIM

Why?

PEMBLETON

A forty-four is a big gun. No one needs a gun that big.

JIM

What kind have you got there?
(indicates gun in
Pembleton's holster)

PEMBLETON

A nine millimeter Glock.

JIM

Is that a good kind?

PEMBLETON

Depends what you like. Some of the guys held onto their thirty-eights when the Department started issuing Glocks.

JIM

But you like that one better?

PEMBLETON

Holds more rounds in the clip. I'd rather have the fire power already loaded, just in case, y'know? Stopping power is greater, too.

JIM

You mean impact?

PEMBLETON

Yeah, this gun discharges at nine hundred and ninety feet per second.

JIM

That's fast...

(looks away, lost in
thought)

I bought the gun so that my family would feel safe. It's funny... When I was a kid, we never even locked our front door.

The Crime Lab TECHNICIAN puts the dabber into a plastic ziplock bag.

INT. GIARDELLO'S OFFICE/HOMICIDE UNIT - NIGHT

AL GIARDELLO works at his desk. BAYLISS enters without knocking.

BAYLISS

Gee, I want to be in the "The Box" when Pembleton interrogates my cousin.

GIARDELLO looks up, takes off his glasses.

BAYLISS (CONT.)

I know that it's the first rule drilled into us at the Academy -- when a relative's involved we have to stay out -- but I think I should be given a little leeway here. He's gonna have to face Pembleton and we've all seen what Pembleton can do to somebody in that Box. So I'm asking you, Gee, let me be there for my cousin.

GIARDELLO

We have to do this by the book, so that there are no questions later.

BAYLISS

You're saying no?

GIARDELLO

I'm saying no.

BAYLISS turns to go.

GIARDELLO (CONT.)

You can watch from the Observation Room.

BAYLISS nods.

GIARDELLO (CONT.)

I promise, we'll do right by him.

BAYLISS exits.

INT. SQUAD ROOM/HOMICIDE UNIT - NIGHT

BAYLISS crosses to "The Box", looks inside.

BAYLISS POV: JIM sits opposite PEMBLETON and BOLANDER.
They're laughing.

BAYLISS stops, takes a breath, crosses to Observation Room.

INT. OBSERVATION ROOM/HOMICIDE UNIT - NIGHT

JIM sits opposite PEMBLETON and BOLANDER.

BOLANDER

So, you and Tim were big basketball stars,
huh?

JIM

We were the two tallest guys in our school.
We also grew up playing hoop together in
his backyard so we knew each other's moves.

BOLANDER

You ever think about turning pro?

JIM

Naw. We were okay -- for white guys...
Besides I needed to keep my grades up. I
had to study if I wanted to get into a good
law school.

PEMBLETON

Jim --

(smiles)

I know you told the uniforms, when they
first arrived at your house, what happened.
But sometimes, so near the actual event,

(MORE)

PEMBLETON (CONT'D)

people get caught up, y'know, and they leave things out. Now that you've had a chance to, to, relax, I'd like you to -- and take as much time as you need -- to tell us exactly, step-by step, what transpired.

JIM

Sure... How far back do you want me to start?

PEMBLETON

Wherever. You tell us.

JIM

Alright... I was in the den, playing with my kids...

On JIM, remembering,

FLASH BACK TO:

INT. DEN/JIM BAYLISS HOME - EARLY EVENING

JIM bounces his three year old DAUGHTER around. His six year old SON tugs at his knee.

JIM (V.O.)

The doorbell rang. Shannon called from the living room, said she'd get it.

JIM swings his DAUGHTER, who SQUEALS with laughter.

JIM (V.O.) (CONT.)

I'd been working a lot lately. This was the first change I'd had in a while to spend with the kids.

O.C., HEAR SHANNON SCREAM.

JIM (V.O.) (CONT.)

All of a sudden, Shannon screamed. So I went running.

JIM is up and out of the room.

INT. HALLWAY/JIM BAYLISS HOME - EARLY EVENING

JIM meets SHANNON halfway.

JIM (V.O.)

Shannon was yelling about this weirdo at
the front door.

JIM leads SHANNON to Den, pushes her inside, closes door.

ACT TWO

FADE IN:

INT. "THE BOX"/HOMICIDE UNIT - NIGHT

SHANNON sits opposite PEMBLETON and BOLANDER.

BOLANDER

Shannon, we'd like you tell us exactly what you remember. Don't leave anything out, no matter how trivial may seem.

PULL BACK to REVEAL BAYLISS in Observation Room.

SHANNON

Jim is a good man. A good husband. A good, a great father.

BOLANDER

No one's attacking his character.

PEMBLETON

We need to hear what happened.

SHANNON

I'm not sure that what I remember is what happened...

PEMBLETON

Where were you when the doorbell rang?

SHANNON

In the kitchen, cleaning up.

On SHANNON, nervous,

FLASH BACK TO:

INT. KITCHEN/JIM BAYLISS HOME - EARLY EVENING

SHANNON puts the last plate in the dishwasher, turns it on.

PEMBLETON (V.O.)

Where was your husband?

SHANNON (V.O.)

In the den. Working, I guess.

PEMBLETON (V.O.)

Where were your children?

SHANNON (V.O.)

I'd just put the baby down for the night. I don't know where the other two were. No, wait, maybe they were with Jim...

PEMBLETON (V.O.)

It's not important. Go on.

The doorbell RINGS.

SHANNON (V.O.)

I heard the bell. It rang a couple times. I figured Jim wasn't going to get it, so I went.

She crosses out.

INT. LIVING ROOM/JIM BAYLISS HOME - EARLY EVENING

SHANNON goes to front door, opens it, revealing GERSEL.

SHANNON (V.O.)

This young man was standing there, with white makeup on. At first, I was startled, so I let out this yelp. He was laughing and dancing and singing some song. But in a foreign language. I asked him what he wanted and he kept talking in this odd language. So, I said, "Wait a moment, I'll get my husband" and I shut the door.

SHANNON shuts door.

SHANNON (V.O.) (CONT.)

He started knocking on the door and laughing and singing again.

She exits.

INT. HALLWAY/JIM BAYLISS HOME - EARLY EVENING

SHANNON crosses to Den.

BOLANDER (V.O.)
Did he seem to be on drugs?

SHANNON (V.O.)
Yes. Maybe.

JIM comes out of Den as she approaches.

SHANNON (V.O.) (CONT.)
I told Jim what was going on. We went back
to the living room.

BOLANDER (V.O.)
You went back to the front door with him?

JIM and SHANNON exit.

INT. LIVING ROOM/JIM BAYLISS HOME - EARLY EVENING

JIM and SHANNON enter.

SHANNON (V.O.)
Yes. Well, he went to the front door. I
stayed back away.

She stands in archway between Hall and Living Room. JIM
opens door.

SHANNON (V.O.) (CONT.)
Jim tried to figure out what the young man
wanted. But he was being so silly and loud
and aggressive, that Jim finally lost his
patience.

With both hands, JIM shoves GERSEL, who falls backwards
onto sidewalk. JIM SLAMS door.

SHANNON (V.O.) (CONT.)
But the young man wouldn't go away. He kept
knocking and knocking, yelling and singing.
That's when I went back to check on the
kids. I suddenly got very worried about
them. We've been having some problems in
our area.

INT. HALLWAY/JIM BAYLISS HOME - EARLY EVENING

SHANNON walks toward Den.

SHANNON (V.O.)

I was walking down the hall and -- this is inane, but -- the floorboards squeaked. I remember thinking about how the floor was squeaking, when all of a sudden I heard --

ECU of SHANNON's face. On the SOUND of the gun BLAST,
FLASH FORWARD

TO:

INT. "THE BOX"/HOMICIDE UNIT - NIGHT

ECU of SHANNON's face.

SHANNON

I'll never forget that sound. It echoed through our house. It shook the house, like an earthquake...

PEMBLETON

From what you're saying, the situation at the door was tense but explosive. How did things escalate so fast?

SHANNON

Jim can get very frustrated by people who don't speak English well. He always says that the taxi cab drivers in Baltimore only know their way around Beirut.

PEMBLETON rubs his hand across his bald head.

BOLANDER

Well, uh, thank you.

SHANNON

I'm done?

BOLANDER

You're done. I'll have an officer drive you home.

SHANNON

If you don't mind, I'd rather wait for my husband.

BOLANDER turns from SHANNON to PEMBLETON, then back to SHANNON. BOLANDER smiles his friendliest smile.

BOLANDER

No problem.

SHANNON rises.

INT. OBSERVATION ROOM/HOMICIDE UNIT - NIGHT

BAYLISS watches SHANNON and BOLANDER exit. KAY HOWARD enters, carrying a cup of coffee. BAYLISS turns to face her. HOWARD offers cup.

HOWARD

Thought you could use this.

BAYLISS

Thanks.

(sips)

It's black.

HOWARD

I wasn't sure how you take it.

BAYLISS

Usually with a little cream.

HOWARD

Oh. Sorry. You want me to get you some cream?

BAYLISS

No.

BAYLISS turns, looks back into "The Box". Howard exits.

INT. "THE BOX"/HOMICIDE UNIT - NIGHT

PEMBLETON and BOLANDER sit opposite SCHOLTZ, still wearing whiteface and leather jacket.

BOLANDER

You were friends with Hikmet and Gersel.

SCHOLTZ

Yes, he goes to my high school... He came in this past September.

PULL BACK to REVEAL BAYLISS in Observation Room.

PEMBLETON

You two were going to a party tonight?

SCHOLTZ

A Kiss party.

BOLANDER

What is that? A make-out party?

SCHOLTZ

Kiss, the rock group? This is the way they used to dress. A bunch of us are hardcore Kiss fans. Hikmet thought Gene Simmons was the coolest. One of the girls in our school decided to have a costume party... Do you think I could get a towel? The makeup is starting to cake. I'd like to take it off.

BOLANDER rises, calls out door.

BOLANDER

Can we get a towel, please?

BOLANDER closes door, sits.

PEMBLETON

So you're going to this party...

SCHOLTZ

We got lost. We thought we were on Hickory Lane, not Hickory Avenue.

On SCHOLTZ, remembering,

FLASH BACK TO:

EXT. HICKORY AVENUE/ROLAND PARK - EARLY EVENING

Pick-up truck drives along.

SCHOLTZ (V.O.)

Hikmet was really excited about going to the party.

The pick-up stops in middle of street.

INT. PICK-UP TRUCK/HICKORY AVENUE - EARLY EVENING

GERSEL and SCHOLTZ sit side-by-side. GERSEL points to house.

SCHOLTZ (V.O.)

We were so happy when we finally found the place. Hikmet couldn't wait, he jumped out of the truck.

GERSEL leaps out. SCHOLTZ laughs.

EXT. HICKORY AVENUE/ROLAND PARK - EARLY EVENING

GERSEL runs up to the house.

SCHOLTZ (V.O.)

I drove around the corner to park.

Pick-up pulls away.

INT. PICK-UP TRUCK/HICKORY AVENUE - EARLY EVENING

SCHOLTZ drives with one hand, pulls out bottle of Jack Daniels.

SCHOLTZ (V.O.)

I... Hikmet and I had both been drinking. A lot.

SCHOLTZ parks.

EXT. HICKORY AVENUE/ROLAND PARK - EARLY EVENING

SCHOLTZ exits pick-up, crosses to bushes.

SCHOLTZ (V.O.)

And I suddenly got sick.

On SCHOLTZ, leaning over, puking,

TIME CUT TO:

EXT. JIM BAYLISS HOME/HICKORY AVENUE - EARLY EVENING

SCHOLTZ walks across street.

SCHOLTZ (V.O.)

I was crossing the street when I saw Hikmet standing at the front door of the house. And a guy in the doorway was holding a gun. They were both yelling loud. The guy aimed the gun at Hikmet's chest, Hikmet put his hand's up. Then the guy --

ECU of SCHOLTZ's face. On the SOUND of the gun BLAST,

CUT TO:

INT. "THE BOX"/HOMICIDE UNIT - NIGHT

ECU of SCHOLTZ, who wipes his face with towel.

PEMBLETON

Hikmet had his hands up?

SCHOLTZ

Yes, sir.

PEMBLETON turns to BOLANDER. SCHOLTZ finished wiping off the makeup. Underneath is a sweet-faced teenager.

SCHOLTZ (CONT.)

I think I'd better call my mom.

BOLANDER nods.

INT. GIARDELLO'S OFFICE/HOMICIDE UNIT - NIGHT

GIARDELLO sits, as BAYLISS and PEMBLETON face off.

PEMBLETON

He held up his hands.

BAYLISS

Says who? That little freak? He was across the street, in the dark. And drunk.

(MORE)

BAYLISS (CONT'D)

You gonna believe his word over my cousin?

PEMBLETON

The law says a homeowner is justified in using lethal force if he perceives a threat to his life or the lives of his family. If Hikmet Gersel had his hands up, then we've got a whole lot more going on here than justifiable homicide.

BAYLISS

What're you saying, Frank, that my cousin murdered the kid?

PEMBLETON

I'm saying I got three different versions of the same story. I can understand Scholtz's version being different from Jim's, but not his own wife's.

BAYLISS

Shannon's a great girl, but she's a little flaky.

PEMBLETON

(to GIARDELLO)

I want another crack at Jim.

BAYLISS

C'mon, Gee, it's nearly midnight. Let me take him home. Let him get some rest. Whatever else you need, you get in the morning.

PEMBLETON

You let him walk out now, we lose whatever chance we have of finding the truth.

BAYLISS

We already know the truth.

GIARDELLO

(rises)

Go ahead with the interview, Frank.

PEMBLETON exits. BAYLISS rages.

BAYLISS

I know what this is about. You and he have always had this father-son thing going. You have always favored him over me.

GIARDELLO

What're you talking about?

BAYLISS

You know exactly what I'm talking about.

GIARDELLO

What? You mean because you're white?

BAYLISS

Bingo.

GIARDELLO

That's not true.

BAYLISS

It is true, whether you want to admit it to yourself or not.

GIARDELLO

Listen to me: When the sun comes up on this shooting, I'm going to have -- not just the bosses and the media on my ass -- but the boys in Washington, the Turkish Embassy. We have the potential here for an international incident.

BAYLISS

Oh, I see, this is all about saving your ass --

GIARDELLO

Careful, Bayliss --

BAYLISS

Eat me, Gee.

GIARDELLO

I'm gonna let that pass, Bayliss. Now get out.

BAYLISS turns and goes.

INT. "THE BOX"/HOMICIDE UNIT - NIGHT

PEMBLETON and BOLANDER stand watching as JIM enters, cuffed, escorted by UNIFORM.

BOLANDER

Take those handcuffs off.

UNIFORM obliges.

BOLANDER (CONT.)

Everybody been treating you okay?

JIM

Yes.

BOLANDER

You want something to eat or drink? You hungry?

JIM

No, thanks. I never eat this late.

BOLANDER

That's probably wise. For me, about this time of night, all I want is a bag of Utz.

UNIFORM exits. BOLANDER sits.

BOLANDER (CONT.)

Have a seat.

JIM sits.

JIM

You've got more questions?

BOLANDER

I don't. Frank does.

PEMBLETON

Well, y'know how it is, you think you've asked every possible question, then suddenly you go, "What an idiot I am. I forgot about this or that"...

JIM

Like what?

PEMBLETON

Hikmet Gersel, that's the name of the boy you shot. Since last fall, he's been an exchange student at Polytech High School. That's not far from your house. You ever see him before?

JIM

No.

PEMBLETON

At the supermarket? The mall?

JIM

No.

PEMBLETON

Okay, good.

BOLANDER

You said that when Hikmet came to your door you were afraid he might be a burglar.

JIM

That's right.

PEMBLETON

In your experience, do burglars usually come and ring the front doorbell?

JIM

These days, who knows? Just when I think I've heard about the most twisted perverted crime possible, the morning paper delivers a more twisted, more perverted one on my doorstep. My law firm has dockets full of crimes that make no sense.

PEMBLETON

You told us that you said to Hikmet, "Get away fro here," then "Get away from my house," and finally, "Get away."

JIM

Uh-huh.

PEMBLETON

Were those the only words you said to him?

JIM

No, I'm sure I said a lot more, like, "What do you want?"

BOLANDER

When you brought out the gun did you say anything?

JIM

Yes, I think I said, "Back off or I'll shoot," something like that.

BOLANDER

Did Hikmet respond?

JIM

He was muttering away, I couldn't understand him.

PEMBLETON

Did you know he was speaking a foreign language.

JIM

For all I know he was on PCP. He was talking in a singsong kind of way. Real crazy.

PEMBLETON

You had no idea he was speaking in a foreign language?

JIM

He said some words in English that didn't make sense.

BOLANDER

Like what?

JIM

Something like, "That's the kind of sugar Pappa likes."

BOLANDER

When you pointed the gun at him, did he do anything?

JIM

He laughed this bizarre laugh, then he tried to grab it. I told you that already.

PEMBLETON

He laughed because he thought you were joking?

JIM

I don't know what he was thinking, you'd have to ask him.

PEMBLETON

Unfortunately, I can't...

JIM

What the hell is that supposed to mean? Look, I've been straight with you guy since the start. If you're accusing me of something, come out and say it. Quit the games.

PEMBLETON

We're not here to judge you, Jim, we're simply trying to get the clearest possible picture of what went on. We don't decide right or wrong. Only you know whether or not you did something wrong. If there's anything you're holding back, anything you'd like to get off your chest --

SOUND of BANGING, coming from the other side of the mirror.

INT. OBSERVATION ROOM/HOMICIDE UNIT - NIGHT

BAYLISS stands, BANGING on glass. PEMBLETON turns, stares into the Observation Room. BAYLISS stops.

INT. "THE BOX"/HOMICIDE UNIT - NIGHT

PEMBLETON turns back to JIM and BOLANDER.

BOLANDER

Can you do me a favor? Can you show me how he reached for the gun? Stand up and show me.

JIM

I...

BOLANDER

(stands)

C'mon, please. I'll be you. You be the kid.

JIM stands.

BOLANDER (CONT.)

Okay.

(mimes gun)

I've got the gun. What does he do? Act it out.

JIM raises one arm to reach for the imaginary gun.

JIM

Like that. But quicker.

BOLANDER

I see. Okay. Let me do it. You be you.

JIM mimes the gun. BOLANDER reaches for it, holds both arms up as if to surrender, then grabs gun.

BOLANDER (CONT.)

Like that?

JIM

This arm was lower. Like this.

He brings both of BOLANDER's arms up, but keeps one lower.

BOLANDER

Thanks. I see now, yeah. Please, sit down.

Beat. PEMBLETON opens a file.

PEMBLETON

Your youngest brother, Kurt, was in Kuwait, right? During the Persian Gulf war?

JIM

Yes.

PEMBLETON

He got shot, he died.

JIM

Yes.

PEMBLETON

How did that make you feel?

JIM

You are a bright guy, Detective, how do you think it made me feel?

More BANGING on mirror from BAYLISS, then silence.

PEMBLETON

You said earlier that you'd never had cuffs on before tonight. Yet I found a prior -- aggravated assault.

JIM

I wasn't arrested per se. Teege took into the Police Station

PEMBLETON

What had happened?

JIM

I was drinking in those days. We were in a bar. Some punk said something I didn't appreciate, I let him have it.

PEMBLETON

This punk was named Parviz Nejhat. He was Iranian.

Another BANG.

JIM

What's your point?

PEMBLETON

My point, Jim, is why -- after you closed the door in Gersel's face -- why didn't you just call the cops? Why was your first impulse to get the gun? Why was your only impulse to shoot the boy?

JIM reacts. A SERIES of BANGS -- harder and harder. Suddenly, the mirror EXPLODES, shattering all over the floor. BAYLISS stands on the other side. On PEMBLETON, facing BAYLISS,

FADE OUT.

ACT THREE

FADE IN:

INT. BALLISTICS/POLICE HEADQUARTERS - NIGHT

SOUND of a gun BLAST, REVEAL WESTMORELAND MAXWELL test firing Jim's revolver. REVEAL PEMBLETON, BAYLISS and Assistant State's Attorney ED DANVERS watching. MAXWELL approaches them.

MAXWELL

The bullet that killed Hikmet Gersel was definitely fired from this gun.

BAYLISS

We already knew that.

(to PEMBLETON)

Or are you thinking that Jim shot the kid then switched guns? Surrendered a different gun? What kind of case are you trying to build here?

PEMBLETON

Bayliss, why don't you go break some more windows.

(to DANVERS)

Does he have to be here?

DANVERS

I don't think we're compromising anything by his presence. Go on.

PEMBLETON

Okay. Theoretically, a woman can lead a man on, go up to his room, take off her clothes, jump into bed -- it becomes rape the moment she says stop. Jim may have feared for his life at some point during the confrontation, but he wasn't afraid at the moment he fired the fatal bullet.

BAYLISS

He made a bad judgment call. You're gonna crucify him for making a mistake?

PEMBLETON

This is more than a bad judgment call. He killed Gersel for some other reason.

DANVERS

What other reason?

PEMBLETON

I think it's racially motivated.

BAYLISS

Why does that not surprise me, Frank? Why am I not stunned that you've unearthed yet another racial injustice?

PEMBLETON

I guess you know me too well, Tim.

BAYLISS

Danvers, will you put a stop to this nonsense?

DANVERS

I could deem the incident accidental, a misunderstanding established by circumstances. I could decide that the suspect not be charged. But I'm not sure I should take on the burden of determination... I'm going to recommend we go before a Grand Jury --

BAYLISS

On what charge?

DANVERS

Manslaughter.

BAYLISS

What? Why?

DANVERS

Because you're a cop. Because your cousin's white. I don't want it to look like we're showing any favoritism.

BAYLISS

Oh, I see. In an effort not to show favoritism, Jim's being overly prosecuted.

BAYLISS walks away. On DANVERS, turning to PEMBLETON,

CUT TO:

INT. HOLDING CELL/POLICE HEADQUARTERS - NIGHT

JIM sits, cramped together with two PRISONERS. BAYLISS enters, followed by TURNKEY, who opens cell door.

JIM

Man, I'm glad this is all over.

BAYLISS

Jim... It's a lot of bull, but there are some unanswered questions --

JIM

What're you talking about?

BAYLISS

The State's Attorney is putting the case before a Grand Jury.

JIM

You're not serious. I thought the creep was going to hurt my wife --

BAYLISS

What can I say? Everybody's trying to cover themselves.

JIM

Jeez...

BAYLISS

C'mon, we'll talk about this on the ride home. We just gotta go down to the Court Commissioner's Office to sign you out.

TURNKEY takes out handcuffs.

JIM

No. He's not putting those on me again.

BAYLISS

Jim --

JIM

Teege, man, I'm telling you, you don't know what it's like wearing those things -- it's like you have no control, it's like they can do anything they want to you.

BAYLISS

(to TURNKEY)

Can't we lose these?

TURNKEY

You know the rules.

BAYLISS

I'll be right with him. I'll be responsible.

TURNKEY

You gonna be responsible to feed my kid when I lose this job?

TURNKEY grabs JIM's wrist. JIM flings the TURNKEY's hand off.

JIM

Get away from me. I'm warning you -

BAYLISS

Hold on --

TURNKEY grabs JIM. PRISONERS start CHEERING, WHISTLING, as JIM deftly pushes TURNKEY, who falls hard to the floor. From behind, BAYLISS wraps his arms around JIM, who pushes him back into cell. JIM turns, out of control, facing BAYLISS, who is calm. They peer into each other's eyes.

BAYLISS (CONT.)

Trust me, Jimmy, this is the only way out.

JIM's rage diminishes. He looks around, sees TURNKEY getting up.

JIM

I'm sorry.

He holds out his wrists to be cuffed. On the cuffs tightening around JIM's wrists again,

CUT TO:

INT. SQUAD ROOM/HOMICIDE UNIT - NIGHT

HOWARD and LEWIS work at their desks as MUNCH enters, depressed.

MUNCH

Well, I did it. I fired Henri. I've never had to fire anyone before. I hate being a boss.

LEWIS

He took it badly, huh?

MUNCH

He stared at me with those sad, sweet, Gaulish eyes, so full of hope, so eager to please... But I didn't beat around the bus. I told him, flat out, "Mon aim, vous tees through."

LEWIS

What'd he do?

MUNCH

That's the incredible thing -- he simply held out his colander to me and left. What dignity. What grace.

LEWIS

Well, the good news is -- I hired us a cook. Not a chef. A cook. She starts tomorrow.

MUNCH

Where'd you find someone so fast?

LEWIS

In my own backyard. Literally. I hired my grandmother.

MUNCH

Your grandmother?

LEWIS

My grandmother.

MUNCH

We went from employing Henri de Segonzac, a graduate of Le Cordon Blue, to Granny Lewis?

LEWIS

She's spent the past twelve years making hash at Down Home Soul Cooking. She has, what we call, a following.

MUNCH

I love her to death.

PEMBLETON and BOLANDER enter.

HOWARD

Hey, what's the latest on Tim's cousin?

PEMBLETON

I'm going home.

PEMBLETON gets his things. BOLANDER moves to MUNCH, HOWARD and LEWIS.

BOLANDER

Danvers is sending the case to the Grand Jury.

MUNCH

Lovely.

LEWIS

How's Tim about that?

PEMBLETON SLAMS desk drawer, exits. LEWIS calls after him.

LEWIS (CONT.)

Nevermind.

BOLANDER sits at his desk, depressed.

MUNCH

What's the matter, Big Man?

BOLANDER

Am I the only one around here who thinks we are having an incredibly tough year? Am I the only one who thinks that God or Fate or the Furies, whoever deals out the cards, keeps dealing off the bottom of the deck? Lewis loses a partner, I get a bullet in the brain, Kay gets one in the heart and you, Munch, you had that incredibly dumbass idea about buying the restaurant...

MUNCH

I wouldn't say it was dumbass, exactly.

BOLANDER

You and me, we argue all the time. But never about the big stuff. Pembleton and Bayliss, this thing with Jim, this is big, this is ugly. I don't know how two partners could ever come back from something like this...

With that, BOLANDER goes to work. On LEWIS, HOWARD and MUNCH exchanging a glance,

CUT TO:

INT. TIM BAYLISS' CAR - CONTINUOUS

BAYLISS drives, JIM sits in passenger seat, SHANNON is in back.

JIM

My name was Captain Lightning.

BAYLISS

I was Zapman.

SHANNON

You guys were how old?

JIM

None of us had hit puberty.

(to BAYLISS)

What was Kurt's super identity?

BAYLISS

Ultra King.

JIM

Ultra King, right.

SHANNON

You obviously had been reading too many comic books.

JIM

We decided to dedicate ourselves to fighting crime. Real crimes. We were very serious about it. Even set up a kind of Batcave in our garage.

BAYLISS

We'd run around the neighborhood, with beach towels tucked into the neck of our shirts, jumping off porches and stuff, looking for criminals.

SHANNON

You ever find any?

JIM

No. Though we did beat the snot out of this Jap kid. We thought he was a spy.

SHANNON

How long did you boys keep fighting crime?

JIM

'Til my dad died.

JIM looks out window.

JIM's POV: His house coming up.

JIM (CONT.)

Then all the fun and games stopped.

JIM focuses on the house, as BAYLISS pulls into driveway.

EXT. JIM BAYLISS HOME/HICKORY AVENUE - NIGHT

The Car pulls into driveway. BAYLISS, JIM and SHANNON get out. The driveway and lawn are a mess -- trampled through, paper strewn. They walk to front door. JIM stops.

JIM'S POV: The chalk line around the body of Gersel; inside the circle are the remains of his blood and guts.

JIM (CONT.)

I would've though you cops would clean up after yourselves.

BAYLISS

That's not our job. I'll bet the inside of the house is a mess, too.

JIM

Y'know, you could start a company, a cleaning company. After the cops leave the scene of a crime, they come in, clean up everything.

BAYLISS

In Balto, you'd make a fortune.

SHANNON

I'm going to check on the kids, send my folks home.

SHANNON faces JIM, who's staring at the chalk line.

SHANNON (CONT.)

You should go to bed.

JIM nods, still staring. SHANNON kisses BAYLISS.

SHANNON (CONT.)

Thank you.

BAYLISS

Hey...

SHANNON goes into house. BAYLISS puts his palm on JIM's shoulder. Beat. JIM turns to him. Without thinking, they hug each other -- a spontaneous act of forgiveness, comfort, support.

BAYLISS (CONT.)

Shannon's right, you should get some sleep.

JIM

In a minute.

JIM crosses to side of house, gets hose. He turns on spigot. He crosses back to front door. He turns down the nozzle, water spews forth. He starts hosing down the sidewalk, washing away the chalk line, the blood, the guts.

JIM (CONT.)

Who'd've thought his guts would be the same color as ours...

BAYLISS reacts. On the TWO of THEM watching the blood and guts flow in a stream to the curb,

CUT TO:

INT. BEDROOM/PEMBLETON APARTMENT - NIGHT

MARY WHELAN-PEMBLETON lies sleeping. PEMBLETON enters. Trying not to wake her, he tip-toes around. He bumps into chair.

PEMBLETON

Owh.

MARY wakes up, startled.

MARY

Oh jeez, Frank --

PEMBLETON

Sorry, Mary.

MARY

I thought it was a burglar.

PEMBLETON

(kisses her)

Sorry.

(slips off his jacket)

What would you have done if it was?

MARY

Was what?

PEMBLETON

A burglar.

MARY

I don't know. Wake you up.

PEMBLETON

But I'm not always here, especially when I'm working the night shift. What would you do if someone broke in and you were alone?

MARY

Scream. Hide. Pray.

PEMBLETON

(takes off his gun)

Maybe I should get you one of these.

MARY

One gun in the house is plenty, thanks.

PEMBLETON

Mary --

MARY

Goodnight.

PEMBLETON

I want you to be able to protect yourself.

MARY

You give me a gun, I'm more likely to shoot myself in the foot.

PEMBLETON

(exits into Bathroom)

You're not afraid?

MARY

Well, sure, I've got a healthy amount of fear. But choose to live in the City. That means a certain amount of risk. I could have a gun, an alarm system, big thick bars on the window, twelve locks on the door, by lying her all safe and sound -- and the ceiling could fall on my head.

PEMBLETON comes out, ready for bed. He climbs in next to MARY, kisses her.

PEMBLETON

Goodnight.

MARY

Oh no, you don't.

PEMBLETON

What?

MARY

You don't come in here, wake me out of a sound sleep, then turn the lights off unless you've got a lot more in mind than catching some Zs.

PEMBLETON

I'm tired.

MARY leans over, kisses him passionately.

PEMBLETON (CONT.)

I just got my second wind.

One the TWO of THEM, kissing,

CUT TO:

EXT. BALTIMORE - DAWN

Establishing.

INT. MASTER BEDROOM/JIM BAYLISS HOME - DAY

JIM lies asleep, a smile on his face. His eyes flutter, waking up. He takes a moment, listening to his own breath, his own heartbeat. He's not sure for a moment -- was it all a dream?

SHANNON (O.C.)

Jim?

CAMERA PANS to find SHANNON in the doorway, holding the BABY. The other CHILDREN clutch her legs.

SHANNON (CONT.)

You'd better come.

JIM rises.

INT. LIVING ROOM/JIM BAYLISS HOME - DAY

SHANNON holds the CHILDREN back as JIM, in bathrobe, goes to front door, opens it.

EXT. JIM BAYLISS HOME/HICKORY AVENUE - DAY

Five TV news trucks are parked side-by-side. The lawn is covered with REPORTERS, CAMERAMEN, SOUNDMEN, who lunge at JIM the moment they see his face. Totally disoriented, JIM spins around, the CAMERA following him. On JIM, his head spinning,

FADE OUT.

ACT FOUR

FADE IN:

ON VIDEOTAPE:

EXT. MITCHELL COURTHOUSE - DAY

GRANT BESSER, News Reporter, talks directly into CAMERA.

BESSER

The case of Jim Bayliss -- the man who shot a Turkish teenager whom he thought was breaking into his home - goes before the Grand Jury today -

CUT TO:

MARIA DELGADO, Channel Eight Reporter, on CAMERA.

DELGADO

Bayliss fired as the Middle Eastern intruder tried to force his way into the Baltimore resident's home -

CUT TO:

REPORTER #1

The father of three's action has become the maelstrom of controversy between pro- and anti-gun advocates --

CUT TO:

BESSER

Responding to pressure from the Turkish government, the President sent a letter to the victim's family in Ankara --
REPORTER #2 Umut Gersel, the mother of the slain tenn, arrived in the United States today. She would not comment as to whether she intends, regardless of the Grand Jury's decision, to sue Bayliss in a civil court --

CUT TO:

REPORTER #1

Is this the tragic story of one man trying to defend his family or a searing indictment of the violence that has become all too commonplace in American society?

CUT TO:

BESSER

I'm Grant Besser --

CUT TO:

DELGADO

This is Maria Delgado --

CUT TO:

REPORTER #1

Live from the steps of the Clarence Mitchell Courthouse --

CUT TO:

REPORTER #2

Back to you, Stan --

CUT TO:

ON FILM:

INT. GRAND JURY/MITCHELL COURTHOUSE - DAY

Twenty-three average, ordinary CITIZENS sit on the Grand Jury. DANVERS stands before them, explaining points of law.

DANVERS

Your job, as a member of the Grand Jury, is not to judge guilt or innocence. Your sole purpose is to determine whether James Bayliss had criminal intent when he shot Hikmet Gersel. If you believe he did, the case will go to trial, where with due process of law in an open court, evidence will be weighed to establish guilt or innocence.

(MORE)

DANVERS (CONT'D)

If you decide that James Bayliss was "placed in fear" and, therefore, not criminally responsible, the charges will be dropped.

INT. HALLWAY/MITCHELL COURTHOUSE - DAY

BAYLISS, JIM and SHANNON sit on a bench. On another, PEMBLETON, SCHOLTZ, DYER and PASKULY sit, waiting to be called.

SHANNON

Where do they find the jurors anyway? Who wants to be judged by idiots too dumb to beat the system?

JIM

Mostly, it' people with time on their hands. Retired. Unemployed.

BAYLISS

If they're strongly anti-gun or, y'know, racially sensitive, they're more likely to indict. But as a rule, the Grand Jury usually tilts in favor of the homeowner.

INT. GRAND JURY ROOM/MITCHELL COURTHOUSE - DAY

DYER on the stand.

DYER

The victim received a rapidly fatal gunshot wound to the chest, puncturing the left ventricle of the heart. Stippling indicates the weapon was fired at close range.

INT. HALLWAY/MITCHELL COURTHOUSE - DAY

BAYLISS and JIM sit. PEMBLETON paces. SCHOLTZ looks out window. PASKULY talks on payphone.

JIM

I'll be glad when this is over, one way or the other. Even if I have to go to jail, at least --

BAYLISS

Jim, don't talk like that.

INT. GRAND JURY/MITCHELL COURTHOUSE - DAY

SCHOLTZ on the stand.

SCHOLTZ

Hikmet was such a happy person. I don't know how anyone, anyone with half a brain, could believe he was threatening them.

INT. HALLWAY/MITCHELL COURTHOUSE - DAY

SHANNON sits with JIM and BAYLISS. PEMBLETON sips water from fountain. PASKULY reads.

JIM

I'm thinking we should move.

SHANNON

What?

JIM

Buy a new house in another neighborhood. Maybe even leave Baltimore...

BAYLISS

You got plenty of time to make those decisions. Don't decide anything in the heat of the moment.

JIM

Yeah. The heat of the moment...

INT. GRAND JURY ROOM/MITCHELL COURTHOUSE - DAY

PASKULY on the stand.

PASKULY

I was the first to arrive at the scene. Mister Bayliss was genuinely upset. Very emotional.

INT. HALLWAY/MITCHELL COURTHOUSE - DAY

BAYLISS, JIM and SHANNON sit as PEMBLETON smokes a cigarette.

ACCENTED VOICE (O.C.)

Mister Bayliss?

JIM looks up to see MISSUS GERSEL, a Turkish Woman about his age.

MISSUS GERSEL

I am Umut Gersel. Hikmet's mother.

JIM

Oh. Ma'am, I am truly sorry about your loss.

MISSUS GERSEL

My son, he loved everything American. Growing up, he'd watch your movies and TV shows and rock n' roll. But mostly he loved what America stood for. Many of us believe there is too much repression in my country. We are not allowed to think or move as freely as you are, but if that freedom means getting away with killing an innocent boy, perhaps we are better off...

MISSUS GERSEL walks off. PEMBLETON tosses cigarette to floor, stomps it out with t he toe of his shoe. He looks over at BAYLISS. A beat between them. BAYLISS turns back toward his cousin.

INT. GRAND JURY ROOM/MITCHELL COURTHOUSE - DAY

PEMBLETON on the stand, reads from his report.

PEMBLETON

Therefore, it is my opinion that Mister Gersel believed the gun was a toy, part of the heavy metal party he thought he was attending. In the spirit of play, he raised his hands in mock-surrender.

INT. HALLWAY/MITCHELL COURTHOUSE - DAY

BAYLISS and JIM sit side-by-side as SHANNON paces.

JIM

I've been thinking a lot about Kurt.

BAYLISS

Me too.

JIM

I keep seeing the look in Gersel's eyes right after I fired. And I'm wondering, did Kurt have the same look in his eyes?

BAYLISS rises, clearly troubled, uneasy. He goes to window, looks out.

INT. GRAND JURY ROOM/MITCHELL COURTHOUSE - DAY

A Woman JUROR, Asian, turns to DANVERS.

JUROR

May I ask a question?

DANVERS

Yes, of course.

JUROR

Does Mister Bayliss have a history of prejudice or bigotry?

DANVERS

I'm sorry, you can't ask that. Y'see, even though Mister Bayliss' motivation may or may not have been racist, you must concern yourself only with the facts of the event, not the cause.

INT. HALLWAY/MITCHELL COURTHOUSE - DAY

BAYLISS looks out window, thinking. He turns back to JIM and SHANNON.

BAYLISS

You know what I remember the most about growing up? How you always took care of everyone. How you were always somehow responsible. If I screwed up or Kurt got in trouble or if the team lost a game, you took the responsibility on your shoulders... And... But this... This is the first time -- ever -- that you...

JIM looks up at BAYLISS, who stops, turns away again.

INT. GRAND JURY ROOM/MITCHELL COURTHOUSE - DAY

JIM addresses the JURY.

JIM

There's a tried but true proverb: "A man's home is his castle"... The place you sleep and eat, the place where you read or watch TV, where you play with your children or make love... If you're lucky enough to have a home, you have the right to defend it. You have the right to make sure that your children are safe, that your wife, your husband, your long-time companion is safe. No one should ever be forced to flee from their own home. It is out ultimate sanctuary... Do I feel good about what I did? No. I will have to live with the horror of that split second for the rest of my life... Do I believe I did the right thing? Yes... Yes. Yes. Yes. Yes. Yes. Yes. And I know that you know that given the same circumstances you would behave exactly as I did.

INT. HALLWAY/MITCHELL COURTHOUSE - DAY

SHANNON, BAYLISS and JIM sit, watching.

SHANNON

I can't understand why it's taking them so long to decide.

BAYLISS

You get twenty-three people in a room, you know what happens. They're still arguing about where to order take-out.

Beat. JIM suddenly SLAMS his fist on the desk.

JIM

Why the hell did he have to pick my door?

The question hangs in the air, as DANVERS enters.

DANVERS

We have a decision.

JIM and BAYLISS look at each other.

INT. GRAND JURY ROOM/MITCHELL COURTHOUSE - DAY

JIM, SHANNON, BAYLISS and PEMBLETON sit among large AUDIENCE as DANVERS reads statement before the MEDIA.

DANVERS

The Grand Jury finds that James Bayliss had reason to fear for his safety and the safety of his family. Therefore, they refuse to indict. They recommend that all charges against him be dropped.

The AUDIENCE bursts into APPLAUSE. PEOPLE shake JIM's hand, pat him on the back. Big smiles. On DANVERS, giving a look over to PEMBLETON, whose face remains a mask,

CUT TO:

INT. LOBBY/POLICE HEADQUARTERS - DAY

MEGAN RUSSERT stands with TIM RUSSERT, the NBC Correspondent for the Sunday morning program "Meet the Press".

RUSSERT

I thought you came up from D.C. to take me out to lunch, to celebrate my becoming a Captain. Instead, you complain about your birthday present.

TIM

I'm not complaining, Megan.

BEAU FELTON exits elevator, sees RUSSERT, approaches.

FELTON

Hello.

RUSSERT

Hiya, Beau.

FELTON recognizes TIM RUSSERT, momentarily taken aback.

FELTON

Hey, you're... I've seen you someplace...

RUSSERT

This is my cousin Tim.

FELTON

No, that's not it.

(snaps fingers, smiles)

You're Tim Russert, Mister "Meet the Press"

--

FELTON grabs TIM's hand, shaking it vigorously.

FELTON (CONT.)

Beau Felton.

TIM

Nice to see ya.

FELTON continues to pump TIM's hand.

FELTON

Wow. An honest-to-God celebrity. Here in our midst. Geez, I watch you religiously. You and my Sunday morning cup of java. That Newt Gingrich is something, isn't he?

TIM extracts hand from FELTON'S. RUSSERT turns to FELTON.

RUSSERT

Beau, do you need a socket wrench set?
Tim's got one for you.

TIM

Megan, I like the present, awright?

FELTON

What's Al Gore really like?

RUSSERT

(to TIM)

You've always bitched about every present
I've ever gotten you.

FELTON

Al seems so earnest, but there's another side to him, isn't there?

TIM

Well, maybe you're just not good at presents, awright, Megan?

FELTON

(to TIM)

Of course, there's always Dole. DO you think Senator Bob really has a shot in ninety-six?

TIM

Megan, I'm sorry I came up. It was a mistake.

RUSSERT

Is this your way of telling me you have no reason to visit me anymore? Fine. Go play tennis with Hillary. Play golf with Quayle. Who am I? I'm no bigshot politico. I'm just a cousin.

FELTON

Ah, a little family rivalry. I understand. I've got problems with a few of my relatives, too.

TIM

(to RUSSERT)

I have never played tennis with Hillary. And I don't play golf. I'm from Buffalo.

RUSSERT

Poor baby, I don't know how you manage to get by.

TIM throws up his hands in exasperation, heads off.

TIM

Ya know that saying about "you're lovely when you're angry"? Well, you ain't.

TIM steps onto elevator, the doors closing behind him. FELTON and RUSSERT exchange looks, a beat.

FELTON

But he's great on Sunday morning.

RUSSERT

Doesn't say much for your love life these days if you're up that early on Sundays with my cousin, Beau.

RUSSERT exits into Squad Room. On FELTON, open-mouthed, without a comeback,

CUT TO:

INT. SQUAD ROOM/HOMICIDE UNIT - DAY

HOWARD, MUNCH, LEWIS, BAYLISS and BOLANDER sit back at their desks. PEMBLETON writes "G-E-R-S-E-L" in BLACK on the "The Board".

MUNCH

Oh, boy. Lunch time. Let's head over to that fabulous restaurant, lip-smacking eats.

LEWIS

Yeah, what a good idea. I heard they got a new cook.

MUNCH

Is that right?

LEWIS

Stan, you wanna join in a little noon repast?

BOLANDER

No, thanks.

LEWIS

Hey, Frank, what about you?

PEMBLETON

I've got plans.

LEWIS

Kay?

HOWARD

Been there, done that.

GIARDELLO exits his Office.

MUNCH

Gee, you hungry?

GIARDELLO

Very. I'm just on my way out to eat.

LEWIS

Then come on over to the Waterfront.

GIARDELLO

Your place?

MUNCH

Our place. We're having our mid week special -- All the Polynesian Pork Burgers you can eat -- eight ninety-nine.

GIARDELLO

I'm in the mood for Soul.

MUNCH

No problem. We've got smothered pork chop you could die for.

GIARDELLO

Or die from. I already had ptomaine poisoning once this year.

GIARDELLO exits. MUNCH and LEWIS are not amused. PHONE RINGS. BOLANDER lifts receiver.

BOLANDER

Homicide... Uh-huh... What's the address?
Okay, we'll be right over.

(hangs up)

Munch, let's go.

MUNCH

What've we got?

BOLANDER

Skeleton found buried in the basement of a house over on Gough Street. A couple's renovating the house, the contractor dug up bones. They're turning the cellar into a playroom.

MUNCH

Nice.

BOLANDER

My bet, the skeleton's at least a hundred years old.

LEWIS

Why's that, Big Man?

BOLANDER

Every year or so someone digs up bones in a basement in Fell's Point. It usually turns out to be some poor sailor who got a night's leave off some nineteenth century schooner docked in the harbor. The sailor came into town for a drink or some poker, got rolled for his pay, got stuffed in the basement. Meanwhile, up in Maine or England or even China, some young bride walked the shore, peering out into the sea, waiting her whole life for him to return.

MUNCH

Jeez, Stanley, more and more I see the poet in you.

BOLANDER

That ain't poetry, Munch. Them's the hard, cold facts.

HOWARD

Life was simpler a hundred years ago.

BOLANDER

Death was simpler.

MUNCH and BOLANDER head out as BAYLISS rises, crosses to PEMBLETON.

BAYLISS

You're not going to say anything to me, are you?

PEMBLETON

What would you like me to say?

BAYLISS

For a start, "I'm sorry"...

PEMBLETON

I'm not sorry. I did my job.

BAYLISS

You still believe that my cousin killed that boy because he was an Arab?

PEMBLETON

Hikmet was not an Arab. Turks are not Arabs
--

BAYLISS

My cousin could not consciously kill someone.

PEMBLETON

I don't think it was premeditated. I think it was inherent. Jim's racism is so much a part of him, that he didn't have a chance to think about what he was doing. Jim is worse than a Klansman. 'Cause at least in their white sheets, they are recognizable. But your cousin's brand of bigotry is more frightening because, like still water, it runs deep. He doesn't even see it himself.

BAYLISS

You are wrong, dead wrong.

PEMBLETON

The only one "dead wrong" is Hikmet Gersel. Did you see what happened when the verdict was announced? They applauded. Those law-abiding citizens, those good people applauded the death of a child. Let me ask you something, Tim -- and then you tell me

(MORE)

PEMBLETON (CONT'D)

whether or not it was racially motivated --
if that boy had been American, if that boy
had been white -- do you think anyone would
have cheered?

PEMBLETON sits down, goes to work. On BAYLISS, turning and
walking out,

CUT TO:

INT. DEN/JIM BAYLISS HOME - DAY

JIM and BAYLISS watch basketball game on TV. JIM holds his
BABY, staring at him.

BAYLISS

Webber was a great trade, huh? Bullets look
like a new team.

No response.

BAYLISS (CONT.)

Jim?

JIM

Huh?

BAYLISS

What's going on?

JIM

I don't know.

(re: the BABY)

I'm looking at little Kurt here and I'm...
I don't know... I'm wondering about all the
babies all over Baltimore, all across the
country, all over the world...

BAYLISS

What about 'em?

JIM

I've been thinking about what you said,
about me not taking responsibility for
this. And I...

(exhales)

(MORE)

JIM (CONT'D)

I loved my dad so much. When he died, all I wanted was to live my life the way he would've wanted me to, y'know, be responsible, be honest, take care of my mother. And Kurt...

BAYLISS

I know what you're saying, you shot Gersel because, even as a kid, you had to be the man of the house, you had to defend your home.

JIM

Yeah... Or maybe I shot him because the first time I ever heard the words "kike" and "nigger", it was from my dad's mouth... I'm not blaming Dad, it's just that...

(looks at the BABY)

I wonder -- no matter what I do for this baby -- someday, will he shoot someone else's baby?

BAYLISS

I guess our job is not to let that happen. To try, not to let that happen. That's all we can do.

Beat, as they turn back to the game. CHRIS WEBBER scores. CHEERING.

JIM

Do me a favor, will you?

BAYLISS

Sure.

JIM

Adjust the color. The green seems a little off.

BAYLISS gets up to adjust the set. JIM rocks his BABY. On JIM and BAYLISS, trying to make it through a complex world,

FADE OUT.

THE END