

"THE LIFE OF DAVID GALE"

by

Charles Randolph

**FIRST DRAFT**

March 1, 1998

**FADE IN:**

**EXT. TWO-LANE HIGHWAY - SUNRISE**

lonely  
through  
The  
ECHO

A dishevelled WOMAN in a business suit (27) runs down a highway in Texas hill country, moving desperately through the thick morning fog. She's carrying a VHS cassette. sounds of her breathing and SHOES HITTING the PAVEMENT into the mist.

She runs, and runs.

She slows, out-of-strength, looks up and down the highway.

Both in front and behind, it leads straight into the mist, a tunnel of fog. She stumbles on, a final effort.

She runs. Sees something. Stops cold.

**DISSOLVE TO:**

**WHITE**

**DISSOLVE TO:**

**INT. OFFICE OF "DEATHWATCH AUSTIN" - SUNRISE**

A clock on the wall: 6:11.

Beneath the clock a simple banner reads "DeathWatch Austin."

**YOUNG MAN (O.S.)**

It's probably been about seven minutes...

The office is small, cheaply furnished. One wall is filled with neat rows of 8x10's of death row inmates.

About 30 percent have red crosses over their faces.

Five people wait in tense silence. A SKINNY COLLEGE GUY with computer holding a phone to one ear.

The clock's minute hand changes from :11 to :12.

CONSTANCE HARRAWAY (36), bookish, sits beside DAVID GALE (31). He wears a blue Yale sweatshirt. They both stare at nothing. She bites her lip.

**COLLEGE GUY**

Okay. Okay. We've got pronouncement.  
6:12. Roughly eight minutes.

(a beat as he records  
the time)

Number 36 this year for the Great State of Texas.

They all exchange looks: they've lost. David stands.

**CONSTANCE**

David, don't start throwing things.

A PHONE RINGS. David controls himself.

**DAVID**

I'm going home. Let's do the press fax tomorrow.

Another PHONE RINGS. Constance stands.

**CONSTANCE**

Go. I'll do it.

He nods to her, exits.

she  
She walks to the photo wall. With a red magic marker  
marks a cross over the photo of a Hispanic male.

The wall clock reads 6:13.

**EXT. PARKING LOT IN FRONT OF OFFICE - SUNRISE**

going  
empty  
The office is in a largely abandoned mini-mall. It's  
to be a clear summer day. David hurries through the  
parking lot to Volvo station wagon.

with the  
As the car exits the lot, we see the Austin skyline  
capitol building in the distance.

**INT. DAVID'S CAR - SUNRISE**

down.  
David drinks from a travel cup as he drives, windows

**EXT. INTERSECTION - SUNRISE**

cop  
David stops at a red light beside a squad car with one  
inside. The cop gives him a cursory glance.

**INT. DAVID'S CAR - SUNRISE**

behind  
the  
He stares at the cop. The cop looks neutrally ahead;  
him the buckle of his seat belt shoulder strap catches  
reflection of the rising sun.

**BACK TO DAVID**

He stares, then:

**DAVID**

Hey!

The cop ignores him.

**DAVID**

Yo! Officer!

confrontation.  
The cop looks over; his face says he expects a

David points to the seat belt buckle.

**DAVID**

Your seatbelt.

The cop nods, weary, embarrassed. He reaches back for  
the belt. David takes a sip and drives on.

**DISSOLVE TO:**

**WHITE**

**DISSOLVE TO:**

**CLOSE ON TELEVISION**

Court TV reporter, Roberts, stands in front of the Supreme Court.

**ROBERTS (V.O.)**

The high court also refused to stay Friday's execution of former philosophy professor, David Gale.

**FEMALE (O.S.)**

(with her mouth full)  
Christ doin' Karaoke.

**PULL BACK TO REVEAL WE ARE IN:**

**INT. NEWS MAGAZINE OFFICE - DAY**

KRUGER (47) watches with a leg up on her messy desk, eating low-fat tortilla chips and massaging a knee with an electric massager. A name plate on her desk reads "Barbara D. Kruger, Crime and Courts Editor." News magazine covers are on the walls. Kruger is black, short, overweight, wears an old jogging suit and new oversized athletic shoes. She has half-frame granny glasses on a cord around her neck.

**ROBERTS (V.O.)**

Gale had sought a review of his 1993 conviction for the rape and murder

of University of Texas colleague,  
Constance Harraway.

Kruger reaches for a phone, hits four numbers, takes a chip.

**ON TV**

A book-jacket photo of Constance.

**BACK ON ROBERTS**

**ROBERTS (V.O.)**

Defense lawyers had hoped to argue  
that Gale's former activism against  
capital punishment unduly  
prejudiced...

**ON KRUGER**

She waits impatiently, munching, swallowing.

**ROBERTS (V.O.)**

...the Texas judicial system. Citing  
'discriminating purpose' --

**KRUGER**

(into the phone)

Hey, they're not gonna stay Gale.  
It's on Court TV right now, listen.

She holds the phone out in the direction of the TV,  
uses the opportunity to eat another chip.

**ON TV**

We see old footage of David on a TV talk show.

**ROBERTS (V.O.)**

...clear political gain in executing  
its leading opponent of the death  
penalty...

**ON KRUGER**

**KRUGER**

(into the phone,  
swallowing)

So, what's it gonna be? Belyeu said  
to call after the decision... No,  
they said only Bitsey.

**ROBERTS (V.O.)**

(in b.g.)

...Further failed to consider that  
the victim was herself an abolitionist  
activist...

**KRUGER**

It means only Bitsey. Bill, I don't  
get to make the rules, I'm a fat  
black woman.

Bitsey Bloom (The runner from the opening) enters. She  
wears,  
as always, a tailored suit.

**KRUGER**

(into the phone)

...What we need is to put her on a  
plane to Houston.

**BITSEY (WOMAN)**

Gale's going down.

Kruger shushes her with a we-know-already gesture.

**KRUGER**

(into the phone)

Why do you always get lordosis around  
legal? She's here.

She puts him on SPEAKER, and reaches for a chip.

**BITSEY**

(to the phone)

Hi. What's lordosis?

**BILL (V.O.)**

Female ape's posture when preparing  
for intercourse. Hello, Bitsey.

Bitsey shoots Kruger a look, mouths "you're sick."

**BILL (V.O.)**

Look, kids, setting aside the cost  
issue, though half-a-million dollars  
for three two hour interviews is not  
only illegal it's obscen--

**KRUGER**

Market value. Guy's never talked.

**BILL (V.O.)**

That aside, I, we are still  
uncomfortable with the arrangement.

**BITSEY**

Meaning?

**BILL (V.O.)**

Meaning you've just spent a very  
public seven days in jail for a very  
public contempt of court citation.

**BITSEY**

Protecting sources, even kiddie porn  
scumbags, is magazine policy.

**BILL (V.O.)**

And I, we continue to appreciate  
your decision. We're just concerned.  
A rapist slash murderer, five days  
before he's executed, demands a  
reporter known for protecting sexual  
deviants. A reporter who is also a  
very attractive woman --

Bitsey and Kruger moan in unison.

**KRUGER**

This is disparate treatment.

**BITSEY**

I could go if I were an ugly blabby  
guy?

**BILL (V.O.)**

There's an agenda issue here which  
would be diffused with an older  
male...

**KRUGER**

I hear lawyers gleefully saying the  
words Bloom vs. News Magazine Inc.

**BITSEY**

'Well, Your Honor, I started to notice  
that my assignments were evaluated  
on the basis of my sex.'

**KRUGER**

You've gotta let her go now.

**BILL (V.O.)**

That's not quite what I meant.

**KRUGER**

He's gotta let you go.

**BITSEY**

'Certain references were made -- '

**BILL (V.O.)**

(interrupting)

All right. All right. Enough. The intern is with you at all times?

Bitsey vehemently shakes her head "no" to this idea.

**KRUGER**

Yes. I, we are hanging up. 'Bye.

Kruger hangs up the phone before he can respond.

**BITSEY**

I'm not baby-sitting.

Kruger reaches for a chip.

**INT. RENTAL CAR - NIGHT**

ZACK (boyish, 24) sits in the passenger seat, smoking  
and  
cigarette  
bohemian  
Bitsey  
panel.  
looking at a case file in his lap. He holds the  
just outside the slightly open window. Zack has a  
grunge thing going -- long hair, ultra-hip glasses. As  
drives, she keeps looking down at the dash's instrument  
We hear strained patience in her voice.

**BITSEY**

Gale was seen leaving the house.

**EXT. INTERSTATE 45 - NIGHT**

The car's lights move past a sign: "Huntsville 27  
Miles."

**BITSEY (V.O.)**

His sperm was inside her.

**INT. RENTAL CAR - NIGHT**

**BITSEY**

His prints were all over the kitchen,  
including one on the bag.

Zack has a police photo: a woman naked on a kitchen  
floor,  
hands handcuffed behind her. Over her head is an opaque  
white  
plastic bag, sealed around the neck with duct tape.

**ZACK**

Half-a-thumb print.

**BITSEY**

Okay, half-a-thumb print.

**ZACK**

Could have touched it before it was  
a murder weapon.

**BITSEY**

Do you fondle your friends' garbage  
bags?

**ZACK**

Yeah, I get very touchy around  
household plastics. 'Hello, everybody --  
ooooh, Tupperware.' Chill. I'm just  
saying the bag could have been out  
on the counter or something.

She looks at him a beat.

**BITSEY**

Hey, Zack?

**ZACK**

Yeah.

**BITSEY**

He did it.

**ZACK**

But the murder's way too fucking  
clumsy. And this guy's a major  
intellectual. Top of his Yale class,  
a Rhodes gig, tenured at 27, two  
books. He's an academic stud.

**BITSEY**

And, empirically speaking, a  
psychotic.

Gale  
and  
son (Chase, 6).

Zack picks up another file photo: Christmas shot of the family: David (31), his wife (Sharon, beautiful, 29),

**ZACK**

Look at his wife, she's a regular Grace Kelly. Old money svelte. Father was Ambassador to Spain --

**BITSEY**

(looking at the car's instrument panel)

Shit! The light's on again.

**CLOSEUP - OVERHEAT LIGHT**

is on.

**BACK TO SCENE**

**ZACK**

Ignore it. It's a rental.

**BITSEY**

Thanks, Zack. Do you smell anything?

**ZACK**

No. Besides the guy's a flaming liberal.

Bitsey keeps looking down at the light.

**BITSEY**

A person's politics has nothing to do with their propensity to commit crime.

(beat)

Aren't we supposed to smell it if it's overheating?

**ZACK**

Wrong, seventy-three percent of all serial killers vote republican.

**BITSEY**

Throw the cigarette out so we can smell.

Zack reaches for the car ashtray.

**BITSEY**

No! You'll stink up the car. Throw it out!

**ZACK**

I'm not gonna fucking pollute.

**BITSEY**

Zack!

Zack pinches the cherry off, lets it drop out the window.

He shows her the filter, animatedly puts in the ash tray.

She gives him a look. They ride a beat in silence.

Bitsey sniffs.

**BITSEY**

We better pull off. Shit, this is so irritating.

**ZACK**

How far to Huntsville?

**BITSEY**

Look.

She points to an approaching rest area exit sign. They share a glance, then a laugh. Zack affects an evil, maniacal cackle.

**ZACK**

('Hard Copy'  
announcer's voice)

'NEWS Magazine reporters Bitsy Bloom and Zack Stemmons entered the rest area with car trouble...

**EXT. REST AREA EXIT - NIGHT**

The car exits for the rest area.

**ZACK (V.O.)**

Little did they know their troubles were just beginning.

Zack mimics the OPENING MUSIC to "Dark Shadows."

**EXT. REST AREA - NIGHT**

Well lit and empty. The rental car is parked with the  
hood up. They stand looking at the radiator.

**BITSEY**

Is it hot?

He puts his hand on it.

**ZACK**

Oww! Jesus, yes. Isn't it always?

Bitsey shrugs.

**ZACK**

So what do I do?

**BITSEY**

I don't know, something male.

Zack animatedly adjusts his balls, spits.

**ZACK**

Now what?

headlights  
Bitsey's not paying attention. She's watching  
coming toward them.

**BITSEY**

Company.

**ZACK**

I hope whoever it is never saw  
Deliverance.

their  
A late model pickup pulls up behind them. They shade  
eyes from its headlights. The lights go off. An OLDER  
COWBOY  
(mid-60's, Stetson, lizard skin boots) steps out.

**OLDER COWBOY**

You folks need some help?

**BITSEY**

Actually yes.

**EXT. HUNTSVILLE MOTEL SIX - NIGHT**

The motel lies adjacent to Interstate 45 and a Kettle restaurant. The rental car pulls up to the reception building.

**EXT. HUNTSVILLE MOTEL SIX - NEXT DAY**

The rental car is parked in front. The morning is overcast, on the second floor carrying an umbrella.

**INT. KETTLE RESTAURANT - DAY**

Bitsey enters and sees Zack in a booth, smoking and reading. The hyper-smiley TEENAGE HOSTESS approaches her.

**HOSTESS**

How are you this morning?

Bitsey ignores her, takes a menu without comment. She goes and sits across from Zack; he's reading Dialogical Exhaustion by David Gale.

**BITSEY**

Little early, isn't it?

**ZACK**

The non-smoking section's over there.

**BITSEY**

I meant the book.

**ZACK**

Oh.

Bitsey opens the menu; he puts the book down.

**BITSEY**

What time is it?

**ZACK**

9:15. The waitress says the Ellis Unit is about fifteen minutes out of town, so we've got like five and half hours. I --

**BITSEY**

Never eat where the menus have pictures of the food.

**ZACK**

I was thinking we should drive to Austin, check out the crime scene. Could be some story stuff for us.

**BITSEY**

(without looking up)

First, this isn't a story. It's an interview. We come, I listen, you watch, we go home. Second, there is no 'us' in the assignment.

**ZACK**

Okay, what do I watch you do for the next five hours?

**BITSEY**

(closing the menu)

Drive around looking for decent restaurant.

**ZACK**

You know, your reputation as Siberian-Female-Dog-Person doesn't do you justice.

She's unsure how to interpret his comment. He smiles.

**BITSEY**

My reputation got us invited here. I play by the rules. It's called objectivity.

They stare at each other. Zack picks up his book, starts to read, affects a shiver.

**EXT. ELLIS UNIT DRIVE GUARDHOUSE - DAY**

seen a  
guardhouse

Drizzle. The prison and adjacent parking lot can be few hundred yards down the road. In front of the is a sign: "TDC Ellis Unit. All visitors must report."

**SUPERIMPOSE: "DAY ONE"**

The rental car ENTERS the FRAME, brakes briefly for the empty

guardhouse, and moves on toward the prison.

**EXT. ELLIS UNIT PARKING LOT - DAY**

Bitsey and Zack get out of their car. She has an umbrella.

**ZACK**

So where do we report?

towers  
rise at the corners. Outside the fence sits a small building with a sign: "REPORT HERE."

the  
building.

skinny  
thirty  
yards away. He watches them neutrally.

past a  
series of kennel-like pens that run along a long building.  
(30's)  
Inmates watch them pass: A smoking, tattooed white male stands by his door. A muscular black man (30's) with a skullcap speaks quietly to the forty-something redneck him. A paunchy Hispanic (20's) with a shaved head sits against the building, making clicking sounds. A skinny guy with his shirt off tosses a tennis ball against the building. At the closest end of the last pen, a gang-banger (20's) watches as he stands with his fingers clutching chain-link above his head. Rain runs down his face.

**INT. ELLIS RECEPTION OFFICE**

As Bitsey and Zack enter, a clean-cut man in his forties is

on the phone (DUKE GROVER). He waves them in and holds up a wait-just-a-second finger.

**GROVER**

Well, I don't rightly know one fraternity from another. But if we catch any those boys out here again, we're gonna Arrest and Prosecute... You do that, Susan... Bye now.

The office has cheap wood paneling and a tired shag carpet. A portrait of GOVERNOR HARDIN (female, mid-50's) is on the wall, a large aerial photograph of the prison on the other.

At a desk sits a WOMAN WITH TEXAS HAIR (40's).

Grover hangs up.

**GROVER**

(to the Woman)  
Thank you, Margie.  
(turning to Bitsey and Zack)  
Correspondents Bloom and Stevens I presume.

**BITSEY**

Yes, hello.

They shake hands.

**ZACK**

Stemmons.

**GROVER**

Stemmons. Sorry, won't happen again. I'm Duke Grover, T.D.C. community relations.

Grover's demeanor suggests a successful Little League coach, his suit suggests J.C. Penny. He speaks quickly.

**MARGIE (WOMAN)**

He's usually real good with names.

**GROVER**

(to Bitsey)  
And these days I always like to ask,

now do you prefer Miss, Mrs. or Ms.?

**BITSEY**

Bitsey.

**GROVER**

Bitsey it is. Margie, I'm stealin'  
your umbrella.

**MARGIE**

Okey dokey.

**EXT. ELLIS UNIT ENTRANCE**

Bitsey and Grover walk beneath their umbrellas toward  
the  
Unit gate -- Grover walks as fast as he talks. Zack  
follows,  
turns his collar up.

**GROVER**

Bitsey, you ever been in a prison?

**BITSEY**

Yes.

Zack smiles to himself.

**GROVER**

On death row?

**BITSEY**

No.

**GROVER**

Well, we house 422 inmates here.  
Average stay with us is nine years.  
Some get commuted, move on, most get  
killed. It'll put you off your supper,  
but then it's supposed to.

The unit fence gate parts as they enter. The older gate  
guard  
nods as they pass.

**GROVER**

(to the guard)

Afternoon, Earl.

(back to her)

We've got three concerns here: safety,  
safety and safety. The visitation  
area is entirely secure -- we just

ask you don't touch the glass. Windex gets expensive.

They come to the door of the entrance area.

**GROVER**

Rules say seven days prior to execution inmates must be interviewed in a cage.

The DOOR BUZZES, Grover opens it.

**INT. ELLIS ENTRANCE LOBBY - DAY**

The lobby has institutional chairs and few vending machines.

To one side is a guard's counter and a walk through metal detector. They enter and make their way toward the counter.

**GROVER**

This changes for no man. You're not carryin' a weapon are you?

**BITSEY**

No.

**GROVER**

Mr. Stemmons, you packin'?

**ZACK**

No, sir.

They arrive at the counter. Behind it are two GUARDS, one male, one female.

**GROVER**

(to the guards)

Clarence. Karla. New York guests for Mr. Gale.

**CLARENCE (GUARD)**

May I see your purse, ma'am.

**GROVER**

(to Bitsey, indicating the metal detector)

Go on and walk through.

Grover keeps talking as he walks around the detector  
and  
waits for her.

**GROVER**

Now, should any kinda of  
unpleasantness occur in the visitation  
area, we ask that you stay put. Come  
on through, Mr. Stemmons. And please  
follow the instructions of these  
fine correctional officers should  
they see fit to give you any.

**CLARENCE**

(handing her the purse)  
Here you go, ma'am.

He leads them down the hall.

**GROVER**

Anythin' you say can be overheard.

And any discussion of criminal activity on your part is  
admissible. Not plannin' a jailbreak are you, Bitsey?

**INT. ELLIS VISITATION AREA - DAY**

The door guard gets up from his small table and opens  
the  
door for them.

**GROVER**

Here we are.

feel of  
by  
booth  
look  
the  
center  
boots.  
The visitation hall has the linoleum-and-fluorescent  
an empty school cafeteria. It is seamlessly intersected  
curved wall of sheer glass. Across the hall a guard's  
is built into the concrete wall; the two guards inside  
like they are in a sound booth.

Every fifteen feet, the glass has small sound holes. On  
visitors' side, chairs (with lap desks) cluster at each  
section. Just getting up from a chair in the hall's  
is a big man wearing an expensive suit and black cowboy  
This is David's lawyer, BENJAMIN BELYEU (late 30's).

on the prisoner's side of the glass, a row of ten  
chairs trace the outline of its curve. Above each chair a  
microphone hangs from the ceiling. The center chair is in a  
stainless steel cage. Inside sits David Gale.

GROVER

(calling out to Belyeu)

All yours, Mr. Belyeu.

(to Bitsey and Zack)

You folks have safe visit now.

BITSEY

Thank you.

He exits as Bitsey and Zack make their way toward Belyeu and David; it's a walk of about twenty-five feet.

Belyeu's voice is a thick combination of Cajun and Harvard Yard.

BELYEU

Miss Bloom?

BITSEY

Yes.

Belyeu speaks as slowly as Grover did quickly. David stands up politely in his cage -- he's too tall and has to hunch.

BELYEU

Did that P.R. man validate your parkin'?

BITSEY

He said the gift shop could do it.

Belyeu laughs, smiles pure Old New Orleans charm.

BELYEU

(to David)

She's a smart one.

Belyeu takes a few steps toward them, extends his hand.

**BELYEU**

Benjamin Belyeu, Mr. Gale's attorney.

**BITSEY**

This is Zack.

**BELYEU**

Pleasure.

(turning)

And this is the man of the hour.

They move toward David. A SPEAKER-SYSTEM LOUDLY (really loudly) interrupts:

**GUARD (V.O.)**

Sit down, Gale.

All wince. David sits, smiles, a bit embarrassed.

**DAVID**

Hello.

**BITSEY**

Hello.

**ZACK**

Hi.

**BELYEU**

Now, why can't they turn that thing down?

**DAVID**

(to the microphone  
above him)

My lawyer respectfully suggests you  
adjust the speaker-system volume.

A beat. They all look over at the guard's booth. One of the guards makes a get-on-with-your-business gesture.

**DAVID**

They're practicing being cruel and unusual.

**BELYEU**

Mrs. Bloom, I'm sure you're a bitin'  
at the bit.

Belyeu collects papers from the chair he was using and starts

to stuff them into his antique carpetbag.

**BELYEU**

Now, it is our understanding that you are to have three two-hour sessions. Today, tomorrow and Thursday, all at three in the P.M. I'm sorry we can't afford you more time, but contrary to popular rumor we have not yet begun to fight. Furthermore, it's our understanding that you will do this with no recording equipment of any kind.

(to David)

You have my Gregg book?

**DAVID**

I need it for Billy's appeal.

**BELYEU**

(to Bitsey)

My client's got a ten pound bass on the line and he's worried about baitin' his neighbor's hook.

(takes out his planner)

Now, I have some papers for which I need your Jo Ann Hancock.

(handing her a business card)

Come by my Austin office at your earliest convenience. Thursday mornin', say.

Bitsey's confused. Belyeu just smiles at her, then looks up at the microphone. She understands, nods.

**BELYEU**

Fine, till Thursday then.

Belyeu picks up his bag. He and Zack start the hike to the door. Belyeu turns, walks backwards.

**BELYEU**

Good luck, Miss Bloom.

(to David)

I'll come by later. We can play a game of hangman, take up smokin'.

David waves "get lost." Belyeu turns.

**BELYEU**

Bye, ya' all.

They watch him walk away. Bitsey turns to David. He's looking at the floor, caught in a thought.

**BITSEY**

So...

**DAVID**

Sorry. Have a seat.

She does so. David smiles at her, he has a beautiful smile, sincere, charming, vaguely devilish.

**BITSEY**

He's a character.

**DAVID**

Yeah, known Benny most my life. Met the summer after 4th grade, spent the day burning ants with his dad's magnifying glass. We called it playing 'Execution.'

David looks at her a beat, lets the irony of this sit in the air. Uncomfortable, Bitsey starts to look in her purse.

**DAVID**

Since I grew up in foster homes, he's become the only family I have.

**BITSEY**

Where's your ex-wife?

Bitsey takes a pad out of her purse, looks for a pen.

**DAVID**

We agreed minimal contact would be easier. Please don't mention her, or my son.

**BITSEY**

All right. Anything else, just clearly say, 'off the record.' I'll take it to my grave. But then you know that about me. Otherwise I wouldn't be here.

David smiles, nods.

**BITSEY**

(referring to the pen)  
Is this recording equipment?

He shrugs.

**DAVID**

How should we start?

**BITSEY**

I'd say you're a man with a story to tell, Mr. Gale. You chose the magazine, the format. You chose me.

She sits with pen on paper, poised for dictation.

**BITSEY**

Go.

David looks at her a long beat, then gives her the smile.

**DISSOLVE TO:**

**WHITE**

**DISSOLVE TO:**

**TRANSITION MONTAGE**

CAMERA starts TO ROTATE and ROLLS THROUGHOUT until the LAST SHOT COMES TO REST UPRIGHT.

**A) OVERHEAD**

Belyeu gets in his Cadillac in the wet Ellis Unit parking lot.

**B) ELLIS UNIT (RAINY DAY)**

from the air.

**C) AUSTIN FROM AIR (SUNNY DAY)**

**D) OVERHEAD**

and  
SEXY FEMALE GRAD STUDENT (over-dressed in a mini-skirt  
heels) moves hurriedly through the University of Texas  
(U.T.)  
campus.

**E) FROM BEHIND TWO GRADUATE STUDENTS**

laughing  
attending class in an U.T. lecture hall -- they are  
as David entertains from a mike at the podium.

**DISSOLVE TO:**

**INT. U.T. LECTURE HALL - DAY**

David  
grad  
phrases:  
Thirty animated students (circa 1992) are listening to  
lecture. He's younger (31), vibrant -- looks like a  
student himself. On the white board behind him are  
"Lucan," "objet petit a," "Fantasy Theory."

**DAVID**

Think. What do you fantasize about?  
World peace?

(as no one responds)

Thought so.

(light laughter)

Money-Fame-Ferrari?

(as some guys applaud  
loudly; others then  
boo them)

A Pulitzer? Nobel? M.T.V. Music Award?  
(applause)

A genius hunk -- ostensibly bad but  
secretly simmering with noble  
passions, and willing to sleep on  
the wet spot?

As women applaud...

**LARGE WOMAN**

(yells)

I'll take two!

Laughter.

**DAVID**

A Victoria's Secret model -- just

slumming between law school and  
running her family's Vastly Endowed  
Foundation for Tragically Sad-Eyed  
Children?

The crowd laughs, David changes tone.

**DAVID**

Okay, good, you see Lucan's point.  
Fantasies must be unrealistic. The  
minute you get something, you don't,  
you can't, want it anymore. To exist,  
desire needs absent objects. So desire  
supports itself with crazy  
fantasies...

side  
laughs at  
the timing. David pauses.

The over-dressed Sexy Grad Student enters loudly from a door, out-of-breath and discombobulated. The crowd

**STUDENT**

Sorry.

she  
moves towards them.

He animatedly gestures to the seats, waits a beat as

**DAVID**

This is what Pascal means when he says the only time we're truly happy is when day-dreaming about future happiness.

The Sexy Student sits, adjusts herself.

**DAVID**

Or why we say, 'The hunt is sweeter than the kill' or 'Be careful what you wish for.'

she  
turns and he hands her letter from the registrar's  
office.  
It's from a girl friend two rows back. The girlfriend  
mouths,  
"It came today?"

**DAVID (O.S.)**

Not because you'll get it, but because

you're doomed not to want it if you do. Think about it next time you're at a wedding.

the  
Laughter. The Sexy Student turns back around, throws letter in a book.

**INT. U.T. HALLWAY - DAY**

David's  
against  
Students pour out of the double doors leading from class. The hall is crowded. Standing waiting for him the wall is Constance (glasses, granola clothes).

She's looking at a document, holds a file.

**INT. U.T. LECTURE HALL - DAY**

white-  
Berlin).  
The students are leaving. David is quickly erasing the board. The Sexy Student approaches him (her name is

**BERLIN (SEXY STUDENT)**  
Sorry about being late. There was, you know, a thing.

**DAVID**  
There usually is, Berlin.

**BERLIN**  
Look, I know I'm not doing well.

He turns, nods, takes his books and papers from the podium.

**BERLIN**  
And to torture a cliche, I'd do anything to pass.

He looks at her a beat, starts to walk toward the door.

**BERLIN**  
Anything, Professor Gale.

He stops, turns.

**DAVID**  
Anything, huh?

**BERLIN**  
(suggestively)  
Anything.

**DAVID**  
(the smile)  
Anything?

She affects a solicitous shyness -- then goes all sex.

**BERLIN**  
Any thing.

He checks the room, then comes over to her, close.

**DAVID**  
Tell you what, I'll give you good  
grade, a really good grade, if you  
will...  
(leans down to her  
ear, whispers  
sensually)  
...study.

He smiles, turns, walks away. As she watches, anger  
builds.

**INT. U.T. HALLWAY - DAY**

David comes out the room. Constance sees him, hurries  
to  
him. She's excited, and speaks now -- as always -- with  
absolute authority. They talk as they walk down the  
crowded  
hall.

**CONSTANCE**  
David!

**DAVID**  
Hey.

**CONSTANCE**  
The T.A. finished transcribing the  
Governor's radio and TV comments.  
Listen: 'I hate killing, that's why  
I'm willing to kill to stop it.' The  
woman breathes in soundbites.

She hands him a copy.

**DAVID**

(pretends to read a  
quote)

'Yes, Virginia, the people of this State have overwhelmingly affirmed the reality of Santa.'

**CONSTANCE**

You might can use some of her pre-centrist stuff.

**DAVID**

Tell me again why you aren't doing the debate.

**CONSTANCE**

Telegenics. You have a cuter butt.

**DAVID**

I hadn't noticed.

**CONSTANCE**

I know.

**DAVID**

That's not what I meant.

**EXT. U.T. CAMPUS - DAY**

David and Constance exit the building into the sun.

**CONSTANCE**

She's gonna do the whole mother thing. She empathizes with you completely, but experience has given her the courage to take the tougher road, ta-da, ta-da. Keep it rational. And flirt politely.

**DAVID**

'Governor, you bat a lovely lash for a woman who executed thirty eight last year.'

They've come to a sidewalk junction, stop.

**CONSTANCE**

And watch your ego. Don't come across as one of those I-hate-authority-because-nobody-in-charge-reads-the-New Yorker types.

**DAVID**

Anything else?

**CONSTANCE**

Yeah, don't fall into one of your brooding silences. Oh, I'm getting new federal stats from Amnesty tonight.

**DAVID**

I'm going to Greer's party. Fax them to Sharon's number at the house.

She looks at him sternly over the top of her glasses.

**CONSTANCE**

If you have a hang-over tomorrow --

**DAVID**

(hangs up, walking away)

Apropos playing Mother.

**CONSTANCE**

(calling after him)

Ten o'clock!

(beat)

Bright-eyed and bushy tailed!

**EXT. GALE HOME - ESTABLISHING - NIGHT**

The house is an immaculately restored two-story Victorian, far better than what a university professor can afford.

The grounds are perfect. David's Volvo is in the driveway, his wife's new Laredo beside it. On the street out front sits a new VW Beetle.

**INT. KID'S ROOM - NIGHT**

David's son -- CHASE -- sits in bed holding a stuffed sheep in the air. David turns off the light in the adjacent bathroom, comes in holding his son's jeans and shoes. David wears a t-shirt which says "Evil-Doer & Curious Person." The room is over-decorated with boy stuff.

**DAVID**

Did you mark your calendar?

**CHASE**

(looking up at it)

Yep.

**INSERT - KID'S CALENDAR**

has a  
hangs above the bed, opened to the month of March. It  
it.  
felt-tipped pen hanging from a piece of string taped to  
are  
Ten frowny faces cover ten consecutive days, then there  
the  
three empty days before a large smiley face awaits on  
smiley  
fourth. The frowny faces are in a kid's hand, the  
face in an adult's.

**BACK TO SCENE**

**CHASE**

(counting on his  
fingers)

Only... three more Spain days.

David puts the jeans and shoes away.

**DAVID**

Only three. That's great, huh?

African  
David comes and sits beside his son. Points to an  
statue (a man holding a spear) on the bedside table.

**DAVID**

What's he doing in here?

**CHASE**

Mommy said I could. Just till she  
gets back.

(touching the spear)

That's a special-duper monster laser  
knife.

**DAVID**

Where's your laser gun?

out  
Chase reaches under the sheets, searches, finally pulls  
a laser pointer.

**CHASE**

Here.

He "shoots" some toys in the corner with the red laser dot.

**CHASE**

Tussshh, tussshh, tussshh. I never shoot them in the eyes, Daddy.

**DAVID**

That's 'cause you're a special-duper-super-quadruper boy. Who's now going to sleep.

He tucks his son in.

**DAVID**

Who loves you?

Chase giggles, points at his dad, then pokes his nose.

**DAVID**

Ooooh.

(kissing him)

Good night, son.

**CHASE**

(holding up his stuffed sheep)

Do Cloud Dog.

**DAVID**

(kissing the sheep)

Good night, Cloud Dog.

**INT. LIVING ROOM - NIGHT**

Obsessively cool, full of designer furniture and rough fabrics. The art is mostly contemporary and conspicuously African lit -- a Damien Hirst piece sits in one corner. A few antiquities are scattered throughout.

A BABYSITTER sits on the couch reading a school textbook, holding lip gloss and absentmindedly applying it as she reads. David passes on his way to the door.

**DAVID**

Back before midnight.

**BABYSITTER**

It's cool, Mr. Gale.  
(calling after him)  
Don't do anything I wouldn't.

**DAVID (O.S.)**

Rest assured.

He exits. When she hears the DOOR CLOSE, the Babysitter reaches for the TV remote.

**INT. DUPLEX - LIVING AREA - NIGHT**

The duplex is upscale, two-story with a vaulted ceiling.

Scattered about are forty party-goers, mostly grad students.

Some spill out onto the back patio and around the pool. Everyone has a t-shirt with a philosophic idea

("Yawnic," "Mad, Bad and Dangerous to Know," "[Philosophic t-shirt]").

**LEONARD COHEN MUSIC PLAYS.**

**FROM FRONT DOOR**

GREER (late 20s, Persian, "Host" t-shirt) escorts David into the living room.

**GREER**

The guy's the Immanuel Kant of the N.F.L. Consistent, accurate, effective, and boring, boring, boring.

Greer leaves him at the sofa where an OLDER PROFESSOR (60s, homemade t-shirt -- "Pre-Socratic" -- over his shirt and tie) stands speaking with ROSS (late 40s, "Homosexualist" t-shirt).

**DAVID**

Meinen Herren.

**ROSS**

(has an Oxford accent)

Hello, David.

**OLDER PROFESSOR**

Professor Gale. Where's your better half?

**DAVID**

Spain.

**OLDER PROFESSOR**

Again?

(a beat)

Well, I was just off for air.

He moves to the patio. They watch him go.

**DAVID**

(under his breath)

Looks like Sharon's affair is an open secret.

**ROSS**

(under his breath)

Hermeneutical bias: the only fun truths are the ones someone's trying to hide.

(normal tone)

Have a seat.

They sit on the sofa.

**ROSS**

Listen, Berlin's here -- and livid. Probations suspended her. She received the letter today, took the opportunity to throw a fit in my office. You should --

**BERLIN (O.S.)**

Talking about me?

She's standing behind them. David tilts his head back.

**DAVID**

Yep.

She's tipsy, brings her face down between their heads.

**BERLIN**

(to David)

He tell you I said when you were circumcised they threw away the wrong

part.

**DAVID**

He mentioned it.

An uncomfortable beat. She reaches over and takes  
Ross's drink from his hand, drinks the rest, puts it back.

**DAVID**

It's called schmuck.

**BERLIN**

What?

**DAVID**

The part of the foreskin that gets thrown away. I think it's called schmuck.

**BERLIN**

Aren't we so fucking clever.

**ROSS**

(standing, escaping)  
I suppose I should get us another.  
David?

**DAVID**

Black Bush.

Ross walks to the bar. Berlin comes around and sits in his seat. Her mid-drift T-shirt reads "Sex is Power."

**BERLIN**

You were a jerk this afternoon.

A beat. She's turned facing him, he looks forward.

**DAVID**

For what it's worth, I didn't know about the suspension.

**BERLIN**

Is that supposed to be an apology?

**DAVID**

More like a conciliation.

**ON FOOD AND DRINKS TABLE**

David's  
with  
snacks and bottles. The flower arrangement is perfect.

**SAME SCENE - LATER**

bottles  
LOUDLY  
from  
the table.

The table is now in mid-party chaos. Food spilled, empty, the flowers in disarray. "I'M TOO SEXY" PLAYS in the background. Berlin takes a bottle of Red Label

people  
now dance, and out onto the patio.

pool.  
one  
Irish  
drinking game -- the crowd has chosen favorites.

A crowd well on their way to being drunk gathers by the They surround two patio chairs which face each other, with David, the other with Ross. The men are playing an

**ROSS**  
(slurring a bit)  
All right.  
(clears his throat)  
As the poets have mournfully sung,  
Death takes the innocent young, The screamingly funny, The rolling in money, And those who are very well hung.

to  
"Gale!  
Laughter, a few animated moans. David raises his glass  
Ross and downs a whiskey. Someone starts to chant:  
Gale! Gale!"

**DAVID**  
(feeling good but  
very much in control)  
There once was a lesbian from Canjuom,  
Who took a young man to her room,  
And they argued all night, As to who had the right, To do what, how, and to whom.

Laughter. Two women holding each other boo. Ross drinks.

**BERLIN**

One more. C'mon, one more.

**DAVID**

Enough. That's enough.

The crowd wants more. Someone makes chicken sounds.

**ROSS**

Do you bow to the Queen?

David looks at him, contemplates, then smiles. He holds his glass out for a refill. The crowd applauds.

**FULL SHOT OF PATIO**

The crowd is chanting: "Ross! Ross! Ross!"

**SAME SCENE - LATER**

The crowd has dispersed. A couple of small groups converse.

Someone is being thrown into the pool. TECHNO MUSIC PLAYS.

Inside the duplex a few dancers are still going at it.

**INT. BATHROOM**

MUSIC  
the  
David is washing his face. As he dries, the TECHNO downstairs gets BRIEFLY LOUDER. He looks from beneath towel into the mirror. Berlin has entered the bathroom.

**DAVID**

I'm done.

She locks the door, leans back against it. She's flushed.

He folds the towel.

**BERLIN**

I'm not a student anymore.

**DAVID**

Don't think I want to know what that

means.

--  
David lays the towel down, leans back against the sink  
they face each other on opposite sides of the bathroom.

**BERLIN**

There once was woman named Berlin,  
Who liked a bit now and again. Not  
now and again, But Now! And Again!  
And Again! And Again! And Again!

He laughs.

**BERLIN**

Cute, huh?

**DAVID**

Cute.

**BERLIN**

I have a secret. But I have to come  
over there to tell you.

He makes an I'm-not-so-sure face. She moves playfully  
toward  
him.

**BERLIN**

Here I come.

She comes up to him, leans into him as she puts her  
mouthclose  
to his ear. He keeps his hands back on the sink  
counter.

**BERLIN**

(whispering)  
I wasn't after the grade.

She stands with her body against him, looks into his  
eyes.

**DAVID**

Berlin, this, this is not...

She puts her fingers over his mouth, keeps them there.

**BERLIN**

Ssshhh.

With her free hand she takes one of his, rubs it against her face and lips as she speaks.

**BERLIN**

We'll just talk, analyze, contemplate.  
Or... you can put your mouth on my body.

She moves his hand down, brushing it against her breast and to her groin. She brings her mouth toward her fingers - - which are still against his lips.

**BERLIN**

(softly, vulnerably)  
Don't reject me. Please.

With her eyes open, she kisses the back of her own fingers, runs her tongue between them, opens them to reach his mouth.

**INT. HALLWAY**

A Hispanic woman (T-shirt: "DerriDa-Da") bee-bops to the bathroom door. Tries the handle, then dances away.

**INT. LIVING ROOM**

About eight dancers dance to the TECHNO MUSIC -- its pace increasing. A couple them are really into it.

**INT. BATHROOM**

Berlin and David are against the sink, kissing in full passion. The MUSIC from downstairs seems LOUDER. Her T shirt is off. Panting, he turns her against the sink.

Pulls her skirt up, reaches for her panties.

**BERLIN**

Rip them.

**DAVID**

What?

**BERLIN**

Rip them off.

He does so.

**INT. KITCHEN**

head  
against the POUNDING MUSIC. Greer sets a cup of coffee  
in  
front of him, sits across. A long beat. They seem like  
parents  
waiting out a teenager's party.

**INT. BATHROOM**

he  
takes his T-shirt off. The MUSIC from downstairs seems  
even  
LOUDER. His pants and underwear fall. He starts to  
penetrate  
her.

**BERLIN**

No. From behind.

She turns, faces the mirror. He positions himself  
behind,  
enters her.

**BERLIN**

Yes.

He moves against her.

**BERLIN**

Do it hard.

watches  
He looks at her in the mirror, then continues. She  
him.

**ON PATIO**

A guy sits alone at the far end of the pool on a  
lounger.

The dancers can be seen in the living room behind him.

**INT. BATHROOM**

the  
David thrusts against Berlin, her thighs pound against  
edge of the sink. The MUSIC is as LOUD as it is  
downstairs.

**BERLIN**

Harder.

He looks at her in the mirror, unsure.

**BERLIN**

Harder.

He thrusts harder.

**BERLIN**

Yes.

into  
They continue in rhythm. She reaches back and pulls him  
her.

**BERLIN**

Bite me. Bite my shoulder.

She watches him do so in the mirror.

**INT. LIVING ROOM**

more.  
The dancers dance -- the TECHNO PACE has INCREASED even  
One dancer is a blur.

**INT. BATHROOM**

Berlin is pulling David into her. They approach a  
climax.

She scratches him on the small of the back. Blood  
trickles.

**INT. LIVING ROOM**

MUSIC  
from  
The MUSIC and dancers are in pure FRENZY. Suddenly, the  
STOPS. Greer stands by the STEREO, his hand coming back  
the power button. He gestures "that's-all-folks."

**INT. BATHROOM**

heavily David and Berlin stand still and apart, breathing  
the into the reality-inducing silence. He looks at her in  
mirror, a look of shame. She gives him an odd smile.

**SMASH**

**CUT TO:**

**BLACK**

**FADE IN:**

**INT. CONSTANCE'S BEDROOM - NIGHT**

goes Constance wakes with a jolt, sweating. She gets up and  
into her bathroom.

**INT. BATHROOM - NIGHT**

medicine She turns on the light, moves to the sink, opens the  
cabinet. It's stacked with prescription medicines.  
Suddenly, she turns to the toilette, vomits.

**FADE TO:**

**BLACK.**

**FADE IN:**

**INT. BARNES & NOBLE COFFEE HOUSE - DAY**

the David and Constance sit by a window, the U.T. campus in  
b.g. David's distracted, wearing a suit and a long  
face. She's wearing the closest thing she has to business  
attire. She has stacks of paper spread in front of her.

**CONSTANCE**

Okay, let's say we find an innocent  
on death row. Wouldn't matter.  
Corrections would let him go. Governor  
Harding would go on TV, say, 'Thanks  
to the good people at DeathWatch,  
the system works.' Yeah, if they  
executed an innocent, and we had

absolute, undeniable, in-your-face proof, we could demand abolition. Just like happened in England. Are you okay?

**DAVID**

(coming out of it)

Sorry. Yeah.

He makes an effort, plays the "good listener."

**CONSTANCE**

But it hasn't happened, not since '76. And won't happen.

David nods.

**CONSTANCE**

Dead men can't make a case.

**DAVID**

And 'Almost Martyrs' don't count.

**CONSTANCE**

Just keep it rational. The death penalty is expensive and ineffective. No one wants to see a murderer as a victim.

**DAVID**

Um-hum.

**CONSTANCE**

And stop that.

**DAVID**

What?

**CONSTANCE**

Active listening. I hate active listeners. Makes me feel like I'm with a Dale Carnegie grad who cares more about appearing to listen than actually listening. Did you bring the Amnesty fax?

**DAVID**

I can listen and appear to listen at the same time. Yeah, no. Damn, I left it home.

**CONSTANCE**

I have a copy.  
stack  
She looks through her papers, finds the copy in the  
beneath her coffee cup. She starts to hand it to him.  
He is  
looking out the window, caught in a thought.

**CONSTANCE**  
You want to tell me what's up.

**DAVID**  
Nothing. Everything. Something  
profoundly stupid happened last night.

**CONSTANCE**  
(teasing)  
I hope you used a condom.

A beat. His reaction tells her the jest hit home.

**CONSTANCE**  
Jesus Christ, David. Was she one of  
yours?

A longer beat. He holds her eyes.

**DAVID**  
It was Berlin.

She's stunned, then genuinely angry.

**CONSTANCE**  
Oh, that's great, great. I can hear  
the grapevine now. They suspended  
her so Gale could dick her with a  
clear conscience.

He looks at his coffee, which he hasn't touched.

**CONSTANCE**  
A power differential equals coercion.  
Great. You are so weak.

**DAVID**  
Constance, you're not my wife. Thank  
God.

**CONSTANCE**  
I know you can tell yourself it's a  
position I aspire to, but believe  
me, I would rather...

She trails off. They stare at each other a beat. Then,  
she  
starts to collect the papers.

**DAVID**  
I didn't mean --

**CONSTANCE**  
Let's go.

As she collects, she winces, grabs her side.

**DAVID**  
Are you okay?

**CONSTANCE**  
Yes, let's just go.

**INT. TELEVISION STUDIO - CONTROL BOOTH - DAY**

Two people sit in front of monitors displaying various  
angles  
on sound stage. The main monitor is playing the end of  
the  
show's signation.

**ASSISTANT DIRECTOR**  
In three, two...

**ON SOUND STAGE**

A camera operator cues the host (50s, male, bow tie).  
The  
host is flanked by David and Governor Hardin.

The set has an upscale regional television look. The  
Governor  
has the rare ability to look comfortable while David  
fidgets.

**HOST**  
(to camera)  
Welcome back to 'Batter's Box.'  
Tonight we continue our very special  
four-part series with the Governor  
Hardin. Arguing capital punishment  
with her is DeathWatch coordinator,  
Professor David Gale. Governor, you're  
up.

**GOVERNOR HARDIN**

Alan, let me say somethin' I always say.

Constance stands behind the cameras. She motions to David -- something about the papers in front of him.

**GOVERNOR HARDIN**

And I'm gonna keep on sayin.' And that is I hate killin.' That's why my administration is willing to kill to stop it.

**DAVID**

So you don't subscribe to the idea that 'a good state is one that protects its most despised members'?

**GOVERNOR HARDIN**

It's a nice liberal idea, but like most nice liberal ideas, naive.

**DAVID**

It's a quote from you, Governor, from your first state attorney campaign.

Constance is biting her lip, breaks into a smile. The Governor with is unsure how to react, then laughs. The host chuckles with her.

**GOVERNOR HARDIN**

You've got me, Professor. But let me, in my defense, give you a quote. Winston Churchill: 'If you're not a liberal at twenty, you've got no heart, if you're still a liberal at thirty, you've got no brain.'

The host's laughter is overdone. David smiles. Constance bites her lip.

**DAVID**

So, basically you feel, to choose another quote, 'society must be cleansed of elements which represent its own death.'

The Governor makes an animated thinking face.

**GOVERNOR HARDIN**

Well, yes. I would have to agree.

(chuckles again)

Did I say that, too?

**DAVID**

No, ma'am. That was Hitler.

Constance makes a "Yes!" gesture with her hands. The Governor  
her  
tone  
is surprised into silence. The host laughs and, noting  
reaction, trails off. David becomes more confident, his  
more sincere.

**DAVID**

Governor, can't we examine the possibility that capital punishment isn't working. That murderers aren't deterred by the law because they have about as much forethought as lemmings. That it's expensive, inequitably administered, that...

David cuts his eyes briefly to Constance.

**DAVID**

...that we may even be killing innocents.

Constance rolls her eyes. The Governor is ready for this.

**GOVERNOR HARDIN**

All righty, Mr. Gale, I'll play your game. Name one. Name one innocent man Texas has put to death in my tenure. One.

A beat. David doesn't respond.

**GOVERNOR HARDIN**

Name one in the last twenty years.  
In any state in this country.

A long, miserable beat.

**HOST**

Well, Mr. Gale?

**DAVID**

Dead men can't make a case.

**GOVERNOR HARDIN**

Well, as my daddy used to say: If you can't find a problem, there probably isn't one.

Constance shakes her head in irritation.

**BACKSTAGE - LATER**

The show is over. David and the Governor are shaking hands.

Constance stands nearby.

**GOVERNOR HARDIN**

Well, you certainly had me on that Hitler quote.

**DAVID**

Thank you, Governor.

**GOVERNOR HARDIN**

These debates are awfully good for the state, don't you think?

**DAVID**

Of course.

**GOVERNOR HARDIN**

Well, I've got to buzz.

She moves toward her handlers.

**GOVERNOR HARDIN**

You folks keep up the good work. We need that opposition.

Constance's and David's polite smiles follow her.

**EXT. TELEVISION STATION - DAY**

Constance and David argue as they walk the sidewalk to the parking lot.

**CONSTANCE**

Your exact words were, 'Just tell me when my ego gets in the way of the work.' Now I'm telling you: Your ego's in the way of work.

**DAVID**

(indicating the station)

Look, I wanted you to do this anyway.

**CONSTANCE**

You put up precisely two seconds of protest at the thought of a televised debate.

**DAVID**

What's that supposed to mean?

**CONSTANCE**

It means DeathWatch suffers because you're so anxious to finger authority, to publicly prove that David Gale is so much fucking smarter than the powers that be. Learn to work without an audience. Try squeezing money from the donor list. Have you ever licked one single mail-out envelope?

They come to the end of the sidewalk, where two SUITS are standing -- one Hispanic, one white (30s).

**MAN #2 (SUIT)**

Mr. Gale?

**DAVID**

Look, guys, there's not much more to say --

**MAN #2**

Rameriz, Austin police. This is Officer Haslinger.

The officers show their Ids. Constance takes one to examine it more closely.

**DAVID**

What, arguing with the Governor is a crime?

The officers exchange a look.

**MAN #3 (SUIT)**

No, sir, rape is.

Constance and David look at each other, stunned.

**OVERHEAD SHOT**

CAMERA QUICKLY CRANES UP and ROTATES.

**DISSOLVE TO:**

**WHITE.**

**DISSOLVE TO:**

**INT. ELLIS VISITATION AREA - OVERHEAD SHOT - DAY**

CAMERA CRANES DOWN and ROTATES, ENDING UPRIGHT BY  
Bitsey as  
she listens to David.

**GUARD (V.O.)**

(over the loudspeaker)

Gale, time's up.

The speaker, loud as ever, startles Bitsey. David nods  
over  
to the guard's booth.

**DAVID**

Berlin had my bite marks, bruises,  
ripped clothing. My skin was beneath  
her nails. It didn't look like  
anything but rape. Two days later  
she called the D.A., said she wouldn't  
testify, too drunk to be sure, etc.  
On the plane home, Sharon read about  
her husband's rape case being dropped.

**BITSEY**

Why'd she do it?

A guard approaches. David stands up and moves to the  
back of  
his cage, puts his hands behind him and out the slot in  
the  
back to be handcuffed.

**DAVID**

(shrugs)

Finger authority, show she was smarter  
than the powers that be.

**BITSEY**

Do you know where I can find her?

**DAVID**

First year in here I received a card postmarked San Francisco. It wasn't signed, but I suspect it was from her -- the front had the text 'Sex is Power.'

Cuffed, David stands aside for the cage door to be opened.

**BITSEY**

Anything written on it?

**DAVID**

Yeah. It said, 'I'm sorrier than you can know.'

(exiting the cage)

See you tomorrow, Ms. Bloom.

**EXT. MOTEL SIX PARKING LOT - NIGHT**

Bitsey and Zack are walking from the Kettle to their rooms.

Zack is lighting a cigarette. The rain's stopped, but the lot is wet.

**BITSEY**

Try phone records, a net search.

**ZACK**

Fucking better than watching you work.

They walk a beat in silence.

**ZACK**

You think he's telling the truth?

**BITSEY**

Don't ask me that. I don't know. There is no truth, only perspectives.

**ZACK**

Can't say that. If you say 'there is no truth,' you're claiming it's true that there is no truth -- it's a logical contradiction.

**BITSEY**

Working on our philosophy merit badge,  
Zack?

**ZACK**

I, on the other hand, think Gale's  
telling the truth.

They come to the stairs and start up.

**BITSEY**

This you know telepathically?

**ZACK**

It's just my perspective.

In a dark corner of the parking lot sits the pickup  
from the  
rest area. The older cowboy watches Bitsey and Zack  
climb  
the stairs. On his STEREO, PUCCINI plays. Once they are  
in  
their rooms, he TURNS UP the opera, closes his eyes,  
feels  
the music.

**INT. RENTAL CAR - DAY**

The car moves through an older Austin suburb with wood  
framed  
houses (circa 1950) in varying states of repair.

It's an overcast day. Zack drives, slowly, searching.

Bitsey has the passenger seat fully reclined, lies with  
her  
eyes closed.

**SUPERIMPOSE: DAY TWO.**

**ZACK**

Thirty-three o what?

**BITSEY**

Seven.

(then)

'Check out the crime scene in Austin.'  
You made it sound so close. Shit,  
two and half hours and that damn lig --

**ZACK**

Bitsey.

needs  
homemade  
See  
8);

She looks up. Zack is pointing at house 3307, which  
paint and a lawn mower. In front of the house is a  
sign which reads, "David Gale Death House and Museum"  
where it happened!" Beneath are the opening hours (12-  
someone has marked them out and scribbled "ring bell."  
They share a look.

**EXT. PORCH OF HOUSE 3307 - DAY**

points  
opened

Bitsey rings the bell. Zack stomps out a cigarette,  
out a worn "Block Home" sign in the window, raises his  
eyebrows. As Bitsey straightens her skirt, the door is  
by a GOTH GIRL, probably not quite eighteen.

Inch

She has jet-black hair, nose piercings, tattoos, a Nine  
Nails T-shirt. METAL MUSIC comes from within.

uncomfortable

The Goth Girl just looks at them. After an  
silence, Bitsey extends her hand.

**BITSEY**

Hi. I'm Bitsey Bloom and this is  
Zack Stemmons. We --

**GOTH GIRL**

You want the tour?

Her voice is slacker monotone.

**BITSEY**

Uh, yes.

**GOTH GIRL**

There's a twenty-dollar mandatory  
donation, apiece. But you get a re-  
enactment photo packet. It's got  
five pictures.

**BITSEY**

Okay.

A beat.

**GOTH GIRL**  
I gotta collect first.

**BITSEY**  
Oh, sure.

Bitsey reaches in her bag.

**INT. LIVING ROOM - DAY**

They enter. The room is dark, messy, with an old couch  
and  
TV/VCR. A kitchen is adjacent. The walls are full of  
Goth  
bric-a-brac: London Batcave poster, one from Burton's  
Siouxsie and Frankenweenie, a couple of fan-zine pictures of  
the Banshees. In one corner is a very expensive STEREO,  
from  
which THE CURE plays. In another, a dead plant. The  
Goth  
Girl turns the MUSIC DOWN.

A table near the door has numbered photos beneath a  
torn and  
curling sheet of plastic. Small packets of snapshots  
sit on  
the table along with a few hand-labelled videos and a  
book  
of clippings. There's also a guest book.

**GOTH GIRL**  
You gotta sign the book. Doesn't  
have to be your real name, though.

Bitsey signs in.

**GOTH GIRL**  
First page says you're here to do  
research on violent crime. The state  
requires it for nonprofit shit.

Zack signs in.

**GOTH GIRL**  
Take a re-enactment photo packet.

Bitsey does so. As does Zack.

**GOTH GIRL**  
If you guys could share one, it would  
be really cool. The butt wipes where

I do prints kinda jerk my chain.

Goth  
plastic  
platinum

Zack puts his back. Bitsey is looking at a photo: the Girl in her panties and bra laying on the floor with wrap over her head. She's handcuffed and wearing a blonde wig. The pose is half-corpse, half-pinup.

**GOTH GIRL**

That's me. My boyfriend took it. We also did a video. It's fifty bucks 'cause you can see my tits. There's a version without tits, that's thirty-five.

Harraway

Zack looks at a video, hand-labelled: "Constance Murder (with breasts)! Copyright 1997! Svengali Productions!"

**BITSEY**

Do many people take the tour?

**GOTH GIRL**

Not so much anymore. We thought this would be like a busy week -- Gale gettin' the prune juice and all. Prune juice is what death row dudes call the poison, 'cause it gives you the shits. Most jerks just take a photo from the street. They shot a 'Real Crimes' episode here, but the owner didn't give us dick.

**ZACK**

You don't mind living here?

**GOTH GIRL**

I'm cool with ghouls. Beats livin' with my dickwad parents. It starts over here.

things, a  
tumbler  
has

She takes them to the coffee table. Among her own dusty Johnny Walker Black Label bottle sits beside a (an index card with the #1 leans against it). The area been outlined on the table with white shoe polish.

**GOTH GIRL**

She let him crash here sometimes. He was like constantly wasted. Drank Black Label religiously.

Bitsey and Zack exchange a look. The Goth Girl moves into the kitchen. It's cluttered and dirty except in the various areas which at one point had been outlined and indexed -- onto the patio. The backyard hasn't been mowed in years; roughly twenty pots with dead plants lying around.  
By the door, three small taped Xs are on the floor, outlined and indexed (#2).

**GOTH GIRL**

This is where the tripod was. My boyfriend borrowed the one we usually show folks. They never found a camera, photos, or videos or anything. Gale must have buried them. These serial killer dudes take photos to whack off to later.

**ZACK**

He's not exactly a serial killer.

**GOTH GIRL**

Whatever.

She moves to the sink. On the linoleum, the position of Constance's body has been chalk-lined (#3). In this area are packing on a pair of handcuffs (#4). Not far off is a roll of tape (#5). A pair of latex kitchen gloves are crumpled on the sink counter (#6).

**GOTH GIRL**

She was like totally naked right here. The meter man saw her through the door. Gale handcuffed her, taped her mouth, then taped a bag over her head so she couldn't breathe. My boyfriend says that's probably when

he fucked her. Your muscles tense up  
when you die -- the sex is better.

(pointing)

He used those housewife gloves so he  
wouldn't leave prints. They found  
sticky stuff from the tape on them.

Zack picks up the gloves.

**GOTH GIRL**

We ask folks not to touch the exhibit.

**ZACK**

Right.

He puts them back.

**GOTH GIRL**

The totally sick part was where they  
found the key --

**BITSEY**

We know, you can save that.

**ZACK**

What? Where was it?

**GOTH GIRL**

It was in her stomach, dude. He made  
her swallow it before he bagged her.

A beat. Zack's shocked.

**GOTH GIRL**

That's pretty much the highlight.

Got questions?

**INT. RENTAL CAR - DAY**

Bitsey drives. They are on the two-lane highway to  
Huntsville.

Zack smokes out the window.

**BITSEY**

It was in the case file.

**ZACK**

Fuck, in her stomach? That's colder  
than Wisconsin.

**BITSEY**

(looking in the  
rearview mirror)  
Zack, open your vanity.

**ZACK**

What?

**BITSEY**

The vanity mirror, pull it down.

He does so.

**BITSEY**

See that truck behind us?

**ZACK**

Yeah.

**BITSEY**

Isn't that the cowboy from the rest area?

They look in their respective mirrors. Some distance behind them is the older cowboy in his pickup.

**ZACK**

Same truck.

**BITSEY**

Weird coincidence, huh?

**ZACK**

(turning)

Coincidences are always weird, that's why they're coincidences.

**INT. ELLIS VISITATION AREA - DAY**

Bitsey sits in front of David. He's less animated than the day before, drained. He rubs his wrists. They are speaking in hushed tones.

A beat.

**DAVID**

Off-the-record?

**BITSEY**

Alright, we're off.

**DAVID**

Constance was murdered with what's called the Securitat Method. You're hand-cuffed, forced to swallow the key, taped at the mouth, a bag's sealed over your head and you're left to suffocate. The Securitat did this to Romanians who wouldn't inform or confess. Sometimes the bag was ripped off at the last second, you got a second chance. If not, you die knowing the 'key' to your freedom was inside you the whole time. A cheap-but-effective metonym. Problem is I mentioned the method in an early article. The prosecution never knew.

**BITSEY**

You're telling me someone's framing you?

**DAVID**

It's more than that.

**DAVID**

There was a tripod.

**BITSEY**

Right, facing her body. Are we on?

**DAVID**

(nods agreement)

Not a single print was found on it. Someone brought it, wiped it, left it. Why? It's as if they wanted me to know that somewhere there's a record of what really happened that afternoon. As if they wanted me to die knowing the key to my freedom was... out there.

**BITSEY**

Maybe you're being paranoid?

**DAVID**

Ms. Bloom. I'm an anti-death row activist on death row. Doesn't that strike you as odd?

A beat. She nods.

**BITSEY**

Any ideas who 'they' are?

**DAVID**

No.

A beat.

**DAVID**

But I have someone on it, someone  
I'm hoping will one day find an  
answer.

**BITSEY**

Belyeu's hired a detective?

He shakes his head.

**DAVID**

A journalist.

It takes Bitsey a second to understand. David smiles.

**DAVID**

(mimicking Belyeu)  
'She's a smart one.'

**ACCELERATED ROTATING ZOOM OUT TO LONG SHOT.**

**DISSOLVE TO:**

**WHITE.**

**DISSOLVE TO:**

**INT. U.T HALLWAY - LONG SHOT - DAY**

**ACCELERATED ROTATING ZOOM IN.**

David and Constance stand by the double doors. He's concentrated; she's biting her lip. They're looking onto a large parking lot.

The lot is practically empty except for Sharon and Chase, who stand near their Jeep. It's packed with various household items, things not entrusted to movers.

**CONSTANCE**

I'll drop by your office after.

He nods and goes out.

**EXT. U.T. PARKING LOT - DAY**

As David approaches them, Chase runs to them -- still carrying Cloud Dog. He jumps on his dad.

**CHASE**

Wear me like a fur, Daddy! Wear me like a fur!

As he walks, David drapes the boy sideways over his shoulders (like a fur). Chase squeals with pleasure.

**DAVID**

Who's your hero?

he Chase bonks him on the nose. David sets Chase down when reaches his WIFE. He kiss him goodbye as the boy struggles to move on to something else. A long beat as David and his wife stand uncomfortably.

**DAVID**

Call me when you get to Boston?

**SHARON (WIFE)**

Yeah.

A beat.

**DAVID**

I wish you --

**SHARON**

Don't.

She turns and walks to the Jeep. The door's open.

**SHARON**

Chase, get in, Sweetie.

Chase climbs in, sits in the driver's seat.

**CHASE**

(turning to his dad)  
See ya later, Alli-gator.

**DAVID**  
After awhile, Crocodile.

**CHASE**  
Take it easy, Japa-ne-se.

**DAVID**  
Okey-dokey, Artichokey.

**SHARON**  
(to Chase)  
Scoot.

the  
Chase scoots over to the passenger seat. Sharon gets in  
driver's seat.

**SHARON**  
I sent you an e-mail.

**DAVID**  
Okay?

**SHARON**  
Just read it.

passenger  
She closes the door. Suddenly, Chase opens the  
runs  
side door, runs around the Jeep carrying Cloud Dog. He  
to his dad, hugs him one last time.

**SHARON**  
(cracking her window)  
Come on, Chase.

Cloud Dog  
Chase starts to go back, turns and hands David his  
Jeep  
without comment. He then quickly runs back around the  
and gets in.

the  
David watches them drive away. Chase's hand waves out  
window until they are out of the parking lot.

**INSERT - COMPUTER SCREEN**

with an e-mail message: "David, I want a divorce. I'm  
sorry  
to say it so plainly, but that's how I feel it. I don't  
need  
time to think, this whole 'rape' thing has only  
forced..."

**INT. DAVID'S U.T. OFFICE - DAY**

David sits in front of his computer, staring into  
space.

The office is institutional, cramped. Books line the  
walls,  
fill the desk.

reaches  
There's a framed poster (Warhol-style) of Socrates. He  
into his desk for a bottle of Black Bush and fills his  
glass.  
There's a KNOCK on the door. Constance enters.

**CONSTANCE**

You could at least hide the bottle.

opposite  
David closes the e-mail. She collapses in the chair  
his desk, exhausted.

**DAVID**

Well?

**CONSTANCE**

Officially, you're on sabbatical.  
Unofficially, they want you to look  
for another position. It was four to  
two.

A beat as he absorbs the information.

**DAVID**

How did Ross vote?

**CONSTANCE**

You're not supp... Against you.

David nods.

**DAVID**

And you?

**CONSTANCE**

Against my politics.

David mouths a "thank you."

**EXT. GALE HOUSE - DAY**

A Century 21 real estate agent is putting a "For Sale" sign in the front yard.

**INT. UPSCALE RESTAURANT - DAY**

David is having lunch with an IVY LEAGUE-LOOKING MALE in his fifties. Only water and bread are on the table.

**DAVID**

So, I wanted to get your feedback on the idea.

The Ivy Leaguer vigorously butters his bread.

**IVY LEAGUER**

Look, Professor Gale, I could sit here, as I'm sure others have, and plead departmental cutbacks. Claim you need more publications, or I need a minority, whatever. All bull-geschichte. Your record's brilliant. You're an original voice worth -- in the scarcity-defines-value capitalist system under which we toil -- your weight in gold. Hell, it's not even the alcohol. It'd be nice to have faculty whose crutch wasn't Prozac. But, to speak plainly, if I hire you, in the eyes of the regents, alumni and every freshman with an ear for gossip, I'd be hiring a rapist.

He takes a bite of bread.

**IVY LEAGUER**

You're not politically correct, Dr. Gale. Welcome to the club.

**EXT./INT. DAVID'S APARTMENT - DAY**

David stands on the balcony of a sparsely-furnished

Interstate  
month apartment. Books are stacked everywhere. An  
runs nearby. He holds a phone, looks down in the pool  
area.

**DAVID'S POV**

Speedo)  
A horribly-tanned man in his seventies (wearing a  
attempts to do Tai Chi.

**CHASE (V.O.)**  
(on his mom's answering  
machine)  
We aren't home. Please, tell us a  
message.

**SHARON (V.O.)**  
(cueing him in the  
b.g.)  
At the beep.

**CHASE (V.O.)**  
At the peep.

**ON DAVID**

saying  
David lets the PHONE BEEP, just stares down at the man,  
nothing.

**EXT. APARTMENT COMPLEX PARKING LOT - DAY**

(funny  
clothes, Greek letters on her cheek) quickly  
approaches.

She takes his picture with a Polaroid camera.

girls  
She runs to a waiting convertible, where two other  
sit.

**SORORITY PLEDGE**  
I got it! I got it!

She jumps in the car and they speed away.

**INT. HIGH-RISE OFFICE - DAY**

The office is Philip Stark chic with large window walls

--

Austin stretches into the distance. David sits on a sofa across from an exceedingly ATTRACTIVE WOMAN (early 40s).

**ATTRACTIVE WOMAN**

What exactly attracts you to the bond market?

He's staring into space.

**ATTRACTIVE WOMAN**

Mr. Gale?

He looks at her. She forces a strained smile.

**INT. DAVID'S APARTMENT - NIGHT**

a  
Bush  
on  
After  
re-  
Dark. David lies on the floor, his head propped against wall. He's in his underwear and drinking from a Black bottle. The phone's beside his ear and Chase's MESSAGE on his wife's MACHINE TWEAKS out of the receiver speaker. After the BEEP, David hangs up, gets a DIAL TONE, and punches re-dial. The MESSAGE STARTS again.

punches  
After the BEEP, he hangs up, gets a DIAL TONE, and re-dial.

**INT. SMALL OFFICE - DAY**

MAN  
David is in the office of an overdressed YUPPIE BLACK (early 20s). David is doing his active listening thing.

**YUPPIE MAN**

(over-articulating)

Now, Mr. Gale, I want you to tell me three personal qualities you have that would make you a successful Radio Shack manager.

**EXT. GOLF COURSE - DAY**

David and Belyeu approach a ball fifty feet from the green.

**BELYEU**

Because divorce proceedings do not require her presence in the country. For a custody hearin', yeah, she'll have to return.

David chooses a club.

**BELYEU**

But without successful completion of an alcohol treatment program, you'll be lucky to get the odd Thanksgivin'.

David walks to the ball.

**DAVID**

So my chances of getting partial custody aren't good?

**BELYEU**

Roughly the same as you sinkin' that from here.

David looks at him, then concentrates on the ball -- suddenly it has meaning. He swings. The ball lands in a water trap.

**INT. PICTURESQUE MOUNTAIN ROAD - DAY**

A David's Volvo winds up the road, enters through a gate. sign beside the gate: "The Go lightly: A Recovery Clinic."

**FADE TO:**

**BLACK.**

**FADE IN:**

**EXT. CONSTANCE'S HOUSE (3307) - DAY**

It's a beautiful day. The house looks much different than in the Goth Girl's care -- flower bed, well-manicured lawn,

fresh paint. The "Block Home" sign is in the window.  
David's  
Volvo pulls up in front.

**INT./EXT. CONSTANCE'S FRONT HALLWAY - DAY**

Constance opens the door for David. He's wearing a  
short  
sleeved Radio Shack shirt and tie. She's taken aback.  
Looks at him a beat, bites her lip, suppresses a laugh.

**CONSTANCE**

I'm sorry.

He plays hurt, then they both burst out laughing.

**LONG SHOT - CONSTANCE AND DAVID**

She hugs him as they laugh on the porch.

**INT. CONSTANCE'S LIVING ROOM - DAY**

The living room is now Laura Ashley cozy. The sliding  
door  
is open so the room's sunny, breezy. Constance leads  
David  
in. She looks tired but is animated, a bit too much so.  
Her  
hair is different.

**CONSTANCE**

You look good.

**DAVID**

I feel... washed.

She smiles at him maternally, touches his face. They  
hug  
again.

**CONSTANCE**

(lightly, in his arms)  
I need you. DeathWatch needs you,  
now more than ever.

**DAVID**

Nothing like I need you, both. You're  
all I have.

**CONSTANCE**

Look.

She moves from him, takes a photo from a case file on  
her kitchen table.

**CONSTANCE**

Jo Ann Johnson's been re-scheduled.

**INSERT - PHOTO**

of a young black women -- pleasant, timid.

**BACK ON SCENE**

**CONSTANCE**

I've got a call with Hawkins tonight,  
and if national will commit emergency  
funds...

She lifts a small plant, moves to the porch.

**DAVID**

Jo Ann will be commuted and you'll  
only prove the system works.

He notices she has bruises on her arms.

**CONSTANCE**

But I'll save a life.

**DAVID**

(referring to the  
bruises)

Where'd you get those?

**CONSTANCE**

Spring cleaning.

**EXT. CONSTANCE'S PORCH**

**CONSTANCE**

She went up at 18, she's 26 now.

She sets the plant down among others. At the very back  
of  
the yard, the Older Cowboy spades in a vegetable  
garden.

**DAVID**

(calling to the Cowboy)

Hey! She ever not make you work when  
you come by?

**OLDER COWBOY**  
(raising his spade in  
greeting)  
Mornin', David.

**DAVID**  
(turning to Constance)  
What's her story?

**CONSTANCE**  
I really want us to get behind this  
one. She's articul --

**DAVID**  
Constance, who did she kill?

Constance looks at him a beat, sighs.

**CONSTANCE**  
A cop.

**DAVID**  
She admit to it?

Constance sheepishly nods.

**DAVID**  
You're a crazy woman. Not your medium  
grade thinks-she's-Teddy Roosevelt's-  
bathrobe, but stark-raving-loose-  
screws-in-the-belfry insane.

**CONSTANCE**  
You're mixing metaphors.

**DAVID**  
A real danger to flora and fauna.

**CONSTANCE**  
Are we gonna do this?

**DAVID**  
(the smile)  
And how.

He kisses her on the forehead -- he's surprised.

**DAVID**  
You're burning up.

**EXT. STARBUCKS - NIGHT**

cup-  
others.  
happier.

David exits the store carrying four large coffees in a container, tries to sip one without spilling the He's still wearing the Radio Shack shirt, seems

his  
front  
the  
back,  
automatic

In the parking lot, a hip high schooler jumps out of Camero and moves toward the store. As David comes in of the car, he sees his former baby-sitter sitting in passenger seat. Their eyes meet. He smiles. She smiles waves. As he passes, he hears the girl hit the car's **DOOR-LOCK BUTTON.**

desk  
beneath a

David enters carrying the coffee. The matron sits on a licking envelopes. The college guy is on the floor desk rewiring a computer terminal.

**COLLEGE GUY**  
(calling from beneath  
a desk)  
Howdy, Mr. Gale.

**DAVID**  
Hello, folks.

David goes to the Matron, gives her cup and three Sweet & Lows.

**MATRON**  
Hello. My, this is service. Thank you.

**DAVID**  
Gladly.

He takes one of the unsealed envelopes from her stack, then puts a cup beside the legs of the College Guy.

**DAVID**

Latte on your left, partner.

gives David makes his way to the back office. The College Guy  
the Matron a look -- they're surprised, pleased.

**INT. BACK OFFICE - DAY**

walls, Constance sits at a spartan desk. Nothing is on the  
though a window opens onto the alley behind. She's  
talking on the SPEAKER PHONE with the DeathWatch national  
director --  
a social gathering is going on behind him.

**DIRECTOR (V.O.)**

...and see what kind of resources  
the religious groups can deliver.

David comes through the door. She waves him in.

**CONSTANCE**

I'm sure we can get some pulpit time,  
maybe cable.

from He sets her coffee in front of her. Then sits across  
her.

**DIRECTOR (V.O.)**

Cable's good. Listen, I need to run.  
For now, I agree the first press  
release should focus on the woman's  
youth.

David holds up the envelope for Constance to see, then  
animatedly licks and seals it. He then, literally, pats  
himself on the back.

**DIRECTOR (V.O.)**

I'll have the Washington people look  
into counsel competency, though I'm  
almost sure she's exhausted this  
issue on appeal.

She smiles at him, shakes her head.

**CONSTANCE**

(to the phone)  
John, David's going to --

**DIRECTOR (V.O.)**

Oh, I almost forgot. He's not around,  
is he?

Constance hesitates, looks at David. He shakes his head  
no.

**CONSTANCE**

No.

**DIRECTOR (V.O.)**

Good, keep it that way. His  
relationship to DeathWatch is over,  
terminated. Last thing we need is  
this rape thing coming back to bite  
our butts.

Constance is not sure how to react. David just stares  
at  
her.

**DIRECTOR (V.O.)**

These guys don't stay on the wagon  
for very long.

coffee  
David stands up and leaves the room, quickly. His  
spills. Constance can only watch.

**DIRECTOR (V.O.)**

I'm serious, Constance. Ban him from  
the premises. I realize you two...

**EXT. DEATHWATCH OFFICE (AUSTIN) - NIGHT**

Constance comes anxiously out the front door.

**CONSTANCE'S POV**

David's Volvo pulls out of the parking lot.

**BACK TO SCENE**

She  
watches, grabs her stomach, vomits on the sidewalk.

**EXT. AUSTIN STREET - NIGHT**

stands  
The Volvo is parked on a seedy Southside street. David  
at a phone booth and dials a long-distance number and a

calling code. He waits, impatiently, looks across the street:  
There's a liquor store.

**CLOSEUP - RECEIVER**

at his ear, Chase's MESSAGE BEGINS.

**BACK ON DAVID**

He speaks into the PHONE after the BEEP.

**DAVID**

Sharon, pick up. For once just pick up the goddamn phone! If you keep him in Spain, I'll... I'm begging you. He's my son! Please! Please.... Please.

starts  
smashing it against the phone's body; he smashes it  
long  
after there is anything left to destroy, long after his  
hand  
bleeds.

**EXT. CONSTANCE'S HOUSE (3307) - NEXT DAY**

toward  
Constance walks with car keys and a large stack of mail  
weeks.  
her front porch. She looks like she hasn't slept in  
sign,  
David is sitting on the porch beneath the Block Home  
Radio  
holding Cloud Dog. He wears the Yale sweatshirt, the  
sloppy  
Shack shirt is wrapped around his injured hand. He's  
drunk.

**DAVID**

We're seeking refuse, refuge, uge.

**CONSTANCE**

Come on, come inside.

She opens the door as he stands.

**DAVID**

We fell off our wagon.

**INT. CONSTANCE'S LIVING ROOM - DAY**

of  
David enters rambling, stands leaning against the back  
the couch, holding the sheep.

**DAVID**

Know why Saint Jude is the patron saint of lost causes? 'Cause his real name was Judas. There were two Judases, Judai, the saint guy and the bad Judas who ratted on Jesus, and tried to kiss him. Medievalers wouldn't pray to good Judas for fear of getting bad Judas on the line by mistake. Ergo, they only gave him business when really desperate. That's why. Then they changed his name.

She's not in the room.

**DAVID**

Constance?

lightly  
He looks back toward the entry hall. A small flyer blows along the floor into the living room.

**DAVID**

Your mail's blowing.

He looks in the entry hall.

**ENTRY HALL**

door.  
Constance lies unconscious on the floor near the open  
The mail is scattered about her.

**INT. HOSPITAL WAITING ROOM - DAY**

stack  
INTERCOM  
can be heard throughout the scene.  
David sleeps in a chair, on the floor beside him is a  
of vending-machine coffee cups. A typical hospital  
can be heard throughout the scene.

shakes  
A female DOCTOR (mid-30s) sits beside him, lightly  
his shoulder. He wakes, groggy.

**DOCTOR**

How we doing?

**DAVID**

Fine. How's Constance?

**DOCTOR**

Sleeping.

A beat as he collects himself, sits up.

**DOCTOR**

Mr. Gale, a leukemia patient's condition is highly susceptible to external stress. While we don't want to totally restrict Constance's life --

**DAVID**

What?

**DOCTOR**

Constance's illness requires a degree of regularity.

**DAVID**

Constance has leukemia?

**DOCTOR**

Acute. She was diagnosed last fall.

A beat as the situation clarifies for both of them.

David is

stunned, the doctor embarrassed.

**DOCTOR**

Have I created a problem?

**DAVID**

No, no.

They sit in silence. The hospital intercom seems to say:

**GUARD (V.O.)**

Gale, time's up.

**CLOSEUP - DAVID**

**CAMERA SLOWLY ROTATES.**

**DISSOLVE TO:**

**WHITE.**

**DISSOLVE TO:**

**INT. ELLIS VISITATION AREA - CLOSEUP - BITSEY - DAY**

CAMERA SLOWLY ROTATES. Bitsey stares at David, engrossed.

**DAVID**

When I asked why she hadn't told me, she muttered, 'too busy.' I guess she figured as long as death was chasing her, she could help others escape.

He stands, goes to the back of the cage to be handcuffed.

**DAVID**

Constance left the world better than she found it.

(beat)

It's a small, difficult thing.

**EXT. ELLIS UNIT PARKING LOT - DAY**

The rental car sits in a corner of the mostly empty lot, as far as possible from the razor-wire fence and exercise pens.

**INT. RENTAL CAR - DAY**

nervously Zack waits in the driver's seat, smoking. He looks through the windshield toward the pens. Bitsey raps on the window, startling him.

**ZACK**

Fuck.

opens Zack unlocks the door, throws his cigarette out. Bitsey the door and gets in.

**ZACK**

Hey.

**BITSEY**

(waving her hand at  
the smoke)  
For God's sake, Zack.

**ZACK**  
You're not a happy camper.

**BITSEY**  
It's not a happy place.

He STARTS the CAR.

**ZACK**  
Talked to the Austin prosecutor.  
Belyeu's a yokel. Prosecutor says he  
fucked up the penalty phase, says  
Gale probably would have gotten life  
on mitigating factors. Gale stuck  
with him, though, all through appeals,  
despite major pro bono offers.

**BITSEY**  
What else?

**ZACK**  
Notta on Berlin, we pick up the money  
in Houston tonight, overheat light  
came on twice, and you're about to  
get a surprise.

**BITSEY**  
I don't want a surprise.

**ZACK**  
(pointing ahead)  
Too late.

**EXT. ELLIS UNIT DRIVE GUARDHOUSE - DAY**

The guardhouse is now occupied. The crossing guard is  
down.  
Across the drive sits a Texas Highway Patrol car.

parked  
where  
another Highway patrol car is stationed.

only

people vehicle on this side is a Houston TV news truck. Six  
in ponchos discuss something in the middle of the  
drive.

The rental car ENTERS the FRAME.

**INT. RENTAL CAR**

Bitsey and Zack approach the guardhouse.

**ZACK**

This is mostly an Oklahoma caravan.  
I got stuck behind them on the way  
in.

as the The guardhouse attendant looks in, waves them through  
crossing guard lifts.

**ZACK**

Execution's not for another 36 hours.  
It's gonna be a zoo. There's the  
P.R. guy.

Grover. Standing among the six people in ponchos is Duke

makes a They pass him in SLOW MOTION. He sees them, smiles,  
"Hello" shooting-gesture.

**BITSEY**

What a life, waiting around for  
someone to die.

**ZACK**

Fuck, look.

Cowboy's The next-to-last vehicle on the left is the Older  
pickup. He sits inside talking with another man. The  
Older Cowboy sees them, touches his hat as they pass.

**BITSEY**

This is a little too coincidental.

**EXT. TWO-LANE HIGHWAY - DAY**

The rental car passes a farmhouse.

**INT. RENTAL CAR**

Bitsey and Zack are headed to Huntsville.

**ZACK**

'Cause I couldn't see the license plate.

**BITSEY**

Forget it. What time is it?

**ZACK**

6:05. Why don't you have a watch?

**BITSEY**

It's a long story.

**EXT. TWO-LANE HIGHWAY - DAY**

front  
The rental car passes a black teenager hitchhiking in  
of an abandoned vegetable stand.

**EXT. MOTEL SIX GANGWAY - DAY**

is  
Bitsey and Zack make their way to their rooms. Zack's  
first.

**BITSEY**

Give me an hour.

**INT. ZACK'S MOTEL SIX ROOM - DAY**

papers  
Zack unlocks his door, enters. The room's a mess,  
on  
everywhere. He walks toward a portable computer sitting  
the room desk.

**BITSEY**

Zack!

Zack runs from the room.

**EXT. MOTEL SIX GANGWAY - DAY**

Zack runs towards Bitsey. She stands outside her room.

**ZACK**

What!?

**BITSEY**

It's open.

**ZACK**

So? Maybe the maid forgot.

**BITSEY**

(pointing)

Look!

As he comes to her door, he sees what she's indicating:

roll of  
Between the door and its frame, someone has stuck a  
duct tape.

**INT. BITSEY'S MOTEL SIX ROOM - DAY**

sees  
Bitsey pushes the door open, looks in and around. She  
something, enters. Zack enters behind her, sees what  
she  
sees.

**ZACK**

I'll check the bathroom.

He goes. She approaches the middle of the room.

has  
The room, in contrast to Zack's, is perfectly neat. It  
center.  
two twin beds. The nightstand has been moved to the  
lamp, a  
On it is a lamp, turned on. Suspended just above the  
VHS cartridge hangs from the ceiling by fishing line.

**BITSEY'S BATHROOM**

Zack checks behind the shower curtain.

**ZACK**

Clear in here! Don't touch it!

**BACK IN BEDROOM**

Cassette.  
As Zack enters, he sees Bitsey holding the VHS

**ZACK**

Fuck, Bitsey, there could have been  
prints.

**BITSEY**

Look.

old  
She holds up the cassette. It has a label typed from an  
typewriter: "For Bitsey Bloom."

**EXT. MOTEL SIX RECEPTION - DUSK**

drag  
Zack runs out the front door carrying a VCR, the cables  
the ground behind him. He runs toward the rooms.

**INT. BITSEY'S MOTEL ROOM - DUSK**

Bitsey unlocks the door, lets Zack in.

**ZACK**

She says no one asked for you. And  
all the room keys are different.

He goes to the TV.

**ZACK**

Just she and her husband have masters.

**BITSEY**

What did you tell her?

**ZACK**

That you have a jealous boyfriend.

He starts to hook up the VCR.

**BITSEY**

Thanks. How about the V.C.R.?

**ZACK**

She didn't ask. I think she assumed  
it had something to do with why he  
was jealous. I still say we should  
do this in my room -- this one's a  
fucking crime scene.

**BITSEY**

Whoever got in here -- without a key  
in broad daylight -- was probably  
smart enough not to leave prints. I  
have the remote.

He turns ON the TV.

**ZACK**

Maybe they could look for D.N.A. Try three.

**BITSEY**

(hitting the remote)

They don't look for D.N.A. when someone breaks in to deliver, Zack. Here.

She hands him the tape. He starts to put it in, hesitates, looks back at her.

**ZACK**

You sure you want to see what's on here?

**BITSEY**

No. Start it.

He puts it in, pushes play. She sits on the bed. He sits beside her. They watch the black leader appear.

**BITSEY**

I hope this isn't what I think it is.

**CLOSEUP - TV**

An image flickers in. It's a woman lying nude on the kitchen floor of house 3307, facing away from the camera.

An opaque white kitchen bag is over her head, sealed at the neck with duct tape. Her hands are handcuffed behind her. She appears dead.

**BITSEY (O.S.)**

God, no.

**ZACK (O.S.)**

Fuck. Is it her?

**BITSEY (O.S.)**

Turn it up.

**BACK TO SCENE**

turns  
They stare at the screen, she bites a thumbnail. He  
the sound up.

**INT. HOUSE 3307 - KITCHEN - DAY (ON TV)**

cleaner  
Hi-8 video: The woman does not move. The kitchen is  
than we've seen it, but otherwise unchanged.

inside  
on  
corner  
Kitchen gloves can be seen -- laid upside down and  
out -- on the dish rack beside the sink. Near the body  
the floor is a roll of duct tape. In the lower right  
of the screen is part of what looks like a towel.

so  
The audio is full of ATMOSPHERIC HUM. A REFRIGERATOR  
contributes. BIRDS can barely be heard in the distance,  
can what sounds like a LAWN MOWER.

come to  
then  
the  
her  
rip  
Her  
seems to  
Suddenly, the woman makes a muffled sound, seems to  
life. Her wrists start to pull against the handcuffs,  
jerk at them. She panics. Her legs flail, kick against  
counter. She screams, muffled, frantic. She rolls onto  
stomach, her whole body fights against the cuffs. She  
desperately rubs her face along the linoleum trying to  
the plastic. Soon, her energy wanes, she jerks less.  
covered face now points toward the camera. Her head  
rock, a sleepy nod. Her body goes slack. Black.

**EXT. MOTEL SIX GANGWAY - DUSK**

interstate  
Bitsey stands at the railing, looking out at the  
and a thunderstorm gathering on the horizon.

After a few seconds, Zack comes up beside her.

**ZACK**

Belyeu says to bring the tape first  
thing tomorrow. Also said you were

right about not calling the police.

A beat, she keeps looking straight on.

**ZACK**

Are you gonna be okay?

Bitsey takes a deep breath, turns to him, holds his eyes.

She shakes her head no. Her lips start to tremble. He puts his arms around her as she starts to cry.

**INT. KETTLE RESTAURANT - NIGHT**

Bitsey and Zack sit at a booth having coffee. Zack smokes. The VHS cassette is also between them, as is a small stack of crumpled tissues. The thunderstorm can be heard in the distance. The waitress is refilling their cups, and they wait until she leaves. Hushed tones.

**ZACK**

Let's say Gale's right. Some sick-fuck-Agatha Christie-wannabe set him up, arranged like the perfect murder. Why send a magazine journalist proof a few hours before he's won? Doesn't make sense.

**BITSEY**

No, it's perfect. He knows News Magazine won't give the scoop to the dailies or nightly news, not after having paid for it. Probably guessed we wouldn't call the cops. And, most importantly, knows I'll tell Gale tomorrow.

**ZACK**

Why does he give a shit?

**BITSEY**

Zack, what if Harraway's murder was just a means to getting Gale. I mean sending him through hell, a sick cat and mouse game. You kill the one person he has left. Make sure he

sits six years on death row for the murder -- a place he's made a public career of loathing. And then just let him die, die knowing everyone will remember him with disgust. You destroy his loved ones, his life's work, his memory -- and you make him watch.

**ZACK**

That's a lot of hate. You're talking beyond sadism.

Bitsey gestures to the tape, makes a need-I-say-more face.

**ZACK**

Then why release it?

**BITSEY**

If the mouse dies the game's over.  
Maybe the cat's enjoying himself.  
Or...

**ZACK**

Or?

**BITSEY**

(picks up the tape)  
Imagine walking to the chamber knowing this exists.

**ZACK**

The 'cat' is a fucking psychopath.

**BITSEY**

Yeah, but smart.

**EXT. MOTEL SIX - NIGHT**

The storm batters the motel. We see Bitsey's dark front window. Lightning. A figure stands looking out. More lightning. It's Bitsey, intently watching the night.

**INT. RENTAL CAR - DAY**

**SUPERIMPOSE: DAY THREE**

On the back seat is an aluminum suitcase. Zack sits beside it looking out the back window. Bitsey drives.

It's still raining, hard. They're on the two-lane highway to Austin.

**ZACK**

Why do they call it check-book journalism if we always pay cash?

**CLOSE ON DASH**

The over-heat light is on.

**BACK TO SCENE**

**ZACK**

Woa, woa. Sadist at six o'clock!

**BITSEY**

Is it the truck?

**ZACK'S POV**

fifty  
The cowboy's truck can be seen through the tire mist yards behind them.

**ZACK**

Yep, and doing a lousy job of hiding.

back  
Bitsey watches in the rearview mirror. Zack out the window.

**ZACK**

He must think we're idiots. You think he's our fucked-up feline?

Bitsey doesn't respond, just watches in the mirror, then:

**BITSEY**

Is he gaining?

**ZACK**

No. Just sitting back there.

**BITSEY**

Can you see the license?

**ZACK**

Too much mist. What the fuck does this guy want?

**INT. LAW OFFICE OF BENJAMIN BELYEU - DAY**

The office has a view of the rain-soaked capital.

Expensively decorated. Dark woods and deep carpets --

Belyeu's practice is clearly thriving. A sharp-looking  
CLERK  
sits at a corner table counting money from the aluminum  
suitcase. Bitsey sits on a huge sofa. Belyeu stands  
just  
outside his door.

**BELYEU (O.S.)**

Fine. Oh, and bring in Miss Bloom's  
original when that's done.

(entering, to Bitsey)

Don't blame you for not watching  
that twice.

He goes to his desk and starts sifting through papers.

**BITSEY**

I couldn't sleep afterwards.

**BELYEU**

I understand. I generally tell folks  
I'm no more afraid of the grim reaper  
than I am of a Presbyterian on  
Mother's Day. But watching your  
tape... well. I had to keep tellin'  
myself 'that's not Constance' just  
to get through.

(a beat)

Unfortunately, others may argue the  
same.

**BITSEY**

Yeah, but it's her kitchen, in her  
house.

**BELYEU**

Currently home to Weirdos  
Incorporated. Arguably, that tape  
could have been made by anybody with  
twenty dollars and a tolerance for  
vulgarity.

**BITSEY**

But it will at least get us a  
postponement?

**BELYEU**

I hope so, Miss Bloom, I certainly  
hope so. But you've got to remember  
that there's a machine a runnin'.  
And come six o'clock tomorrow mornin'  
that machine wants to be fed.

The Clerk puts the last of the money back into the  
suitcase.

**CLERK**

All here, Mr. Belyeu.

**BELYEU**

(to the Clerk)  
Thank you, Joshua.  
(to Bitsey)  
To add to our troubles, your own  
credibility may come into question.

The Clerk exits.

**BITSEY**

Why?

**BELYEU**

You've been fraternizin' with the  
condemned. In the court's eyes, he's  
the most likely candidate to have  
put you onto the tape. He's a  
persuasive man, you're a out-of-state  
woman -- it don't look good on paper.

**BITSEY**

But someone put it in my hotel room.

**BELYEU**

A fact for which we have no evidence.

Bitsey  
A very professional-looking assistant enters, hands  
her video.

**BELYEU**

Thank you, Bobbi.

**BITSEY**

Thanks.

**BELYEU**

(standing)

Well, let's not start readin' Kafka just yet. Could we find a sympathetic judge. I'll file within the hour. You headin' back over to Ellis?

**BITSEY**

(standing)

Yeah.

**BELYEU**

Fine. I'll call over at the motel later and give you an update.

**INT. OFFICE HALLWAY - DAY**

gold  
Bitsey comes out of two huge oak doors, walks past a "Belyeu and Crane" sign. She turns a corner.

elevator,  
remembers  
umbrella.  
At the end of another short hall, she comes to the pushes the call button. As she waits, she looks out an adjacent window at the capital in the rain. She something, looks down -- she has her purse but no

**BITSEY**

Shit.

She heads back toward Belyeu's office.

enter the  
As she turns the corner, she sees the older cowboy Belyeu and Crane office.

**EXT. AUSTIN OFFICE BUILDING - DAY**

rental  
Bitsey hurries umbrella-less through the rain to the car parked in the loading zone.

**INT. RENTAL CAR - DAY**

She  
Bitsey opens the door. Zack's in the passenger seat. doesn't bother to sit.

**BITSEY**

Did you see the cowboy go in?

**ZACK**

He went in Belyeu's building?

**BITSEY**

Into his office. Just saw him.

**ZACK**

Fuck!

**BITSEY**

Follow him. Find out who he is, where  
he lives -- what he --

**ZACK**

How are you gonna get to Ellis?

**BITSEY**

A taxi.

Zack makes a face.

**EXT. ELLIS UNIT DRIVE - DAY**

A taxi makes its way through the hundreds of protesters  
and  
press that now gather along the drive.

**INT. ELLIS VISITATION AREA - DAY**

Bitsey, wet and hugging herself, paces in front of  
David.

She's upset.

**DAVID**

Okay, okay. Calm down. You have to  
sit.

Over the loudspeaker:

**GUARD (V.O.)**

Visitors need to stay seated.

She sits.

**DAVID**

(to the microphone  
above)

Sorry.

(to Bitsey)

Look at me. He's not your man. His  
name is Dusty Wright, DeathWatch  
Director before Constance. He's a

'bullhorner,' a zealot who thinks a good demonstration has to end in a riot and arrests. 'Almost martyrs don't mean shit.' They fired him. Constance kept him in the organization, and he loved her for it. The man adored her.

**BITSEY**

Then why was he following us? Why was he at Belyeu and Crane?

**DAVID**

He and Benny used to work A.C.L.U. cases together, until Dusty punched a clansman in a federal court. Benny sometimes still gives him work, probably had him follow you.

**BITSEY**

Why?

A beat. David looks up at the microphone.

**DAVID**

To make sure you honored your agreement, one for which there's no contract.

**BITSEY**

He would've said something.

**DAVID**

He's a lawyer, Ms. Bloom.

**BITSEY**

Maybe Dusty was jealous because you were seeing Constance.

**DAVID**

I wasn't 'seeing' Constance.

**BITSEY**

She died... she had your sperm --

**DAVID**

It's more complicated than that.

**TWO SHOT**

Rotates.

**DISSOLVE TO:**

**WHITE.**

**DISSOLVE TO:**

**EXT. ALLEY - MED. SHOT - DAVID - SUNRISE (ROTATING  
CAMERA)**

tailgate's  
and  
clearly in  
  
Prominent in  
("Mommy"),  
Jorge is  
deskholding  
computer  
and  
woman,  
room's  
the

David sits in a lawn chair beside his Volvo. The  
down, serving as a makeshift table for a coffee thermos  
whiskey bottle. David stares off down the alley,  
pain. He holds a child's drawing.

**INSERT - DRAWING**

Has Gaudi's church and a matador in background.  
the foreground are three labeled figures: Sharon  
Chase ("Me") and a dark-haired man ("Papa Jorge").  
dressed in a tux, Sharon seems to wear a bridal gown.

**INT. DEATHWATCH AUSTIN OFFICE - SUNRISE (6:09)**

The atmosphere is tense. Dusty Wright sits on a  
a red Magic Marker, the matron sits behind it.  
They look at the college guy, who closely watches a  
screen.

In the center of the room, a middle-aged priest sits  
quietly prays while holding the hands of an overweight  
she murmurs quiet affirmations.

Finally, the college guy looks up at Dusty, nods. The  
occupants all exchange glances.

Dusty walks to the photo wall, marks a cross through  
photo of Jo Ann Johnson, then walks to the back office.

**INT. BACK OFFICE - SUNRISE**

Constance, wrapped in an afghan, sleeps on a futon.  
She's  
shockingly anemic.

Dusty kneels beside her, watches her sleep. After a  
beat,  
she wakes with a slight jolt -- like someone whose been  
fighting to stay awake. She looks at him, then sees the  
marker  
in his hand. She looks away.

**CONSTANCE**

All I can feel is envy.

Dusty stands, goes to the alley window.

**DUSTY'S POV**

David's Volvo is parked just outside the window. David  
sits  
in a lawn chair behind it. David looks awful.

**EXT. ALLEY - SUNRISE**

In the window, Dusty holds up the marker. David nods.

**EXT. HOUSE 3307 - CONSTANCE'S BACK YARD - DUSK**

David sits on the porch holding a drink, a bottle of  
Black  
Bush in the chair beside him. He's staring at nothing.  
  
Constance comes out the open sliding glass door,  
wearing a  
turtleneck sweater and wrapped in her afghan. She goes  
to  
the chair beside him, picks up the bottle and sits.  
They  
silently survey the yard, the sunset. She hugs the  
bottle,  
he sips his drink.

**CONSTANCE**

Remember those Kubler-Ross stages,  
the ones the dying go through?

**DAVID**

Denial, anger, bargaining, depression,  
and acceptance. Where are you?

**CONSTANCE**

Denial.

**DAVID**

Denial's my personal favorite.

**CONSTANCE**

The whole idea of there being a process makes me tired. I'm not up to the job of Dying Person. Marveling at blades of grass. Lecturing strangers to relish every moment.

**DAVID**

Mending bridges.

**CONSTANCE**

Mending bridges. Confessing regrets.  
Uuugggh.

**DAVID**

No regrets?

**CONSTANCE**

Nope.

A beat.

**CONSTANCE**

Take that back. I wish I had a child.

**DAVID**

Me, too.

**CONSTANCE**

I'm sorry, David.

She reaches over and puts her hand on his arm.

**CONSTANCE**

I guess I just wish I would have risked more.

She has the bottle in her other hand, looks at it,  
takes a swig.

**CONSTANCE**

(making a face,  
swallowing hard)

Uumm, also not enough sex. Should

have had more sex.

She puts the bottle down beside her chair.

**DAVID**

How much... how many lovers have you had?

**CONSTANCE**

Including college?

**DAVID**

Including college.

Her hand (on his arm) holds up four fingers.

**DAVID**

Well, it's... not every... yeah, you should have had more sex.

She laughs, coughs. He laughs. Their laughter trails off into the yard. He takes her hand in his.

**CONSTANCE**

You work hard not to be seen as a sex object. Before long, you're not seen at all.

**DAVID**

I see you.

They are holding hands in the air, their elbows on the chairs' armrests.

**DAVID**

Want to make it five? Finish the hand?

**CONSTANCE**

A pity lay. No thanks.

A beat. They watch their fingers lightly play with one another.

**DAVID**

It wouldn't be pity.

They turn, their eyes meet, hold.

**INT. CONSTANCE'S BEDROOM - NIGHT**

Constance and David are in bed making love. He's on top, one hand supports her head, the other strokes her face.

They tenderly kiss. He starts moving, gently.

**DAVID**

Are you okay?

**CONSTANCE**

Don't worry.

He kisses her neck.

**CONSTANCE**

It's good.

Moves up to her ear.

**CONSTANCE**

Talk to me. Let me hear your voice.

**DAVID**

(in her ear)

I'm here. Happy. I'm very happy.

He kisses her mouth, moves against her in delicate rhythm.

Her moans take on a teary edge. Their voices, breathless whispers, meld into one another.

**CONSTANCE**

Hold me tight.

**DAVID**

I'm here.

**CONSTANCE**

Tight... I'm scared.

**DAVID**

It's okay.

She's begun to cry.

**DAVID**

Okay.

He stops moving, kisses her tears.

**CONSTANCE**

Don't stop. Stay in me. Please stay  
in me.

He moves again, slowly.

**DAVID**

Shhh. I'm staying.

**CONSTANCE**

I need to feel you inside.

**DAVID**

It's okay. I'm inside. I'm not pulling  
out.

**CONSTANCE**

I'm so tired.

**DAVID**

I know, I know.

**CONSTANCE**

Tired of being afraid.

**DAVID**

Shhh.

**CONSTANCE**

Help me.

**DAVID**

I'm here. It's okay.

**CONSTANCE**

Help me. Please. Make it stop.

**DAVID**

Shhh. I'm here. I'm here.

**EXT. CONSTANCE'S HOUSE (3307) - NIGHT**

The house is dark. A light in one of the rooms comes  
on.

**INT. CONSTANCE'S BEDROOM - DAY**

She's awake as David enters. He opens the curtains,  
sets a glass of water beside bottles on the nightstand. He  
crawls

on top of the covers, spoons her, nuzzles the back of  
her head.

**CONSTANCE**

How do you feel about last night?

**DAVID**

Rescued. You?

**CONSTANCE**

Like I have a reason to get out of bed. Ironic, huh?

**EXT. CONVENIENCE STORE PARKING LOT - DAY**

David goes to the pay phone against the building.

**INT. CONSTANCE'S BATHROOM - DAY**

Constance stands in a bathrobe beside her shower. Turns  
the water on. She's caught in a thought, bites her lip.

She turns the water off.

**EXT. APARTMENT POOL AREA - DAY**

David sits in a lounger speaking to someone on his right.

He's sober.

**DAVID**

Let's say they move back from Spain, that I somehow got my one weekend a month. Would it matter? By high school, I'd be his weak spot, the focus of locker room jabs, embarrassed pride. In college there'd be late-night angst: 'What if I turn out like the old man?' Holidays would be forced smiles and unscheduled exits. I mean, what girl comes home with you if there's talk that Pops is a rapist?

A beat.

**DAVID**

I can't stand the idea of being his model of failure. Without him, I

drink. To cover the hole. To prove to myself he's better off without me.

CAMERA PULLS BACK to reveal Dusty Wright sitting in the lounger beside him.

**INT. CONSTANCE'S KITCHEN - DAY**

Constance, still in her robe, puts an armful of sheets in the washing machine. She feels faint.

**EXT. FORMER GALE HOUSE - BACK YARD - DAY**

David sits in a swing set, rocks slowly. He's simply looking at the house. A yuppie woman opens the back door.

**DAVID**

(standing)

Sorry, just leaving.

**INT. CONSTANCE'S LIVING ROOM - DAY**

Constance is quickly sorting through a box of memorabilia, a photo catches her attention.

**INSERT - PHOTO**

Constance on vacation in a Caribbean resort. She sits alone at a dinner table, looks to camera, seems surprised to be photographed.

**BACK ON SCENE**

As Constance contemplates the photo, she hears the DOORBELL ring.

**EXT. LAWN - FROM ABOVE - DAY**

We see David lying in the grass of recently-cut lawn.

**INT. DAVID'S VOLVO - DUSK**

David in the car in a mall parking lot, staring at nothing.

On the seat beside him is Cloud Dog and a half empty  
Black  
Bush bottle.

**INT. DAVID'S VOLVO - NIGHT**

David's asleep, using Cloud Dog as a pillow. The bottle  
is  
empty.

A light flashes in on him, waking him. There's a KNOCK  
on  
the window -- it's the police. He's blinded by the  
flashlight.

**POLICEMAN**

ROTATING CAMERA. The policeman holds the light.

**POLICEMAN (V.O.)**

(a loudspeaker voice)  
Gale, time's up.

**DISSOLVE TO:**

**WHITE.**

**DISSOLVE TO:**

**INT. ELLIS VISITATION AREA - BITSEY AND DAVID - DAY**

ROTATING CAMERA. Bitsey's agitated. David's drained.

**BITSEY**

But there has to be someone. Someone  
with a motive, who knew you both.  
Someone who visited that morning.

**DAVID**

If I could answer... we wouldn't be  
having this conversation. It's why I  
need you, why I chose you. You have  
my story, now...

(mimicking her delivery)

'Go.'

**BITSEY**

There's not enough time.

The guard approaches.

**DAVID**

You'll find time.

**BITSEY**

You know that's not what I meant.  
You should have done this earlier.

**DAVID**

You're not here to save me. You're  
here to save my son's memory of his  
father -- that's all I want.

A beat.

**BITSEY**

You're going to let them kill you.

David moves to the back of the cage to be handcuffed.

**DAVID**

We live to stop death. Eating,  
inventing, loving, praying, fighting,  
killing -- choose a verb. All to  
stall this evil, Job's 'king of  
terrors.' But what do we really know  
about it? Nobody comes back. There's  
a point, when your mind out-lives  
its obsessions, when your habits  
survive your dreams, when your  
losses... You wonder, maybe death is  
a gift. All I know is that by this  
time tomorrow, I'll be better off.  
What I don't know is why.

(exits the cage)

Goodbye, Bitsey.

The guard escorts him away. When he's out of earshot:

**BITSEY**

(softly)

Goodbye, David.

**EXT. ELLIS UNIT DRIVE GUARDHOUSE - DAY**

A guard hangs up a phone and leans out the door.

**GUARD**

Car's on its way. Wanna wait in here?

Bitsey stands in the rain. Behind her, hundreds of  
protesters

flank the drive.

**BITSEY**

No thanks.

She turns and walks toward the highway.

The parade tape has been replaced with crowd barriers.

The drive's left side now overflows with abolitionists:

paint  
"Murder  
large  
They cluster beneath tarps, some sing hymns, others  
signs ("Don't kill with my taxes!", "Mark 6:10,"  
doesn't Stop Murder!). Beneath one umbrella stands a  
black woman holding a candle -- she watches Bitsey.

penalty  
signs:  
"'Let's  
The right side is a media circus. Various pro-death  
activists also cluster here. They too have prepared  
"Rape and Suffocate Him!", "Thank Jesus for Justice,"  
Do it'." A blackboard keeps a countdown: "13 hours."

sign  
rain;  
At the end of the drive, on the left, Bitsey sees a  
leaning against a camper: "Save David Gale." It catches  
its letters run.

**INT. KETTLE RESTAURANT - NIGHT**

(50s)  
Simple:  
The restaurant's crowded. A Church of Christ couple  
eat without comment. The man's T-shirt reads, "It's  
You Kill, You Get Killed."

dinners  
JOURNALISTS  
In the booth beside them sit Bitsey and Zack, their  
largely untouched. Bitsey watches three sleazy  
at a table not far from theirs.

**JOURNALIST #1**

I got it. I got it. You could have  
corporate sponsors. Volkswagen for  
Bundy, Home Depot for Gacy. And 'The  
David Gale Execution, brought to you

by...'

**JOURNALIST #2**

'...Hefty.'

They find this hilarious. Bitsey looks away.

**BITSEY**

What time is it?

**ZACK**

(checking his watch)

Nine hours, 52 minutes.

A beat.

**EXT. MOTEL SIX PARKING LOT - NIGHT**

Pouring rain. As Bitsey and Zack hurry toward their rooms, they see Belyeu getting out of his Cadillac. He carries Bitsey's umbrella and opens his own.

**BITSEY**

Belyeu!

He turns, comes toward them. Bitsey holds a newspaper over her head, Zack slouches.

**BITSEY**

Did you have Dusty Wright follow us?

**BELYEU**

I employ Mr. Wright from time to time.

**BITSEY**

You could have said something.

**BELYEU**

(opening her umbrella)

That would have defeated the purpose. Apologies if I caused you unnecessary anxiety, but I'm paid to be suspicious.

(handing it to her)

Thought I'd return this.

**ZACK**

Any word on the writ?

**BELYEU**

Denied. Tape went to a federal judge two hours ago. Your videographer friend made contact?

**BITSEY**

No.

**BELYEU**

What you got was definitely a snippet. Could be he has more previews scheduled. Best stick close to your room.

**BITSEY**

How's David?

**BELYEU**

Holdin' up. I'm headed back over.

**BITSEY**

Tell him I'll take care of it, about his son, I mean.

**BELYEU**

Will do. We'll talk later?

She nods.

**BELYEU**

Watch yourselves.

They turn from one another. Bitsey turns back.

**BITSEY**

(calling after him)

Mr. Belyeu.

He turns.

**BITSEY**

Were Dusty and Constance close?

**BELYEU**

Thick as thieves.

Bitsey nods.

**INT. BITSEY'S MOTEL SIX ROOM - NIGHT**

Dark. Bitsey and Zack sit on either side of the room's table

faces.  
looking out the window. Rain shadows run down their

10:17.  
The room phone is on the table, as is Zack's watch:

**EXT. MOTEL SIX AND KETTLE - LONG SHOT - FROM ACROSS  
INTERSTATE - NIGHT**

on in  
The rain's lightened up. The motel's full. Lights are  
after  
ten of the motel rooms. The Kettle's lights go off, one  
another.

**INT. BITSEY'S MOTEL SIX ROOM - NIGHT**

Zack sleeps at the end of one bed, fully dressed.  
Bitsey,  
lost in agitated thought, neatly packs a suit into her  
goes to  
perfectly arranged suitcase. She stops, thinks. She  
note  
her purse and takes out the VHS cassette, a pen and a  
She  
pad. Hesitating a beat, she puts the tape in the VCR.  
turns on the TV and waits for an image.

**EXT. MOTEL SIX - NIGHT**

Rain. All the rooms except Bitsey's are dark. From  
within  
comes a TV glow.

**INT. BITSEY'S MOTEL SIX ROOM - INSERT - BITSEY'S  
NOTE PAD - NIGHT**

elements  
She's sketched a flow-chart of the tape with major  
timed out.

**BITSEY**

against a  
has her shoes off, sits on the floor with her back  
bed. She's still watching the tape, tired, exasperated.  
stands,  
Finally, she turns the TV OFF, rubs her eyes. She  
looks at the radio alarm clock on the nightstand:  
11:33.

**INT. BATHROOM - NIGHT**

on the  
rack,  
stops, looks at herself in the mirror. A beat. An idea  
hits  
her, first as something odd, then as a freight train.  
She  
spits, hurries into the bedroom.

**INT. BEDROOM - NIGHT**

**BITSEY**

(putting on her shoes)  
Zack! Wake up! Get up!

He starts to pull himself awake.

**BITSEY**

Did you throw the towel on the floor?

**ZACK**

What?

**BITSEY**

The towel on my bathroom floor. Did  
you put it there?

**ZACK**

Yeah, I guess. It's a hotel room.  
What --

**BITSEY**

Do you do that at home?

**ZACK**

No. Fuck, Bitsey. I'm sorry, it's  
not like it's --

**BITSEY**

Get up.

She disconnects the VCR.

**ZACK**

(sitting up)  
What the fuck's wrong with you?

**BITSEY**

Grab the T.V. I want to check something.

**ZACK**

What?

**BITSEY**

We're taking a tour.

**ZACK**

Where?

She has the VCR. Grabs her purse on the way to the door.

**BITSEY**

Austin. Get the T.V.

She opens the door, exits.

**INT. HOUSE 3307 ENTRY HALL - NIGHT**

wearing  
The DOORBELL RINGS over BAUHAUS MUSIC. The Goth Girl,  
only the Nine Inch Nails T-shirt, opens the door.

with the  
Bitsey barrages past carrying the VCR, Zack follows  
**TV.**

**BITSEY**

Wanna make a hundred bucks?

**GOTH GIRL**

What do I gotta do?

**INT. HOUSE 3307 LIVING ROOM - NIGHT**

Bitsey, Zack and the Goth girl enter.

**BITSEY**

We're going over the crime scene.

Bitsey checks the kitchen. The tripod's back. The other exhibit pieces haven't changed.

**BITSEY**

And for the next hour I want you to do exactly what I say when I say to do it. If I say suck Zack's dick, all I want to hear from you is 'May I swallow.'

**GOTH GIRL**

You want me to suck his dick?

**ZACK**

It's just a patriarchal figure of speech.

**BITSEY**

Is your boyfriend here?

**GOTH GIRL**

He ain't exactly my boyfriend anymore.

**BITSEY**

Well is his video camera here?

**GOTH GIRL**

Yeah.

**BITSEY**

Get it.

She starts to leave, turns back.

**GOTH GIRL**

I gotta collect first.

Bitsey, moaning, reaches for her purse.

**CLOSEUP - STEREO CLOCK**

MUSIC reads 1:48. Zack's hand ENTERS the FRAME, turns the  
DOWN.

**SAME SCENE - MINUTES LATER**

Video: The Goth Girl's messy kitchen. Camera zooms in to a perspective similar to that on the Constance tape. The exhibit pieces (kitchen gloves, handcuffs, tape roll) are more-or-less where they were before. The Goth Girl enters the frame, she's removing pizza boxes and laundry from the counter.

**ZACK (O.S.)**

Move those index cards, too.

She picks up the index cards.

camera is  
it, the  
beginning,  
the  
by-

Zack looks up from a video camera's eye piece. The on the tripod, connected to the Goth Girl's TV. Near hotel TV/VCR. Bitsey cues the Constance tape to the freezes the image. Zack then checks the camera angle on Goth Girl's TV. He moves the TVs so that they are side-by-side.

**BITSEY**

Zoom in a hair.

He does so. Bitsey compares perspectives between the left TV (Goth Girl cleaning) to the right TV (Constance).

**BITSEY**

Put the gloves on a dish rack.

**GOTH GIRL**

I don't have one.

counter  
over

Zack goes to the sink, lays three pizza boxes on the as an ersatz dish rack -- he drapes the kitchen gloves over them.

**BITSEY**

Turn them inside out.

He does so.

**BITSEY**

Move the tape roll about a foot to the left. And get rid of the handcuffs.

Zack repositions the tape. The Goth Girl picks up the handcuffs.

**BITSEY**

Come check this, Zack.  
(to the Goth Girl)  
Could you... what's your name?

**GOTH GIRL**

Nico's cool.

**BITSEY**

Nico, lie down on the floor, facing the counter.

Zack comes behind the tripod and looks at the TVs. NICO sits on the floor, starts to take off her T-shirt.

**ZACK**

We can imagine that part.

(to Bitsey)

I'll position her.

He goes to Nico, arranges her in the position of Constance (which now bears no relation to the white outline on the floor).

**BITSEY**

That's fine. Just straighten her legs.

Zack comes back behind the tripod. He and Bitsey look at the two TV images -- roughly the same. The Constance tape, however, shows what looks like a white towel in the lower right-hand corner. Bitsey points to it.

**BITSEY**

What's this?

**ZACK**

Towel or something.

**BITSEY**

Okay, look at this.

She plays the tape of Constance for eight seconds.

**BITSEY**

I noticed this back at the hotel.  
See?

Bitsey touches the TV screen by one of Constance's feet.

The foot moves ever so slightly. She hits pause.

**BITSEY**

She moves her foot. Why?

**ZACK**

Fucking good question.

**BITSEY**

It's another fifteen seconds before she comes to. If she had passed out once, without fresh air she wouldn't come back. There was no head trauma, her blood tested normal --

**ZACK**

Jesus, maybe she was faking, hoping he would go away.

**BITSEY**

Or...

Bitsey looks up at Nico.

**BITSEY**

We've got to bag her.

**ZACK**

Woa. Not a good idea.

**BITSEY**

All right, I'll do it.

**SAME SCENE - MINUTES LATER**

Nico hurries from the bedroom into the kitchen. Bitsey and Zack stand by the sink. A white plastic bag is now on the sink counter; beside it, the roll of duct tape.

**NICO**

I found it.

Nico hands Zack the key to the handcuffs. He tests them, then lays them on the counter.

**BITSEY**

(to Zack)

Okay, I want you to wait three minutes before you take it off.

**ZACK**

Bitsey, I'm not so sure about this.

**BITSEY**

Three full minutes. Just stand behind  
the tripod. Both of you.

Zack and Nico move behind the tripod. Bitsey puts the  
bag on  
her head, rips off a long length of tape. She seals the  
bag  
behind,  
around her neck. She then handcuffs herself from  
with some difficulty.

**CLOSEUP - KEY**

is on the sink counter while she does this.

**BITSEY (O.S.)**

(through the bag)

Have you started?

**BACK TO SCENE**

**ZACK**

Twenty-two seconds.

Bitsey sits on the linoleum, then lies on her side.

**ZACK**

Thirty seconds.

**NICO**

Fuckin' wicked.

Bitsey lies perfectly still.

**ZACK**

Thirty-five... Forty... Forty-five...  
Fifty.

**NICO**

Maybe she shouldn't...

**ZACK**

Fifty-five... one minute... five...  
ten... one-fifteen...

Bitsey starts to pull slightly at the cuffs.

**ZACK**

Fuck. Twenty... twenty-five...

thirty...

**NICO**

This isn't cool.

**ZACK**

...thirty-five... Fuck... one-forty...  
one-forty fi...

Bitsey panics, fights like hell against the cuffs.

**BITSEY**

(through the bag)

Zack!

Zack runs to her, knocking the tripod over. He rips the  
bag open. She sucks air.

**ZACK**

(ripping at the tape)

Jesus fucking Christ, Bitsey. You  
okay? What if I'd've waited?

She tries to catch her breath. Nico releases the  
handcuffs.

**ZACK**

No more fucking experiments, all  
right? Just tell me what's going on.  
You okay?

Bitsey nods, holds up her hand, wants to say something.

She takes his arm, looks at him.

**BITSEY**

(still breathing  
heavily)

She... she did it herself.

**SAME SCENE - MINUTES LATER**

Zack sits on the couch holding the handcuffs and  
smoking.

Nico sits on one of its armrests. Bitsey, full of  
adrenaline, paces in front of them, thinking out loud.

**BITSEY**

She used the gloves to keep

fingerprints off the tape and bag. Then she put them back on the dish rack, but upside down and inside out, a housewives' habit. A murderer would have just tossed them aside -- like they were the first time we were here, like you do a towel in a hotel.

**ZACK**

Maybe, all right, maybe.  
(indicating the cuffs)  
But why wear these?

**BITSEY**

They threw me. I forgot you have to have the key to put them on. But she needed them. She knew she would instinctively try to rip the bag off, that at some point automatism would kick in.

**NICO**

Fuckin' A, like when people hang themselves. At the last second they go chicken, claw at the rope and shit. The police find their own skin beneath their nails.

**BITSEY**

And she swallowed the key so she couldn't get to it. She made sure there was no way out.

**ZACK**

Woa, chill, chill. Why not hang yourself, or take pills. Why take your fucking clothes off? Why make it look like a murder?

A beat. Bitsey contemplates.

**BITSEY**

It's so calculated. She's handcuffed, taped at the mouth. The gloves. The damn tripod.

**ZACK**

Why, Bitsey? Why fake your own murder?

**BITSEY**

I don't know.

**ZACK**

Motive's like a major issue here.

**BITSEY**

Thanks, Zack.

**ZACK**

It doesn't make sense. The woman's a bleeding-heart abolitionist. Why frame an innocent man? Why send Gale to the chair for what looks --

**BITSEY**

What'd you say?

**ZACK**

She had to know some innocent fuck would take the fall.

**BITSEY**

Oh my God, Zack, that's it! That's why! To prove it happens. To have absolute proof that the system convicts innocents.

**ZACK**

Get the fuck out of here.

**BITSEY**

No, that's how she thought. She lived for DeathWatch. If she's gonna die, why not die for it? That's why the tripod was here. To record proof, undeniable proof, the tape. That's why we got an out-take.

**ZACK**

A dead woman put the tape in your room?

**BITSEY**

Of course not. She needed help, someone to keep it, release it. Someone she could trust, someone dedicated to the cause...

They stare at each other a beat. The same thought:

**ZACK**

(mimicking Belyeu)

Thick as thieves.

**INT. DUSTY WRIGHT'S CABIN - NIGHT**

Dusty looks up at a wall clock: 4:23. He sits fully dressed in his living room, listening to an OPERA. He closes his eyes.

CAMERA PULLS BACK OUT of his window and into:

**EXT. WOODS BESIDE WRIGHT'S CABIN - NIGHT**

Behind a couple of trees near the woods' edge, Bitsey and Zack hide watching him.

**ZACK**

Hairy.

**BITSEY**

Come on.

She turns back into the woods.

**EXT. DIRT ROAD - NIGHT**

Bitsey and Zack emerge from the woods near the rental car.

They walk and speak quickly in the light rain.

**BITSEY**

...Because of the Berlin thing, Constance knew the police would go straight to Gale. In a way, he's perfect. A high profile alcoholic whose life was shit anyway. But...

**ZACK**

She was in love with him.

**BITSEY**

I don't know. Something. They were close. She wouldn't want him dead.

They come to the car, get in.

**INT. RENTAL CAR - NIGHT**

Bitsey drives.

**BITSEY**

Remember this thing about Dusty being a bull-horner, going to far?

**ZACK**

Why he was fired from DeathWatch, and the A.C.L.U.

**BITSEY**

Right. Maybe the plan was for Dusty to release the tape after Gale's conviction, after a year or so. You know, force him to dry out, let him play the heroic victim, give him back his dignity. So, Dusty Wright's sitting on this tape, waiting, the only one who knows about it. And maybe good ole Dusty starts to think that an erroneous execution is a hell of a lot more politically useful than a last-minute save.

**ZACK**

Which would only prove the system works.

**BITSEY**

Yeah. Almost martyrs don't count. What's one murder to stop thousands?

**ZACK**

So he'll wait, release the whole tape after the execution.

**BITSEY**

Right. Somewhere he must have the original. What time is it?

**INT. WRIGHT'S CABIN - NIGHT**

The wall clock: 4:50. Dusty hears the PHONE RING over a BARITONE'S ARIA. He turns the MUSIC DOWN, and picks up.

**DUSTY**

Hello?

**EXT. GAS STATION - NIGHT**

The gas station is old, isolated on a country road.

Closed, dark. By the road, a single light pole illuminates

Bitsey

the area -- its light catching the drizzle.

Directly beneath the pole is a phone booth, where  
waits by the rental car.

**INT. PHONE BOOTH - NIGHT**

stands

Zack is on the phone with the booth door open. Bitsey  
just outside.

**ZACK**

Let's talk about your tape... No,  
meet me at the station down the hill,  
in fifteen minutes.

the

Zack hangs up before Dusty can respond. He steps out of  
the booth and gives Bitsey a tentative look.

**INT. WRIGHT'S CABIN - NIGHT**

Dusty hangs up, thinks.

**EXT. GAS STATION - NIGHT**

the

Bitsey sits in the car's driver seat. Zack stands by  
booth.

**BITSEY**

Don't move from the booth. Call the  
second you see the truck. Remember,  
let it ring just once. Then get into  
the woods --

**ZACK**

I know. Go.

**BITSEY**

(pulling away)  
Into the woods, Zack.

**ZACK**

Go!

**EXT. WRIGHT CABIN - NIGHT**

pickup.

Bitsey is in the woods, watches Dusty pull away in the  
She hurries to the front door, enters.

**INT. WRIGHT CABIN - NIGHT**

Bitsey turns on the lights and begins searching. She  
sees 11  
videos on a bookshelf. Some are labeled, three aren't.

She takes the cassettes to the TV/VCR. Puts one in (her  
hands  
are wet). Nothing. She searches for the right AV  
channel.

**INT. PHONE BOOTH - NIGHT**

Zack anxiously waits. His eyes check the road.

**INT. WRIGHT CABIN - NIGHT**

Bitsey has a picture, but the tape is an old TV  
western.

She starts to fast forward, realizes she won't be able  
to do  
so with each tape, hits eject. She checks the clock:  
5:04.  
She takes another unlabeled tape. It's a home video of  
a  
city council meeting.

**BITSEY**

(hitting eject)

Shit!

She grabs the next unlabeled tape.

**EXT. GAS STATION - NIGHT**

Zack paces in front of the booth, checks his watch.

**INT. WRIGHT CABIN - NIGHT**

Bitsey has an old "I Love Lucy" episode. Ejects, looks  
at  
the label: "Lucy." She grabs another, labeled  
"Unforgiven."  
The credits from Unforgiven roll on screen.

**BITSEY**

Shit!

**EXT. GAS STATION - NIGHT**

booth,  
punch  
belong

Zack sees lights coming toward him. Gets into the phone drops two coins, dials six numbers. He hesitates to the seventh, checks the road. The approaching lights to a car. He quickly hangs up.

**INT. WRIGHT CABIN - NIGHT**

Bitsey is frantic. Another tape is an old Johnny Carson interview with Pavarotti.

**BITSEY**

Shit!

She reaches for another.

**EXT. GAS STATION - NIGHT**

Zack hugs himself in the waning drizzle.

**ZACK**

Come on. Fucking come on.

**INT. WRIGHT CABIN**

She  
comes up

Bitsey has what looks like an office Christmas party. goes for another tape -- the last. Cheyenne Autumn on the screen. She hits eject.

the  
tapes,  
quickly

She gets up, unsure what to do next. She goes back to bookshelf, pulls books out to look behind them for more indifferent to the mess. She goes to a filing cabinet, rifles it. She looks around the room, sees something.

She goes to a large oak desk with an old typewriter on it.

After the other drawers, she looks in the lap drawer.

to  
New  
rips it

It's empty except for large padded envelope addressed "Bitsey Bloom/News Magazine/40 W. 43rd St./New York, York 10036." A beat as she stares in disbelief. She

at  
ring  
  
open, pulls out a VHS cassette and checks the label:  
"Constance." The PHONE RINGS, startling her. She looks  
the phone, then at the clock: 5:14. The phone doesn't  
again. A beat of absolute silence.

hands  
standing in  
wearing  
  
Bitsey goes quickly to the VCR and puts in the tape --  
shaking. After a few seconds, Constance appears  
her kitchen by the sink, dressed in a bathrobe. She's  
the kitchen gloves and fills a glass with water.

#### **ON VIDEO**

Constance turns from the sink:

**CONSTANCE (V.O.)**

(her voice weak)

Ready?

bites  
from  
down  
She  
  
The response is silent, but she nods. A beat -- she  
her lower lip. In one quick movement she takes the key  
the handcuffs and swallows it with the water. It goes  
with difficulty; she coughs, then signals she's okay.  
puts the glass in the sink.

sticks  
another  
  
She takes the duct tape roll, rips off a long section,  
one end to the back of her gloved hand. She tears off  
small section, drops the roll on the floor.

She tapes the small section over her mouth.

at it  
eyes  
puts  
excess air  
other.  
  
She then takes the plastic bag from the counter, looks  
a beat. Constance turns toward camera, mouth taped,  
watering. She nods once, and turns back. She quickly  
the bag over her head. After she has smoothed the  
out with one hand, she takes the packing tape from the  
She seals the bag around her neck.

and  
them  
she's  
bottom

She smoothly takes off the gloves. They're inside out  
she snaps them so that the fingers extend. She drops  
upside down on the dish rack. She removes her robe --  
nude beneath -- and tosses it aside. It lands in the  
right hand corner of the screen.

She feels for the handcuffs on the counter, takes them.  
She sits on the floor, cuffs herself. She rolls onto

her  
side, perfectly still, waiting.

#### **ON BITSEY**

the  
she  
she

Engrossed, trembling. The spell breaks as she comes to  
part of the tape she's seen before. Averting her eyes,  
fast-forwards past where Constance struggles to where  
dies. Constance lies perfectly still. A beat.

#### **VIDEO**

A man wearing gloves walks into the frame: Dusty.

#### **ON BITSEY**

This is what she's needed.

#### **VIDEO**

checks  
stands.

Dusty goes to Constance, kneels and, removing a glove,  
her pulse. He looks briefly up into the camera, then

beat.

He picks up her robe and comes back past the tripod. A

We see only Constance's dead body -- then black.

#### **ON BITSEY**

around.

A hand grabs her shoulder. She screams and spins

It's Zack, breathing hard.

**ZACK**

He didn't show! Fuckin' move!

Bitsey hits the eject button.

**EXT. WRIGHT CABIN - NIGHT**

Bitsey and Zack hurry out of the cabin and into the woods.

The pickup is nowhere to be seen.

standing As they disappear into the trees, Dusty can be seen beneath the eave at the side of the house, watching.

**EXT. RENTAL CAR - SUNRISE**

drizzle The car moves full speed through the misty dawn. The drizzle has stopped.

**INT. RENTAL CAR - NIGHT**

purse Bitsey drives. The overheat light is on. Zack has her purse in his lap, rips a page out of her phone book.

She's almost in tears, yelling.

**BITSEY**

Everyone! Wake up New York, the warden, the Governor, the goddamn Supreme Court death clerk! How far is it?

**ZACK**

Took me 30 this afternoon. You've got 26, maybe more.

**BITSEY**

I'll make it.

**EXT. INTERSTATE - IN FRONT OF MOTEL SIX - SUNRISE**

The rental car slides to a near stop on the interstate shoulder. Zack jumps out, as Bitsey spins away again.

He runs across the frontage road toward the motel in the mist.

**EXT. HUNTSVILLE TOWN SQUARE - SUNRISE**

The rental car barrels through the empty square,  
ignoring  
stop signs.

**EXT. TWO-LANE HIGHWAY - SUNRISE**

The rental car flies past a "Huntsville City Limit"  
sign and  
disappears into the fog.

**INT. RENTAL CAR - SUNRISE**

The overheat light is still on. Bitsey looks down, then  
turns  
on the RADIO. A COUNTRY AND WESTERN SONG is on.

She punches scan.

**BITSEY**

(to the radio)  
Give me the time. Give me the goddamn  
time.

**EXT. HIGHWAY JUNCTION - SUNRISE**

The highway forks off to another. An arrow sign at the  
fork  
reads: "TDC Ellis Unit/8 Miles."

**INT. RENTAL CAR - SUNRISE**

Bitsey smells something.

**EXT. HIGHWAY TO ELLIS UNIT - SUNRISE**

The rental car, smoke pouring from the engine, clunks  
to a  
dead roll, stops. Bitsey jumps out, VHS cassette in  
hand.

She doesn't close the door. Starts running.

Bitsey runs down the middle of the two-lane highway.  
The  
rental car in the b.g. recedes into the mist --  
visibility  
is no more than fifty yards. The sounds of her  
breathing and  
SHOES HITTING the PAVEMENT ECHO into the mist.

She runs, and runs.

turns,  
starts to wave it down. The driver SITS ON his HORN,  
swerves  
around her onto highway's shoulder and drives on.

past  
She runs. Runs past an abandoned vegetable stand. Runs  
a sleepy farmhouse.

She runs, and runs.

highway.  
She slows, out of strength, looks up and down the

mist, a  
Both in front and behind, it leads straight into the  
tunnel of fog. She stumbles on, a final effort.

She runs. Sees something. Stops cold.

lights.  
Coming toward her in the distance are small flashing  
They rise on hill and then fall behind another.

an  
move  
their  
approach.

They appear again. Soon, she can make out the form of  
ambulance, and its highway patrol escort. The vehicles

slowly toward her, without sirens, as deathly quiet as  
cargo. She stands to the side of the road as they

"Texas  
MOTION.  
SLOW  
cannot

The highway patrol vehicle and the ambulance -- marked  
Department of Corrections" -- pass silently in SLOW

MOTION, she screams, falls to her knees wailing, but we  
hear her. We HEAR NOTHING.

#### **INT. WRIGHT'S CABIN - SUNRISE**

two  
In the b.g., Dusty walks out the front door carrying  
large suitcases. On his desk in the f.g. is a radiator  
cap.

**FADE TO:**

**BLACK.**

**FADE IN:**

**INT. DALLAS/FT. WORTH AIRPORT - DAY**

Belyeu makes his way through the departure hall carrying the aluminum suitcase.

**ON TV**

Roberts and the Court TV "breaking news" logo are on the screen.

**ROBERTS (V.O.)**

(to camera)

Here's what we know so far. Last night, News Magazine posted on their web site a video obtained by reporter Bitsey Bloom...

Light applause. The TV is mounted on the wall in:

**INT. NEWS MAGAZINE'S EDITORIAL FLOOR - DAY**

Bitsey watches the report with about a dozen colleagues.

Kruger stands beside her. A few people congratulate her.

She attempts a smile and nods, though she doesn't look away from the TV. Kruger shushes the others to hear the story.

**ROBERTS (V.O.)**

The footage appears to show Constance Harraway commit suicide.

**ON TV**

**ROBERTS (V.O.)**

Bloom reports she received the tape Friday morning at a motel in Huntsville, where she was staying while conducting Gale's last

interview.

**ON FLOOR**

Zack watches Bitsey from the other side of the room.  
She looks over at him, then quickly looks back at the TV.

**ROBERTS (V.O.)**

The tape apparently had been in the possession of a former DeathWatch Director...

**ON TV**

front Camera pulls back to reveal that Roberts is standing in  
of Wright's cabin. Other journalists and gawkers can be  
seen seen out front. Police vehicles are also visible.

Suits and officers move in and out of the cabin.

**ROBERTS (V.O.)**

(reading the name off  
a card)

...Dustin Emil Wright. As you can see, police and officials from the State Attorney's office have been in and out of his cabin all morning, looking for clues to his whereabouts.

**INT. DALLAS/FT. WORTH AIRPORT - DAY**

Belyeu enters a men's room.

**INT. MEN'S ROOM - DAY**

floor Belyeu walks to a row of sinks. He sets the case on the  
hair and starts to wash his hands. A businessman combs his  
Dusty to Belyeu's left. Belyeu looks in the mirror and sees  
approach from a stall.

**INT. NEWS MAGAZINE - EDITORIAL FLOOR - DAY**

The room watches Roberts.

**ROBERTS (V.O.)**

...a fanatic in the movement to stop

the death penalty.

**ON TV**

**ROBERTS (V.O.)**

It appears Wright withheld the tape to make an obscure political point about the potential for error in capital cases.

**ON BITSEY**

She watches, trying to contain her emotions.

Zack watches her. She looks his direction. He smiles sadly, looks away.

**INT. DALLAS/FT. WORTH AIRPORT - MEN'S ROOM - DAY**

Dusty washes his hands, looks down at the case. The businessman leaves.

**DUSTY**

All there?

**BELYEU**

Passport and ticket as well.

**INT. NEWS MAGAZINE - EDITORIAL FLOOR - ON TV - DAY**

Governor Hardin is on the steps of the capital, journalists around her.

**GOVERNOR HARDIN (V.O.)**

Well, it's a tragedy for all of us. As to whether this will change policy, the people of Texas will have to decide. Right now, the prudent course is to put things on hold pendin' a procedural review, allow ourselves time to mourn.

Kruger leans toward Bitsey.

**KRUGER**

You bet she'll review. Capital punishment approval rates dropped 17 points.

Bitsey just looks at the TV, trying to make it through.

**INT. DALLAS/FT. WORTH AIRPORT MEN'S ROOM - DAY**

Dusty picks up the case. Belyeu straightens his tie.

**BELYEU**

What are you going to do?

**DUSTY**

(walking past him)

Go to the opera.

**INT. NEWS MAGAZINE - EDITORIAL FLOOR - ON TV - DAY**

Old footage of David being led in chains from an Austin jailhouse to a waiting van. He wears the clothes he was wearing the day Constance died.

**ROBERTS (V.O.)**

Of course, the ultimate irony is that David Gale, a man who became an unwitting martyr, may achieve in death what he worked for in life.

**ON BITSEY**

She bites her lower lip in a manner reminiscent of Constance.

**FADE TO:**

**BLACK.**

**FADE IN:**

**EXT. STREET (BARCELONA) - DAY**

Dusty walks along the Ramblan. He carries a duty-free bag and the aluminum suitcase. He comes to a building, checks its number against a piece of paper, enters.

**INT. BARCELONA APARTMENT HOUSE - DAY**

Dusty ascends a staircase onto hallway. He walks a few steps to door number six. An OLD SPANISH WOMAN passes him.

**DUSTY**

Senorita Gale esta viviendo aqui?

**OLD WOMAN**

Si. Si.

**DUSTY**

Gracias.

aluminum  
takes out  
RINGS the  
DOORBELL,

The old woman moves down the stairs. Dusty puts the suitcase on the doormat. From the duty-free bag he David's Yale sweatshirt, lays it over the case. He turns and walks back down the hall.

to  
her)

He stands at the top of the stairs, waiting for someone answer before descending. Sharon (older than we've seen opens the door, sees the case and sweatshirt. She looks around, but Dusty is gone. She picks them up.

**INT. NEWS MAGAZINE - EDITORIAL FLOOR - DAY**

the  
time, we  
Framed on  
picture of  
Bitsey sits at her neurotically neat desk, looking out window. It's a sunny day in New York. For the first see her wearing something besides a business suit. her cubicle wall is the latest News cover page: a David with the headline "The Executed Innocent." A MAIL GUY drops a Fed Ex package on her desk.

**MAIL GUY**

This just came.

Texas,  
handwritten  
It's from "Belyeu & Crane/420 Congress Ave./Austin,  
78710." She opens it, pulls out Cloud Dog and a note on Belyeu & Crane stationery.

**INSERT - NOTE**

be  
reads: "David wanted you to have this. He said it would the key to your freedom. Regards, Benjamin Belyeu."

**INT. SHARON'S BARCELONA APARTMENT - DAY**

a  
At the breakfast table, a Spanish yuppie male sits with  
newspaper in front of him. He watches Sharon open the  
case.

Inside: money, stacks and stacks of money. On top is an  
unsigned note: "I'm sorrier than you can know."

**INT. NEWS MAGAZINE - EDITORIAL FLOOR - DAY**

Bitsey holds the stuffed sheep. puzzled.

Looks at the note,

**BITSEY**

Key to your freedom? Key to your...

shakes  
Suddenly, she understands. She squeezes the sheep,  
scissors. it, hears something. She cuts the sheep open with  
the A Hi-8 tape is in the stuffing. It's hand labeled: "Off  
record." She jumps up.

**TRACKING SHOT**

hall Bitsey hurries THROUGH the cubicles. She goes DOWN a  
and INTO the "MultiMedia" room.

**INT. NEWS - MULTIMEDIA ROOM - DAY**

Bitsey locks the door, puts the tape into a Hi-8 deck.

**ON VIDEO**

robe The tape is cued to where Dusty picks up Constance's  
open and walks past the tripod out of frame. We see only  
Constance's body. We hear the sliding door to the patio  
behind the camera.

**DUSTY (V.O.)**

(calling)

It's over.

A long beat. FOOTSTEPS on the patio.

**DUSTY (V.O.)**

Want me to turn this off?

**VOICE (V.O.)**

No.

toward  
David walks into frame. He goes a couple of steps  
from  
Constance's body and stops, facing her. We see him only  
behind. He looks at her, runs his hands over his head.

**DAVID (V.O.)**

I couldn't watch.

**DUSTY (V.O.)**

She preferred it that way. You were  
right about not tellin' her the whole  
plan.

**DAVID**

It helped her to think her death  
would save me.

A beat.

**DUSTY (V.O.)**

You sure you want to do this?

**DAVID (V.O.)**

Yeah. Almost martyrs don't count.

A beat.

**DUSTY (V.O.)**

Better go ahead then.

with  
David goes to Constance, kneels. He reaches down and  
his thumb gently strokes her face through the plastic.  
He  
stands, turns and walks back to the camera. He reaches  
behind  
the lens to turn it off. A beat. Half his face fills  
frame,  
his watery eyes looking directly at us. In the other  
half,  
we see Constance's body.

Black.

**INT. BARCELONA OPERA HOUSE - NIGHT**

Dusty sits watching a performance of Puccini's  
Turandot.

On stage is the scene where Liu martyrs herself.

**CLOSEUP - DUSTY**

He closes his eyes.

**FADE**

**OUT:**

**THE END**