

"THE LIFE OF DAVID GALE"

by

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FIRST DRAFT

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FADE IN:

EXT. TWO-LANE HIGHWAY - SUNRISE

lonely
through
The
ECHO

highway.

mist, a

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. The sounds of her breathing and SHOES HITTING the PAVEMENT ECHO 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 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...

filled
with
computer
holding a
GALE
at

The office is small, cheaply furnished. One wall is 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 a mullet and pinch of Skoal in his mouth looks at a screen. A co-ed cuddles a Styrofoam cup of coffee, sobs quietly. A matronly woman sits quietly at a desk phone to one ear.

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

CONSTANCE HARRAWAY (36), bookish, sits beside DAVID (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!

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

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.

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

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.

uses the
She holds the phone out in the direction of the TV,
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.

wears,
Bitsey Bloom (The runner from the opening) enters. She 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

and
cigarette
bohemian
Bitsey
panel.

ZACK (boyish, 24) sits in the passenger seat, smoking 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 panel. We hear strained patience in her voice.

BITSEY

Gale was seen leaving the house.

EXT. INTERSTATE 45 - NIGHT

Miles."

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

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.

floor,
white
Zack has a police photo: a woman naked on a kitchen
hands handcuffed behind her. Over her head is an opaque
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

Zack picks up another file photo: Christmas shot of the family: David (31), his wife (Sharon, beautiful, 29), son (Chase, 6).

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

hood

Well lit and empty. The rental car is parked with the
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

COWBOY

A late model pickup pulls up behind them. They shade
eyes from its headlights. The lights go off. An OLDER
(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, it's sprinkling. Bitsey emerges from one of the rooms 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

Drizzle. The prison and adjacent parking lot can be seen a few hundred yards down the road. In front of the guardhouse 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
building
Three razor wire fences surround the prison. Guard
rise at the corners. Outside the fence sits a small
with a sign: "REPORT HERE."

the
building.
Bitsey makes a there-you-have-it face. They move toward

skinny
thirty
yards away. He watches them neutrally.
Someone hawks. They look over. Within the fence, a
Hispanic inmate (50's) spits. He's hunched in the rain

past a
building.
(30's)
Muslim
beside
back
white
banger
the
CAMERA TRACKS Bitsey and Zack as they walk nervously
series of kennel-like pens that run along a long
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-
(20's) watches as he stands with his fingers clutching
chain-link above his head. Rain runs down his face.

INT. ELLIS RECEPTION OFFICE

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

up a

on the phone (DUKE GROVER). He waves them in and holds
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.

carpet.

The office has cheap wood paneling and a tired shag
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).

the

other.

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.

coach,

Grover's demeanor suggests a successful Little League
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

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

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

and

Grover keeps talking as he walks around the detector
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

The door guard gets up from his small table and opens
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
boots.
This is David's lawyer, BENJAMIN BELYEU (late 30's).

chairs
microphone
stainless

On the prisoner's side of the glass, a row of ten
trace the outline of its curve. Above each chair a
hangs from the ceiling. The center chair is in a
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.

Belyeu and

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

Harvard

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

BELYEU

Miss Bloom?

BITSEY

Yes.

stands
hunch.

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

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.

the
A beat. They all look over at the guard's booth. One of 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.

starts
Belyeu collects papers from the chair he was using and

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.

looks up

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

BELYEU

Fine, till Thursday then.

the

Belyeu picks up his bag. He and Zack start the hike to 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.

looking

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

BITSEY

So...

DAVID

Sorry. Have a seat.

smile,

She does so. David smiles at her, he has a beautiful 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.'

in the

David looks at her a beat, lets the irony of this sit 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

LAST CAMERA starts TO ROTATE and ROLLS THROUGHOUT until the

SHOT COMES TO REST UPRIGHT.

A) OVERHEAD

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

B) ELLIS UNIT (RAINY DAY)

from the air.

C) AUSTIN FROM AIR (SUNNY DAY)

D) OVERHEAD

and
(U.T.)

SEXY FEMALE GRAD STUDENT (over-dressed in a mini-skirt
heels) moves hurriedly through the University of Texas
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 over-dressed Sexy Grad Student enters loudly from a door, out-of-breath and discombobulated. The crowd the timing. David pauses.

STUDENT

Sorry.

she
He animatedly gestures to the seats, waits a beat as moves towards them.

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
office.
mouths,
A guy behind the Sexy Student taps her on the shoulder, turns and he hands her letter from the registrar's It's from a girl friend two rows back. The girlfriend "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.

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

BERLIN

And to torture a cliché, 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
crowded
absolute authority. They talk as they walk down the
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

Victorian,
driveway,
front
The house is an immaculately restored two-story 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

sheep
David
Person." The
David's son -- CHASE -- sits in bed holding a stuffed in the air. David turns off the light in the adjacent bathroom, comes in holding his son's jeans and shoes. 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
it.
are
the
smiley

hangs above the bed, opened to the month of March. It
felt-tipped pen hanging from a piece of string taped to
Ten frowny faces cover ten consecutive days, then there
three empty days before a large smiley face awaits on
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.

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

CHASE

Tussshh, tusssshh, 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 lit -- a Damien Hirst piece sits in one corner. A few African 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,"

shirt].")

"Mad, Bad and Dangerous to Know," "[Philosophic t-

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,

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.

Ross's

An uncomfortable beat. She reaches over and takes
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.

his

Ross walks to the bar. Berlin comes around and sits in
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

Ross has two gin-and-tonics and is finishing pouring
Black Bush. He moves away. The table is neatly laid
snacks and bottles. The flower arrangement is perfect.

SAME SCENE - LATER

bottles
LOUDLY
from

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
the table.

people

CAMERA TRACKS her THROUGH the living room, where a few
now dance, and out onto the patio.

pool.

A crowd well on their way to being drunk gathers by the

one

They surround two patio chairs which face each other,

Irish

with David, the other with Ross. The men are playing an
drinking game -- the crowd has chosen favorites.

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

Laughter, a few animated moans. David raises his glass

"Gale!

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.

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

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?

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

FULL SHOT OF PATIO

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

SAME SCENE - LATER

converse. The crowd has dispersed. A couple of small groups
PLAYS. Someone is being thrown into the pool. TECHNO MUSIC
Inside the duplex a few dancers are still going at it.

INT. BATHROOM

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

DAVID

I'm done.

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

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.

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

BERLIN

Here I come.

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

BERLIN

(whispering)
I wasn't after the grade.

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

DAVID

Berlin, this, this is not...

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

BERLIN

Ssshhhh.

against her

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

BERLIN

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

and

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

BERLIN

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

fingers,
mouth.

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

INT. HALLWAY

the

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

INT. LIVING ROOM

pace

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

INT. BATHROOM

shirt

Berlin and David are against the sink, kissing in full
passion. The MUSIC from downstairs seems LOUDER. Her T
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
in
parents

Ross sits at the kitchen table, holding his throbbing
against the POUNDING MUSIC. Greer sets a cup of coffee
front of him, sits across. A long beat. They seem like
waiting out a teenager's party.

INT. BATHROOM

he
even
penetrate

Berlin is back against the sink, undoing David's fly as
takes his T-shirt off. The MUSIC from downstairs seems
LOUDER. His pants and underwear fall. He starts to
her.

BERLIN

No. From behind.

behind,

She turns, faces the mirror. He positions himself
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

lounger.

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

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

INT. BATHROOM

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

BERLIN

Harder.

He looks at her in the mirror, unsure.

BERLIN

Harder.

He thrusts harder.

BERLIN

Yes.

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

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

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

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

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
the
David and Berlin stand still and apart, breathing
into the reality-inducing silence. He looks at her in
the 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
Suddenly,
She turns on the light, moves to the sink, opens the
cabinet. It's stacked with prescription medicines.
she turns to the toilette, vomits.

FADE TO:

BLACK.

FADE IN:

INT. BARNES & NOBLE COFFEE HOUSE - DAY

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

stack
He is

I have a copy.

She looks through her papers, finds the copy in the
beneath her coffee cup. She starts to hand it to him.
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 She trails off. They stare at each other a beat. Then,
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

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

ASSISTANT DIRECTOR

In three, two...

ON SOUND STAGE

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

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

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.

David --

Constance stands behind the cameras. She motions to 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.

Governor
with

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

Constance

The host's laughter is overdone. David smiles. 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.

Governor
her
tone

Constance makes a "Yes!" gesture with her hands. The
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,
inequably administered, that...

David cuts his eyes briefly to Constance.

DAVID

...that we may even be killing
innocents.

this.

Constance rolls her eyes. The Governor is ready for

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?

are They come to the end of the sidewalk, where two SUITS 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.

examine The officers show their Ids. Constance takes one to 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

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

GUARD (V.O.)

(over the loudspeaker)

Gale, time's up.

over
The speaker, loud as ever, startles Bitsey. David nods
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?

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

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

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

rooms. Bitsey and Zack are walking from the Kettle to their
the Zack is lighting a cigarette. The rain's stopped, but
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.

from the
climb
in
feels

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

INT. RENTAL CAR - DAY

framed

The car moves through an older Austin suburb with wood
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-
8); someone has marked them out and scribbled "ring bell."
They share a look.

EXT. PORCH OF HOUSE 3307 - DAY

points
opened
Inch
uncomfortable

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.
She has jet-black hair, nose piercings, tattoos, a Nine
Inch Nails T-shirt. METAL MUSIC comes from within.
The Goth Girl just looks at them. After an
uncomfortable 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

and
Goth
Siouxsie and
from
Goth

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

torn and
sit on
book

A table near the door has numbered photos beneath a
curling sheet of plastic. Small packets of snapshots
the table along with a few hand-labelled videos and a
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
Productions!"

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

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 has 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.

into
various
--
onto the
twenty
outlined

Bitsey and Zack exchange a look. The Goth Girl moves the kitchen. It's cluttered and dirty except in the areas which at one point had been outlined and indexed the cards are all dirty. A sliding glass door leads patio. The backyard hasn't been mowed in years; roughly pots with dead plants lying around. By the door, three small taped Xs are on the floor, 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.

area are
packing
on

She moves to the sink. On the linoleum, the position of Constance's body has been chalk-lined (#3). In this area are a pair of handcuffs (#4). Not far off is a roll of packing 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?

behind
They look in their respective mirrors. Some distance
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

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

Chase bonks him on the nose. David sets Chase down when he
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

sorry
need
forced..."

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

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

space.

David sits in front of his computer, staring into

walls,

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

reaches
glass.

There's a framed poster (Warhol-style) of Socrates. He
into his desk for a bottle of Black Bush and fills his
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

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

INT. UPSCALE RESTAURANT - DAY

in his
David is having lunch with an IVY LEAGUE-LOOKING MALE
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
area.

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

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

approaches.

As David gets out of his Volvo, a SORORITY PLEDGE
clothes, Greek letters on her cheek) quickly

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

--

sofa
Austin stretches into the distance. David sits on a
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
his wife's MACHINE TWEAKS out of the receiver speaker.
the BEEP, David hangs up, gets a DIAL TONE, and punches
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.

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

INT. PICTURESQUE MOUNTAIN ROAD - DAY

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

FADE TO:

BLACK.

FADE IN:

EXT. CONSTANCE'S HOUSE (3307) - DAY

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

David's

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

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

short

Constance opens the door for David. He's wearing a
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

door

David

Her

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

CONSTANCE

You look good.

DAVID

I feel... washed.

hug

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

her

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

of

She sets the plant down among others. At the very back
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 others. He's still wearing the Radio Shack shirt, seems happier.

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 front of the car, he sees his former baby-sitter sitting in the passenger seat. Their eyes meet. He smiles. She smiles waves. As he passes, he hears the girl hit the car's **DOOR-LOCK BUTTON.**

INT. OFFICE OF DEATHWATCH (AUSTIN) - NIGHT

desk
beneath a

David enters carrying the coffee. The matron sits on a desk 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.

then

He takes one of the unsealed envelopes from her stack, 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,
talking
director --
Constance sits at a spartan desk. Nothing is on the
though a window opens onto the alley behind. She's
on the SPEAKER PHONE with the DeathWatch national
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
her.
He sets her coffee in front of her. Then sits across

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.

David stands up and leaves the room, quickly. His
coffee
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
stands watching it drive away, breathing heavily.
winces, grabs her stomach, vomits on the sidewalk.

EXT. AUSTIN STREET - NIGHT

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

street: calling code. He waits, impatiently, looks across the
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
long
hand
David starts to put the receiver back, then suddenly
smashing it against the phone's body; he smashes it
after there is anything left to destroy, long after his
bleeds.

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

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

David enters rambling, stands leaning against the back
of 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?

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

DAVID

Your mail's blowing.

He looks in the entry hall.

ENTRY HALL

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

INT. HOSPITAL WAITING ROOM - DAY

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

A female DOCTOR (mid-30s) sits beside him, lightly
shakes 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.

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

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

ZACK

Fuck.

Zack unlocks the door, throws his cigarette out. Bitsey
opens 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.
All along the drive's left side, protest vehicles are
parked
in the grass. They stretch out to the two-lane highway,
where
another Highway patrol car is stationed.
The drive's right side is also marked off, though the
only

people
drive.

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

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.

Older

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
on
Zack unlocks his door, enters. The room's a mess,
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
she
Bitsey pushes the door open, looks in and around. She
something, enters. Zack enters behind her, sees what
sees.

ZACK

I'll check the bathroom.

He goes. She approaches the middle of the room.

has
center.
lamp, a
The room, in contrast to Zack's, is perfectly neat. It
two twin beds. The nightstand has been moved to the
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.

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

ZACK

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

BITSEY

No. Start it.

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

BITSEY

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

CLOSEUP - TV

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

the
her.
An opaque white kitchen bag is over her head, sealed at
neck with duct tape. Her hands are handcuffed behind
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
Kitchen gloves can be seen -- laid upside down and
out -- on the dish rack beside the sink. Near the body
on
the floor is a roll of duct tape. In the lower right
corner
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
Suddenly, the woman makes a muffled sound, seems to
then
life. Her wrists start to pull against the handcuffs,
jerk at them. She panics. Her legs flail, kick against
the
counter. She screams, muffled, frantic. She rolls onto
her
stomach, her whole body fights against the cuffs. She
desperately rubs her face along the linoleum trying to
rip
the plastic. Soon, her energy wanes, she jerks less.
Her
covered face now points toward the camera. Her head
seems to
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.

highway to

It's still raining, hard. They're on the two-lane
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?

then:

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

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
sits at a corner table counting money from the aluminum
suitcase. Bitsey sits on a huge sofa. Belyeu stands
outside his door.

CLERK

just

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
elevator,
remembers
umbrella.

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

enter the

She heads back toward Belyeu's office.
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

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

INT. ELLIS VISITATION AREA - DAY

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

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)

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

INSERT - DRAWING

Has Gaudi's church and a matador in background. Prominent in the foreground are three labeled figures: Sharon ("Mommy"), Chase ("Me") and a dark-haired man ("Papa Jorge"). Jorge is 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 deskholding a red Magic Marker, the matron sits behind it. They look at the college guy, who closely watches a computer screen.

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

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

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

INT. BACK OFFICE - SUNRISE

She's
Constance, wrapped in an afghan, sleeps on a futon.
shockingly anemic.
Dusty kneels beside her, watches her sleep. After a
beat,
she wakes with a slight jolt -- like someone whose been
marker fighting to stay awake. She looks at him, then sees the
in his hand. She looks away.

CONSTANCE

All I can feel is envy.

Dusty stands, goes to the alley window.

DUSTY'S POV

sits
David's Volvo is parked just outside the window. David
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

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

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.

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

off
She laughs, coughs. He laughs. Their laughter trails 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.

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

top, one

Constance and David are in bed making love. He's on 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.

rhythm.

He kisses her mouth, moves against her in delicate

breathless

Her moans take on a teary edge. Their voices, 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
crawls
glass of water beside bottles on the nightstand. He

her

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

the

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

She turns the water off.

EXT. APARTMENT POOL AREA - DAY

right.

David sits in a lounge speaking to someone on his

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

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

EXT. FORMER GALE HOUSE - BACK YARD - DAY

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

DAVID

(standing)

Sorry, just leaving.

INT. CONSTANCE'S LIVING ROOM - DAY

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

INSERT - PHOTO

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

BACK ON SCENE

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

EXT. LAWN - FROM ABOVE - DAY

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

INT. DAVID'S VOLVO - DUSK

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

Black

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

INT. DAVID'S VOLVO - NIGHT

is

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

on

flashlight.

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

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:

They cluster beneath tarps, some sing hymns, others

paint

signs ("Don't kill with my taxes!", "Mark 6:10,"

"Murder

doesn't Stop Murder!"). Beneath one umbrella stands a

large

black woman holding a candle -- she watches Bitsey.

The right side is a media circus. Various pro-death

penalty

activists also cluster here. They too have prepared

signs:

"Rape and Suffocate Him!", "Thank Jesus for Justice,"

"'Let's

Do it'." A blackboard keeps a countdown: "13 hours."

At the end of the drive, on the left, Bitsey sees a

sign

leaning against a camper: "Save David Gale." It catches

rain;

its letters run.

INT. KETTLE RESTAURANT - NIGHT

The restaurant's crowded. A Church of Christ couple

(50s)

eat without comment. The man's T-shirt reads, "It's

Simple:

You Kill, You Get Killed."

In the booth beside them sit Bitsey and Zack, their

dinners

largely untouched. Bitsey watches three sleazy

JOURNALISTS

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.
10:17.

looking out the window. Rain shadows run down their
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
after

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

INT. BITSEY'S MOTEL SIX ROOM - NIGHT

Bitsey,
goes to
note
She

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

EXT. MOTEL SIX - NIGHT

within

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

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

elements

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

BITSEY

against a
stands,
11:33.

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

INT. BATHROOM - NIGHT

on the
rack,
hits
She

Bitsey brushes her teeth. Looks down and sees a towel
floor. Picks it up, starts to hang it on the towel
stops, looks at herself in the mirror. A beat. An idea
her, first as something odd, then as a freight train.
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
with the

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

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 perspective similar to that on the Constance tape. The 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

MUSIC

to a
exhibit
or-
frame,
counter.

ZACK (O.S.)

Move those index cards, too.

camera is
it, the
beginning,
the
by-

She picks up the index cards.

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-
side.

BITSEY

Zoom in a hair.

left TV

He does so. Bitsey compares perspectives between the
(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
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.

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

ZACK

We can imagine that part.
(to Bitsey)
I'll position her.

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

BITSEY

That's fine. Just straighten her
legs.

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

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

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

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

NICO

I found it.

them,
Nico hands Zack the key to the handcuffs. He tests
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.

bag on
bag
behind,

Zack and Nico move behind the tripod. Bitsey puts the
her head, rips off a long length of tape. She seals the
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!

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

ZACK

(ripping at the tape)

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

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

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

smoking.
Zack sits on the couch holding the handcuffs and

adrenaline,
Nico sits on one of its armrests. Bitsey, full of
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

dressed
his

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

CAMERA PULLS BACK OUT of his window and into:

EXT. WOODS BESIDE WRIGHT'S CABIN - NIGHT

and

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

ZACK

Hairy.

BITSEY

Come on.

She turns back into the woods.

EXT. DIRT ROAD - NIGHT

car.

Bitsey and Zack emerge from the woods near the rental

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

the area -- its light catching the drizzle.

Bitsey
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 stops out of
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

sees 11

Bitsey turns on the lights and begins searching. She videos on a bookshelf. Some are labeled, three aren't.

hands

She takes the cassettes to the TV/VCR. Puts one in (her 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

western.

Bitsey has a picture, but the tape is an old TV

to do

She starts to fast forward, realizes she won't be able so with each tape, hits eject. She checks the clock:

5:04.

She takes another unlabeled tape. It's a home video of city council meeting.

a

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

at

Bitsey has an old "I Love Lucy" episode. Ejects, looks 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.

to
New
rips it

After the other drawers, she looks in the lap drawer.
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

open, pulls out a VHS cassette and checks the label:
"Constance." The PHONE RINGS, startling her. She looks
at
ring
the phone, then at the clock: 5:14. The phone doesn't
again. A beat of absolute silence.

Bitsey goes quickly to the VCR and puts in the tape --
hands
standing in
wearing
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?

The response is silent, but she nods. A beat -- she
bites
from
down
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.

She takes the duct tape roll, rips off a long section,
sticks
another
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.

She then takes the plastic bag from the counter, looks
at it
eyes
puts
excess air
other.
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
other.
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.

her

She feels for the handcuffs on the counter, takes them. She sits on the floor, cuffs herself. She rolls onto 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.

As they disappear into the trees, Dusty can be seen standing beneath the eave at the side of the house, watching.

EXT. RENTAL CAR - SUNRISE

The car moves full speed through the misty dawn. The drizzle has stopped.

INT. RENTAL CAR - NIGHT

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

ignoring
The rental car barrels through the empty square,
stop signs.

EXT. TWO-LANE HIGHWAY - SUNRISE

sign and
The rental car flies past a "Huntsville City Limit"
disappears into the fog.

INT. RENTAL CAR - SUNRISE

turns
The overheat light is still on. Bitsey looks down, then
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

fork
The highway forks off to another. An arrow sign at the
reads: "TDC Ellis Unit/8 Miles."

INT. RENTAL CAR - SUNRISE

Bitsey smells something.

EXT. HIGHWAY TO ELLIS UNIT - SUNRISE

to a
hand.
The rental car, smoke pouring from the engine, clunks
dead roll, stops. Bitsey jumps out, VHS cassette in

She doesn't close the door. Starts running.

The
visibility
breathing and
Bitsey runs down the middle of the two-lane highway.
rental car in the b.g. recedes into the mist --
is no more than fifty yards. The sounds of her
SHOES HITTING the PAVEMENT ECHO into the mist.

She runs, and runs.

turns,
swerves
past
highway.
mist, a
lights.
an
move
their
approach.
"Texas
MOTION.
SLOW
cannot

A car comes up quickly behind her. Its HORN BLARES. She starts to wave it down. The driver SITS ON his HORN, around her onto highway's shoulder and drives on.

She runs. Runs past an abandoned vegetable stand. Runs a sleepy farmhouse.

She runs, and runs.

She slows, out of strength, looks up and down the

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.

Coming toward her in the distance are small flashing

They rise on hill and then fall behind another.

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

The highway patrol vehicle and the ambulance -- marked "Texas Department of Corrections" -- pass silently in SLOW

She watches as they disappear back into the mist. In MOTION, she screams, falls to her knees wailing, but we hear her. We HEAR NOTHING.

INT. WRIGHT'S CABIN - SUNRISE

two
cap.

In the b.g., Dusty walks out the front door carrying large suitcases. On his desk in the f.g. is a radiator

FADE TO:

BLACK.

FADE IN:

INT. DALLAS/FT. WORTH AIRPORT - DAY

carrying the
Belyeu makes his way through the departure hall
aluminum suitcase.

ON TV

the
Roberts and the Court TV "breaking news" logo are on
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

colleagues.
Bitsey watches the report with about a dozen

her.
Kruger stands beside her. A few people congratulate

away
She attempts a smile and nods, though she doesn't look
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

She Zack watches Bitsey from the other side of the room.
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
seen of Wright's cabin. Other journalists and gawkers can be
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.

sadly,
Zack watches her. She looks his direction. He smiles
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

journalists
Governor Hardin is on the steps of the capital,
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 pending 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

bag
checks
Dusty walks along the Ramblan. He carries a duty-free and the aluminum suitcase. He comes to a building, its number against a piece of paper, enters.

INT. BARCELONA APARTMENT HOUSE - DAY

steps
Dusty ascends a staircase onto hallway. He walks a few 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

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 DOORBELL, 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 be the key to your freedom. Regards, Benjamin Belyeu."

INT. SHARON'S BARCELONA APARTMENT - DAY

a
case.
At the breakfast table, a Spanish yuppie male sits with newspaper in front of him. He watches Sharon open the

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
scissors.
the
Suddenly, she understands. She squeezes the sheep, it, hears something. She cuts the sheep open with 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
open
The tape is cued to where Dusty picks up Constance's 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
from
David walks into frame. He goes a couple of steps
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
He
behind
frame,
half,
David goes to Constance, kneels. He reaches down and
his thumb gently strokes her face through the plastic.
stands, turns and walks back to the camera. He reaches
the lens to turn it off. A beat. Half his face fills
his watery eyes looking directly at us. In the other
we see Constance's body.

Black.

INT. BARCELONA OPERA HOUSE - NIGHT

Turandot.

Dusty sits watching a performance of Puccini's

On stage is the scene where Liu martyrs herself.

CLOSEUP - DUSTY

He closes his eyes.

OUT:

FADE

THE END