

NOTE: This is a first draft, meaning it might differ considerably from the actual movie. Use as a reference.

"THE LIFE OF DAVID GALE"

by

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FIRST DRAFT

March 1, 1998

FADE IN:

EXT. TWO-LANE HIGHWAY - SUNRISE

A dishevelled WOMAN in a business suit (27) runs down a lonely 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 mist, a tunnel of fog. She stumbles on, a final effort.

She runs. Sees something. Stops cold.

DISSOLVE TO:

WHITE

DISSOLVE TO:

INT. OFFICE OF "DEATHWATCH AUSTIN" - SUNRISE

A clock on the wall: 6:11.

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

YOUNG MAN (O.S.)

It's probably been about seven  
minutes...

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

About 30 percent have red crosses over their faces.

Five people wait in tense silence. A SKINNY COLLEGE GUY with  
a mullet and pinch of Skoal in his mouth looks at a computer  
screen. A co-ed cuddles a Styrofoam cup of coffee, sobs  
quietly. A matronly woman sits quietly at a desk holding a  
phone to one ear.

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

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

COLLEGE GUY

Okay. Okay. We've got pronouncement.

6:12. Roughly eight minutes.

(a beat as he records  
the time)

Number 36 this year for the Great  
State of Texas.

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

CONSTANCE

David, don't start throwing things.

A PHONE RINGS. David controls himself.

DAVID

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

Another PHONE RINGS. Constance stands.

CONSTANCE

Go. I'll do it.

He nods to her, exits.

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

The wall clock reads 6:13.

EXT. PARKING LOT IN FRONT OF OFFICE - SUNRISE

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

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

INT. DAVID'S CAR - SUNRISE

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

EXT. INTERSECTION - SUNRISE

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

INT. DAVID'S CAR - SUNRISE

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

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

ON TV

A book-jacket photo of Constance.

BACK ON ROBERTS

ROBERTS (V.O.)

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

ON KRUGER

She waits impatiently, munching, swallowing.

ROBERTS (V.O.)  
...the Texas judicial system. Citing  
'discriminating purpose' --

KRUGER  
(into the phone)  
Hey, they're not gonna stay Gale.  
It's on Court TV right now, listen.

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

ON TV

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

ROBERTS (V.O.)  
...clear political gain in executing  
its leading opponent of the death  
penalty...

ON KRUGER

KRUGER  
(into the phone,  
swallowing)  
So, what's it gonna be? Belyeu said  
to call after the decision... No,  
they said only Bitsey.

ROBERTS (V.O.)  
(in b.g.)  
...Further failed to consider that  
the victim was herself an abolitionist  
activist...

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

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

KRUGER  
(into the phone)  
...What we need is to put her on a  
plane to Houston.

BITSEY (WOMAN)  
Gale's going down.

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

KRUGER  
(into the phone)  
Why do you always get lordosis around  
legal? She's here.

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

BITSEY  
(to the phone)  
Hi. What's lordosis?

BILL (V.O.)  
Female ape's posture when preparing  
for intercourse. Hello, Bitsey.

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

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

KRUGER  
Market value. Guy's never talked.

BILL (V.O.)  
That aside, I, we are still  
uncomfortable with the arrangement.

BITSEY  
Meaning?

BILL (V.O.)  
Meaning you've just spent a very  
public seven days in jail for a very  
public contempt of court citation.

BITSEY

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

BILL (V.O.)

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

Bitsey and Kruger moan in unison.

KRUGER

This is disparate treatment.

BITSEY

I could go if I were an ugly blabby guy?

BILL (V.O.)

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

KRUGER

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

BITSEY

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

KRUGER

You've gotta let her go now.

BILL (V.O.)

That's not quite what I meant.

KRUGER

He's gotta let you go.

BITSEY

'Certain references were made -- '

BILL (V.O.)

(interrupting)

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

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

KRUGER

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

Kruger hangs up the phone before he can respond.

BITSEY

I'm not baby-sitting.

Kruger reaches for a chip.

INT. RENTAL CAR - NIGHT

ZACK (boyish, 24) sits in the passenger seat, smoking and looking at a case file in his lap. He holds the cigarette just outside the slightly open window. Zack has a bohemian grunge thing going -- long hair, ultra-hip glasses. As Bitsey 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

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

BITSEY (V.O.)

His sperm was inside her.

INT. RENTAL CAR - NIGHT

BITSEY

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

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

ZACK

Half-a-thumb print.

BITSEY

Okay, half-a-thumb print.



ZACK

Could have touched it before it was  
a murder weapon.

BITSEY

Do you fondle your friends' garbage  
bags?

ZACK

Yeah, I get very touchy around  
household plastics. 'Hello, everybody --  
oooooh, 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.

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

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

BITSEY

Is it hot?

He puts his hand on it.

ZACK

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

Bitsey shrugs.

ZACK

So what do I do?

BITSEY

I don't know, something male.

Zack animatedly adjusts his balls, spits.

ZACK

Now what?

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

BITSEY

Company.

ZACK

I hope whoever it is never saw  
Deliverance.

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

OLDER COWBOY

You folks need some help?

BITSEY

Actually yes.

EXT. HUNTSVILLE MOTEL SIX - NIGHT

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

EXT. HUNTSVILLE MOTEL SIX - NEXT DAY

The rental car is parked in front. The morning is overcast, 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?

Three razor wire fences surround the prison. Guard towers rise at the corners. Outside the fence sits a small building with a sign: "REPORT HERE."

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

Someone hawks. They look over. Within the fence, a skinny

Hispanic inmate (50's) spits. He's hunched in the rain thirty yards away. He watches them neutrally.

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

INT. ELLIS RECEPTION OFFICE

As Bitsey and Zack enter, a clean-cut man in his forties is on the phone (DUKE GROVER). He waves them in and holds up a wait-just-a-second finger.

GROVER

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

The office has cheap wood paneling and a tired shag carpet. A portrait of GOVERNOR HARDIN (female, mid-50's) is on the wall, a large aerial photograph of the prison on the other. At a desk sits a WOMAN WITH TEXAS HAIR (40's).

Grover hangs up.

GROVER

(to the Woman)

Thank you, Margie.

(turning to Bitsey  
and Zack)

Correspondents Bloom and Stevens I  
presume.

BITSEY

Yes, hello.

They shake hands.

ZACK

Stemmons.

GROVER

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

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

MARGIE (WOMAN)

He's usually real good with names.

GROVER

(to Bitsey)

And these days I always like to ask,  
now do you prefer Miss, Mrs. or Ms.?

BITSEY

Bitsey.

GROVER

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

MARGIE

Okey dokey.

EXT. ELLIS UNIT ENTRANCE

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

GROVER

Bitsey, you ever been in a prison?

BITSEY

Yes.

Zack smiles to himself.

GROVER

On death row?

BITSEY

No.

GROVER



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

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

GROVER  
(to the guard)  
Afternoon, Earl.  
(back to her)  
We've got three concerns here: safety,  
safety and safety. The visitation  
area is entirely secure -- we just  
ask you don't touch the glass. Windex  
gets expensive.

They come to the door of the entrance area.

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

The DOOR BUZZES, Grover opens it.

INT. ELLIS ENTRANCE LOBBY - DAY

The lobby has institutional chairs and few vending machines.  
To one side is a guard's counter and a walk through metal  
detector. They enter and make their way toward the counter.

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

BITSEY  
No.

GROVER  
Mr. Stemmons, you packin'?

ZACK  
No, sir.

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

GROVER  
(to the guards)  
Clarence. Karla. New York guests for  
Mr. Gale.

CLARENCE (GUARD)  
May I see your purse, ma'am.

GROVER  
(to Bitsey, indicating  
the metal detector)  
Go on and walk through.

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

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

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

He leads them down the hall.

GROVER  
Anythin' you say can be overheard.

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

INT. ELLIS VISITATION AREA - DAY

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

GROVER  
Here we are.

The visitation hall has the linoleum-and-fluorescent feel of  
an empty school cafeteria. It is seamlessly intersected by  
curved wall of sheer glass. Across the hall a guard's booth

is built into the concrete wall; the two guards inside look like they are in a sound booth.

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

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

GROVER

(calling out to Belyeu)

All yours, Mr. Belyeu.

(to Bitsey and Zack)

You folks have safe visit now.

BITSEY

Thank you.

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

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

BELYEU

Miss Bloom?

BITSEY

Yes.

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

BELYEU

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

BITSEY

He said the gift shop could do it.

Belyeu laughs, smiles pure Old New Orleans charm.

BELYEU

(to David)

She's a smart one.

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

BELYEU

Benjamin Belyeu, Mr. Gale's attorney.

BITSEY

This is Zack.

BELYEU

Pleasure.

(turning)

And this is the man of the hour.

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

GUARD (V.O.)

Sit down, Gale.

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

DAVID

Hello.

BITSEY

Hello.

ZACK

Hi.

BELYEU

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

DAVID

(to the microphone  
above him)

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

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

DAVID

They're practicing being cruel and  
unusual.

BELYEU

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

Belyeu collects papers from the chair he was using and starts  
to stuff them into his antique carpetbag.

BELYEU

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

(to David)

You have my Gregg book?

DAVID

I need it for Billy's appeal.

BELYEU

(to Bitsey)

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

(takes out his planner)

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

(handing her a business  
card)

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

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

BELYEU

Fine, till Thursday then.

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

BELYEU

Good luck, Miss Bloom.

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

David waves "get lost." Belyeu turns.

BELYEU  
Bye, ya' all.

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

BITSEY  
So...

DAVID  
Sorry. Have a seat.

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

BITSEY  
He's a character.

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

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

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

BITSEY  
Where's your ex-wife?

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

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

BITSEY

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

David smiles, nods.

BITSEY  
(referring to the pen)  
Is this recording equipment?

He shrugs.

DAVID  
How should we start?

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

She sits with pen on paper, poised for dictation.

BITSEY  
Go.

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

DISSOLVE TO:

WHITE

DISSOLVE TO:

TRANSITION MONTAGE

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

A) OVERHEAD

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

B) ELLIS UNIT (RAINY DAY)

from the air.

C) AUSTIN FROM AIR (SUNNY DAY)

D) OVERHEAD

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

E) FROM BEHIND TWO GRADUATE STUDENTS

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

DISSOLVE TO:

INT. U.T. LECTURE HALL - DAY

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

The over-dressed Sexy Grad Student enters loudly from a side  
door, out-of-breath and discombobulated. The crowd laughs at  
the timing. David pauses.

STUDENT

Sorry.

He animatedly gestures to the seats, waits a beat as she  
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.'

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

DAVID (O.S.)

Not because you'll get it, but because  
you're doomed not to want it if you  
do. Think about it next time you're  
at a wedding.

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

INT. U.T. HALLWAY - DAY

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

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

INT. U.T. LECTURE HALL - DAY

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

BERLIN (SEXY STUDENT)

Sorry about being late. There was, you know, a thing.

DAVID

There usually is, Berlin.

BERLIN

Look, I know I'm not doing well.

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

BERLIN

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

CONSTANCE

David!

DAVID

Hey.

CONSTANCE

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

She hands him a copy.

DAVID

(pretends to read a quote)

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

CONSTANCE

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

DAVID

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

CONSTANCE

Telegenics. You have a cuter butt.

DAVID

I hadn't noticed.

CONSTANCE

I know.

DAVID

That's not what I meant.

EXT. U.T. CAMPUS - DAY

David and Constance exit the building into the sun.

CONSTANCE

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

DAVID

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

They've come to a sidewalk junction, stop.

CONSTANCE

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

DAVID

Anything else?

CONSTANCE

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

DAVID

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

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

CONSTANCE

If you have a hang-over tomorrow --

DAVID

(hangs up, walking away)

Apropos playing Mother.

CONSTANCE

(calling after him)

Ten o'clock!

(beat)

Bright-eyed and bushy tailed!

EXT. GALE HOME - ESTABLISHING - NIGHT

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

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

INT. KID'S ROOM - NIGHT

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

DAVID

Did you mark your calendar?

CHASE

(looking up at it)

Yep.

INSERT - KID'S CALENDAR

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

David comes and sits beside his son. Points to an African 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?

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

CHASE  
Here.

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

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

DAVID

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

He tucks his son in.

DAVID

Who loves you?

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

DAVID

Oooh.

(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," "Mad, Bad and Dangerous to Know," "[Philosophic t-shirt]").  
LEONARD COHEN MUSIC PLAYS.

FROM FRONT DOOR

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

GREER

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

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

DAVID

Meinen Herren.

ROSS

(has an Oxford accent)  
Hello, David.

OLDER PROFESSOR

Professor Gale. Where's your better half?

DAVID

Spain.

OLDER PROFESSOR

Again?  
(a beat)  
Well, I was just off for air.

He moves to the patio. They watch him go.

DAVID



(under his breath)  
Looks like Sharon's affair is an  
open secret.

ROSS  
(under his breath)  
Hermeneutical bias: the only fun  
truths are the ones someone's trying  
to hide.  
(normal tone)  
Have a seat.

They sit on the sofa.

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

BERLIN (O.S.)  
Talking about me?

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

DAVID  
Yep.

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

BERLIN  
(to David)  
He tell you I said when you were  
circumcised they threw away the wrong  
part.

DAVID  
He mentioned it.

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

DAVID  
It's called schmuck.

BERLIN  
What?

DAVID

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

BERLIN

Aren't we so fucking clever.

ROSS

(standing, escaping)

I suppose I should get us another.  
David?

DAVID

Black Bush.

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

BERLIN

You were a jerk this afternoon.

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

DAVID

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

BERLIN

Is that supposed to be an apology?

DAVID

More like a conciliation.

ON FOOD AND DRINKS TABLE

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

SAME SCENE - LATER

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

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

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

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

DAVID

(feeling good but  
very much in control)

There once was a lesbian from Canjuom,  
Who took a young man to her room,  
And they argued all night, As to who  
had the right, To do what, how, and  
to whom.

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

BERLIN

One more. C'mon, one more.

DAVID

Enough. That's enough.

The crowd wants more. Someone makes chicken sounds.

ROSS

Do you bow to the Queen?

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

FULL SHOT OF PATIO

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

SAME SCENE - LATER

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

INT. BATHROOM

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

DAVID

I'm done.

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

He folds the towel.

BERLIN

I'm not a student anymore.

DAVID

Don't think I want to know what that means.

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

BERLIN

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

He laughs.

BERLIN

Cute, huh?

DAVID

Cute.

BERLIN

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

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

BERLIN

Here I come.

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

BERLIN

(whispering)

I wasn't after the grade.

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

DAVID

Berlin, this, this is not...

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

BERLIN

Ssshhhh.

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

BERLIN

We'll just talk, analyze, contemplate.

Or... you can put your mouth on my body.

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

BERLIN

(softly, vulnerably)

Don't reject me. Please.

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

INT. HALLWAY

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

INT. LIVING ROOM

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

INT. BATHROOM

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

Pulls her skirt up, reaches for her panties.

BERLIN

Rip them.

DAVID

What?

BERLIN

Rip them off.

He does so.

INT. KITCHEN

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

INT. BATHROOM

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

BERLIN

No. From behind.

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

BERLIN

Yes.

He moves against her.

BERLIN

Do it hard.

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

him.

ON PATIO

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

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

INT. BATHROOM

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

BERLIN

Harder.

He looks at her in the mirror, unsure.

BERLIN

Harder.

He thrusts harder.

BERLIN

Yes.

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

BERLIN

Bite me. Bite my shoulder.

She watches him do so in the mirror.

INT. LIVING ROOM

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

INT. BATHROOM

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

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

INT. LIVING ROOM

The MUSIC and dancers are in pure FRENZY. Suddenly, the MUSIC STOPS. Greer stands by the STEREO, his hand coming back from

the power button. He gestures "that's-all-folks."

INT. BATHROOM

David and Berlin stand still and apart, breathing heavily 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

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

INT. BATHROOM - NIGHT

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

FADE TO:

BLACK.

FADE IN:

INT. BARNES & NOBLE COFFEE HOUSE - DAY

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

CONSTANCE

Okay, let's say we find an innocent on death row. Wouldn't matter. Corrections would let him go. Governor Harding would go on TV, say, 'Thanks to the good people at DeathWatch, the system works.' Yeah, if they executed an innocent, and we had absolute, undeniable, in-your-face proof, we could demand abolition. Just like happened in England. Are



you okay?

DAVID  
(coming out of it)  
Sorry. Yeah.

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

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

David nods.

CONSTANCE  
Dead men can't make a case.

DAVID  
And 'Almost Martyrs' don't count.

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

DAVID  
Um-hum.

CONSTANCE  
And stop that.

DAVID  
What?

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

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

CONSTANCE

I have a copy.

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

CONSTANCE

You want to tell me what's up.

DAVID

Nothing. Everything. Something profoundly stupid happened last night.

CONSTANCE

(teasing)

I hope you used a condom.

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

CONSTANCE

Jesus Christ, David. Was she one of yours?

A longer beat. He holds her eyes.

DAVID

It was Berlin.

She's stunned, then genuinely angry.

CONSTANCE

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

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

CONSTANCE

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

DAVID

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

CONSTANCE

I know you can tell yourself it's a position I aspire to, but believe

me, I would rather...

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

DAVID

I didn't mean --

CONSTANCE

Let's go.

As she collects, she winces, grabs her side.

DAVID

Are you okay?

CONSTANCE

Yes, let's just go.

INT. TELEVISION STUDIO - CONTROL BOOTH - DAY

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

ASSISTANT DIRECTOR

In three, two...

ON SOUND STAGE

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

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

HOST

(to camera)

Welcome back to 'Batter's Box.'

Tonight we continue our very special

four-part series with the Governor

Hardin. Arguing capital punishment

with her is DeathWatch coordinator,

Professor David Gale. Governor, you're

up.

GOVERNOR HARDIN

Alan, let me say somethin' I always say.

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

GOVERNOR HARDIN

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

DAVID

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

GOVERNOR HARDIN

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

DAVID

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

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

GOVERNOR HARDIN

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

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

DAVID

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

The Governor makes an animated thinking face.

GOVERNOR HARDIN

Well, yes. I would have to agree.

(chuckles again)  
Did I say that, too?

DAVID  
No, ma'am. That was Hitler.

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

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

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

A beat. David doesn't respond.

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

A long, miserable beat.

HOST  
Well, Mr. Gale?

DAVID  
Dead men can't make a case.

GOVERNOR HARDIN

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

Constance shakes her head in irritation.

BACKSTAGE - LATER

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

GOVERNOR HARDIN

Well, you certainly had me on that Hitler quote.

DAVID

Thank you, Governor.

GOVERNOR HARDIN

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

DAVID

Of course.

GOVERNOR HARDIN

Well, I've got to buzz.

She moves toward her handlers.

GOVERNOR HARDIN

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

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

EXT. TELEVISION STATION - DAY

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

CONSTANCE

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

DAVID

(indicating the station)

Look, I wanted you to do this anyway.

CONSTANCE

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

DAVID

What's that supposed to mean?

CONSTANCE

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

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

MAN #2 (SUIT)

Mr. Gale?

DAVID

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

MAN #2

Rameriz, Austin police. This is Officer Haslinger.

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

DAVID

What, arguing with the Governor is a crime?

The officers exchange a look.

MAN #3 (SUIT)

No, sir, rape is.

Constance and David look at each other, stunned.

OVERHEAD SHOT

CAMERA QUICKLY CRANES UP and ROTATES.

DISSOLVE TO:

WHITE.

DISSOLVE TO:

INT. ELLIS VISITATION AREA - OVERHEAD SHOT - DAY

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

GUARD (V.O.)

(over the loudspeaker)

Gale, time's up.

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

DAVID

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

BITSEY

Why'd she do it?

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

DAVID

(shrugs)

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

BITSEY

Do you know where I can find her?

DAVID

First year in here I received a card  
postmarked San Francisco. It wasn't



signed, but I suspect it was from  
her -- the front had the text 'Sex  
is Power.'

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

BITSEY  
Anything written on it?

DAVID  
Yeah. It said, 'I'm sorrier than you  
can know.'  
(exiting the cage)  
See you tomorrow, Ms. Bloom.

EXT. MOTEL SIX PARKING LOT - NIGHT

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

BITSEY  
Try phone records, a net search.

ZACK  
Fucking better than watching you  
work.

They walk a beat in silence.

ZACK  
You think he's telling the truth?

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

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

BITSEY  
Working on our philosophy merit badge,  
Zack?

ZACK  
I, on the other hand, think Gale's

telling the truth.

They come to the stairs and start up.

BITSEY

This you know telepathically?

ZACK

It's just my perspective.

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

INT. RENTAL CAR - DAY

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

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

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

SUPERIMPOSE: DAY TWO.

ZACK

Thirty-three o what?

BITSEY

Seven.

(then)

'Check out the crime scene in Austin.'

You made it sound so close. Shit,

two and half hours and that damn lig --

ZACK

Bitsey.

She looks up. Zack is pointing at house 3307, which needs paint and a lawn mower. In front of the house is a homemade sign which reads, "David Gale Death House and Museum" See 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

Bitsey rings the bell. Zack stomps out a cigarette, points out a worn "Block Home" sign in the window, raises his eyebrows. As Bitsey straightens her skirt, the door is opened 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

They enter. The room is dark, messy, with an old couch and TV/VCR. A kitchen is adjacent. The walls are full of Goth bric-a-brac: London Batcave poster, one from Burton's

Frankenweenie, a couple of fan-zine pictures of Siouxsie and the Banshees. In one corner is a very expensive STEREO, from which THE CURE plays. In another, a dead plant. The Goth Girl turns the MUSIC DOWN.

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

GOTH GIRL

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

Bitsey signs in.

GOTH GIRL

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

Zack signs in.

GOTH GIRL

Take a re-enactment photo packet.

Bitsey does so. As does Zack.

GOTH GIRL

If you guys could share one, it would be really cool. The butt wipes where I do prints kinda jerk my chain.

Zack puts his back. Bitsey is looking at a photo: the Goth Girl in her panties and bra laying on the floor with plastic wrap over her head. She's handcuffed and wearing a platinum 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.

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

BITSEY

Do many people take the tour?

GOTH GIRL

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

ZACK

You don't mind living here?

GOTH GIRL

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

She takes them to the coffee table. Among her own things, a dusty Johnny Walker Black Label bottle sits beside a tumbler (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.

Bitsey and Zack exchange a look. The Goth Girl moves into the kitchen. It's cluttered and dirty except in the various areas which at one point had been outlined and indexed -- the cards are all dirty. A sliding glass door leads onto the patio. The backyard hasn't been mowed in years; roughly twenty pots with dead plants lying around.

By the door, three small taped Xs are on the floor, outlined and indexed (#2).

GOTH GIRL

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

ZACK

He's not exactly a serial killer.

GOTH GIRL

Whatever.

She moves to the sink. On the linoleum, the position of Constance's body has been chalk-lined (#3). In this area are 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?

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

ZACK

Same truck.

BITSEY

Weird coincidence, huh?

ZACK

(turning)

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

INT. ELLIS VISITATION AREA - DAY

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

A beat.

DAVID

Off-the-record?

BITSEY

Alright, we're off.

DAVID

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

BITSEY

You're telling me someone's framing you?

DAVID

It's more than that.

DAVID

There was a tripod.



BITSEY

Right, facing her body. Are we on?

DAVID

(nods agreement)

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

BITSEY

Maybe you're being paranoid?

DAVID

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

A beat. She nods.

BITSEY

Any ideas who 'they' are?

DAVID

No.

A beat.

DAVID

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

BITSEY

Belyeu's hired a detective?

He shakes his head.

DAVID

A journalist.

It takes Bitsey a second to understand. David smiles.

DAVID

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

ACCELERATED ROTATING ZOOM OUT TO LONG SHOT.

DISSOLVE TO:

WHITE.

DISSOLVE TO:

INT. U.T HALLWAY - LONG SHOT - DAY

ACCELERATED ROTATING ZOOM IN.

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

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

CONSTANCE  
I'll drop by your office after.

He nods and goes out.

EXT. U.T. PARKING LOT - DAY

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

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

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

DAVID  
Who's your hero?

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.

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

SHARON

I sent you an e-mail.

DAVID

Okay?

SHARON

Just read it.

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

SHARON  
(cracking her window)  
Come on, Chase.

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

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

INSERT - COMPUTER SCREEN

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

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

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

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

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

CONSTANCE  
You could at least hide the bottle.

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

DAVID  
Well?

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

A beat as he absorbs the information.

DAVID  
How did Ross vote?

CONSTANCE  
You're not supp... Against you.

David nods.

DAVID  
And you?

CONSTANCE  
Against my politics.

David mouths a "thank you."

EXT. GALE HOUSE - DAY

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

INT. UPSCALE RESTAURANT - DAY

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

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

The Ivy Leaguer vigorously butters his bread.

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

rapist.

He takes a bite of bread.

IVY LEAGUER

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

EXT./INT. DAVID'S APARTMENT - DAY

David stands on the balcony of a sparsely-furnished 420-a-month apartment. Books are stacked everywhere. An Interstate runs nearby. He holds a phone, looks down in the pool area.

DAVID'S POV

A horribly-tanned man in his seventies (wearing a Speedo) 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

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

EXT. APARTMENT COMPLEX PARKING LOT - DAY

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

She takes his picture with a Polaroid camera.

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

SORORITY PLEDGE

I got it! I got it!

She jumps in the car and they speed away.

INT. HIGH-RISE OFFICE - DAY

The office is Philip Stark chic with large window walls --

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

ATTRACTIVE WOMAN

What exactly attracts you to the bond market?

He's staring into space.

ATTRACTIVE WOMAN

Mr. Gale?

He looks at her. She forces a strained smile.

INT. DAVID'S APARTMENT - NIGHT

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

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

INT. SMALL OFFICE - DAY

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

YUPPIE MAN

(over-articulating)

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

EXT. GOLF COURSE - DAY

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

BELYEU

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

David chooses a club.

BELYEU

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

David walks to the ball.

DAVID

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

BELYEU

Roughly the same as you sinkin' that  
from here.

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

INT. PICTURESQUE MOUNTAIN ROAD - DAY

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

FADE TO:

BLACK.

FADE IN:

EXT. CONSTANCE'S HOUSE (3307) - DAY

It's a beautiful day. The house looks much different than in  
the Goth Girl's care -- flower bed, well-manicured lawn,  
fresh paint. The "Block Home" sign is in the window. David's  
Volvo pulls up in front.

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

Constance opens the door for David. He's wearing a short  
sleeved Radio Shack shirt and tie. She's taken aback.



Looks at him a beat, bites her lip, suppresses a laugh.

CONSTANCE

I'm sorry.

He plays hurt, then they both burst out laughing.

LONG SHOT - CONSTANCE AND DAVID

She hugs him as they laugh on the porch.

INT. CONSTANCE'S LIVING ROOM - DAY

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

CONSTANCE

You look good.

DAVID

I feel... washed.

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

CONSTANCE

(lightly, in his arms)

I need you. DeathWatch needs you,  
now more than ever.

DAVID

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

CONSTANCE

Look.

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

CONSTANCE

Jo Ann Johnson's been re-scheduled.

INSERT - PHOTO

of a young black women -- pleasant, timid.

BACK ON SCENE

CONSTANCE

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

She lifts a small plant, moves to the porch.

DAVID

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

He notices she has bruises on her arms.

CONSTANCE

But I'll save a life.

DAVID

(referring to the  
bruises)  
Where'd you get those?

CONSTANCE

Spring cleaning.

EXT. CONSTANCE'S PORCH

CONSTANCE

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

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

DAVID

(calling to the Cowboy)  
Hey! She ever not make you work when  
you come by?

OLDER COWBOY

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

DAVID

(turning to Constance)  
What's her story?

CONSTANCE

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

DAVID

Constance, who did she kill?

Constance looks at him a beat, sighs.

CONSTANCE

A cop.

DAVID

She admit to it?

Constance sheepishly nods.

DAVID

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

CONSTANCE

You're mixing metaphors.

DAVID

A real danger to flora and fauna.

CONSTANCE

Are we gonna do this?

DAVID

(the smile)

And how.

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

DAVID

You're burning up.

EXT. STARBUCKS - NIGHT

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

In the parking lot, a hip high schooler jumps out of his 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 back, waves. As he passes, he hears the girl hit the car's automatic DOOR-LOCK BUTTON.

INT. OFFICE OF DEATHWATCH (AUSTIN) - NIGHT

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

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

DAVID  
Hello, folks.

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

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

DAVID  
Gladly.

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

DAVID  
Latte on your left, partner.

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

INT. BACK OFFICE - DAY

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

DIRECTOR (V.O.)  
...and see what kind of resources  
the religious groups can deliver.

David comes through the door. She waves him in.

CONSTANCE

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

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

DIRECTOR (V.O.)

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

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

DIRECTOR (V.O.)

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

She smiles at him, shakes her head.

CONSTANCE

(to the phone)

John, David's going to --

DIRECTOR (V.O.)

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

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

CONSTANCE

No.

DIRECTOR (V.O.)

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

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

DIRECTOR (V.O.)

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

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

CLOSEUP - RECEIVER

at his ear, Chase's MESSAGE BEGINS.

BACK ON DAVID

He speaks into the PHONE after the BEEP.

DAVID

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

David starts to put the receiver back, then suddenly starts  
smashing it against the phone's body; he smashes it long

after there is anything left to destroy, long after his hand bleeds.

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

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



A beat as the situation clarifies for both of them. David is stunned, the doctor embarrassed.

DOCTOR

Have I created a problem?

DAVID

No, no.

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

GUARD (V.O.)

Gale, time's up.

CLOSEUP - DAVID

CAMERA SLOWLY ROTATES.

DISSOLVE TO:

WHITE.

DISSOLVE TO:

INT. ELLIS VISITATION AREA - CLOSEUP - BITSEY - DAY

CAMERA SLOWLY ROTATES. Bitsey stares at David, engrossed.

DAVID

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

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

DAVID

Constance left the world better than  
she found it.

(beat)

It's a small, difficult thing.

EXT. ELLIS UNIT PARKING LOT - DAY

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

INT. RENTAL CAR - DAY

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

The rental car ENTERS the FRAME.

INT. RENTAL CAR

Bitsey and Zack approach the guardhouse.

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

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

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

Standing among the six people in ponchos is Duke Grover.

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

BITSEY  
What a life, waiting around for  
someone to die.

ZACK  
Fuck, look.

The next-to-last vehicle on the left is the Older Cowboy's pickup. He sits inside talking with another man. The Older

Cowboy sees them, touches his hat as they pass.

BITSEY

This is a little too coincidental.

EXT. TWO-LANE HIGHWAY - DAY

The rental car passes a farmhouse.

INT. RENTAL CAR

Bitsey and Zack are headed to Huntsville.

ZACK

'Cause I couldn't see the license plate.

BITSEY

Forget it. What time is it?

ZACK

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

BITSEY

It's a long story.

EXT. TWO-LANE HIGHWAY - DAY

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

EXT. MOTEL SIX GANGWAY - DAY

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

BITSEY

Give me an hour.

INT. ZACK'S MOTEL SIX ROOM - DAY

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

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

INT. BITSEY'S MOTEL SIX ROOM - DAY

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

ZACK

I'll check the bathroom.

He goes. She approaches the middle of the room.

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

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

ZACK

Fuck, Bitsey, there could have been prints.

BITSEY

Look.

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

EXT. MOTEL SIX RECEPTION - DUSK

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

INT. BITSEY'S MOTEL ROOM - DUSK

Bitsey unlocks the door, lets Zack in.

ZACK

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

He goes to the TV.

ZACK

Just she and her husband have masters.

BITSEY

What did you tell her?

ZACK

That you have a jealous boyfriend.

He starts to hook up the VCR.

BITSEY

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

ZACK

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

BITSEY

Whoever got in here -- without a key

in broad daylight -- was probably smart enough not to leave prints. I have the remote.

He turns ON the TV.

ZACK

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

BITSEY

(hitting the remote)

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

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

ZACK

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

BITSEY

No. Start it.

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

BITSEY

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

CLOSEUP - TV

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

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

BITSEY (O.S.)

God, no.

ZACK (O.S.)

Fuck. Is it her?

BITSEY (O.S.)

Turn it up.

BACK TO SCENE

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

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

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

Kitchen gloves can be seen -- laid upside down and inside 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.

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

Suddenly, the woman makes a muffled sound, seems to come to life. Her wrists start to pull against the handcuffs, then 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

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

After a few seconds, Zack comes up beside her.

ZACK

Belyeu says to bring the tape first thing tomorrow. Also said you were right about not calling the police.

A beat, she keeps looking straight on.

ZACK

Are you gonna be okay?

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



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

INT. KETTLE RESTAURANT - NIGHT

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

ZACK

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

BITSEY

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

ZACK

Why does he give a shit?

BITSEY

Zack, what if Harraway's murder was just a means to getting Gale. I mean sending him through hell, a sick cat and mouse game. You kill the one person he has left. Make sure he sits six years on death row for the murder -- a place he's made a public career of loathing. And then just let him die, die knowing everyone will remember him with disgust. You destroy his loved ones, his life's work, his memory -- and you make him watch.

ZACK

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

beyond sadism.

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

ZACK

Then why release it?

BITSEY

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

ZACK

Or?

BITSEY

(picks up the tape)

Imagine walking to the chamber knowing  
this exists.

ZACK

The 'cat' is a fucking psychopath.

BITSEY

Yeah, but smart.

EXT. MOTEL SIX - NIGHT

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

INT. RENTAL CAR - DAY

SUPERIMPOSE: DAY THREE

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

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

ZACK

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

CLOSE ON DASH

The over-heat light is on.

BACK TO SCENE

ZACK

Woa, woa. Sadist at six o'clock!

BITSEY

Is it the truck?

ZACK'S POV

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

ZACK

Yep, and doing a lousy job of hiding.

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

ZACK

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

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

BITSEY

Is he gaining?

ZACK

No. Just sitting back there.

BITSEY

Can you see the license?

ZACK

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

INT. LAW OFFICE OF BENJAMIN BELYEU - DAY

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

Expensively decorated. Dark woods and deep carpets --

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

BELYEU (O.S.)

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

(entering, to Bitsey)

Don't blame you for not watching that twice.

He goes to his desk and starts sifting through papers.

BITSEY

I couldn't sleep afterwards.

BELYEU

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

(a beat)

Unfortunately, others may argue the same.

BITSEY

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

BELYEU

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

BITSEY

But it will at least get us a postponement?

BELYEU

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

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

CLERK  
All here, Mr. Belyeu.

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

The Clerk exits.

BITSEY  
Why?

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

BITSEY  
But someone put it in my hotel room.

BELYEU  
A fact for which we have no evidence.

A very professional-looking assistant enters, hands Bitsey  
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

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

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

BITSEY

Shit.

She heads back toward Belyeu's office.

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

EXT. AUSTIN OFFICE BUILDING - DAY

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

INT. RENTAL CAR - DAY

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

BITSEY

Did you see the cowboy go in?

ZACK

He went in Belyeu's building?

BITSEY

Into his office. Just saw him.

ZACK

Fuck!

BITSEY

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

ZACK

How are you gonna get to Ellis?

BITSEY

A taxi.

Zack makes a face.

EXT. ELLIS UNIT DRIVE - DAY

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

INT. ELLIS VISITATION AREA - DAY

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

She's upset.

DAVID

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

Over the loudspeaker:

GUARD (V.O.)

Visitors need to stay seated.

She sits.

DAVID

(to the microphone  
above)

Sorry.

(to Bitsey)

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

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

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

CONSTANCE

All I can feel is envy.

Dusty stands, goes to the alley window.

DUSTY'S POV

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

EXT. ALLEY - SUNRISE

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

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

David sits on the porch holding a drink, a bottle of Black Bush in the chair beside him. He's staring at nothing.

Constance comes out the open sliding glass door, wearing a turtleneck sweater and wrapped in her afghan. She goes to the chair beside him, picks up the bottle and sits. They silently survey the yard, the sunset. She hugs the bottle, he sips his drink.

CONSTANCE

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

DAVID

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

CONSTANCE

Denial.

DAVID

Denial's my personal favorite.

CONSTANCE

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

DAVID

Mending bridges.

CONSTANCE

Mending bridges. Confessing regrets.  
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.

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

CONSTANCE  
(making a face,  
swallowing hard)  
Uumm, also not enough sex. Should  
have had more sex.

She puts the bottle down beside her chair.

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

CONSTANCE  
Including college?

DAVID  
Including college.

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

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

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

CONSTANCE  
You work hard not to be seen as a

sex object. Before long, you're not seen at all.

DAVID

I see you.

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

DAVID

Want to make it five? Finish the hand?

CONSTANCE

A pity lay. No thanks.

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

DAVID

It wouldn't be pity.

They turn, their eyes meet, hold.

INT. CONSTANCE'S BEDROOM - NIGHT

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

They tenderly kiss. He starts moving, gently.

DAVID

Are you okay?

CONSTANCE

Don't worry.

He kisses her neck.

CONSTANCE

It's good.

Moves up to her ear.

CONSTANCE

Talk to me. Let me hear your voice.

DAVID

(in her ear)

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

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

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

CONSTANCE

Hold me tight.

DAVID

I'm here.

CONSTANCE

Tight... I'm scared.

DAVID

It's okay.

She's begun to cry.

DAVID

Okay.

He stops moving, kisses her tears.

CONSTANCE

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

He moves again, slowly.

DAVID

Shhh. I'm staying.

CONSTANCE

I need to feel you inside.

DAVID

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

CONSTANCE

I'm so tired.

DAVID

I know, I know.

CONSTANCE

Tired of being afraid.

DAVID

Shhh.

CONSTANCE

Help me.

DAVID

I'm here. It's okay.

CONSTANCE

Help me. Please. Make it stop.

DAVID

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

EXT. CONSTANCE'S HOUSE (3307) - NIGHT

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

INT. CONSTANCE'S BEDROOM - DAY

She's awake as David enters. He opens the curtains, sets a glass of water beside bottles on the nightstand. He crawls on top of the covers, spoons her, nuzzles the back of her head.

CONSTANCE

How do you feel about last night?

DAVID

Rescued. You?

CONSTANCE

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

EXT. CONVENIENCE STORE PARKING LOT - DAY

David goes to the pay phone against the building.

INT. CONSTANCE'S BATHROOM - DAY

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

She turns the water off.

EXT. APARTMENT POOL AREA - DAY

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

He's sober.

DAVID

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

A beat.

DAVID

I can't stand the idea of being his model of failure. Without him, I drink. To cover the hole. To prove to myself he's better off without me.

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

INT. CONSTANCE'S KITCHEN - DAY

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

EXT. FORMER GALE HOUSE - BACK YARD - DAY

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

DAVID

(standing)

Sorry, just leaving.

INT. CONSTANCE'S LIVING ROOM - DAY

Constance is quickly sorting through a box of memorabilia, a

photo catches her attention.

INSERT - PHOTO

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

BACK ON SCENE

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

EXT. LAWN - FROM ABOVE - DAY

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

INT. DAVID'S VOLVO - DUSK

David in the car in a mall parking lot, staring at nothing. On the seat beside him is Cloud Dog and a half empty Black Bush bottle.

INT. DAVID'S VOLVO - NIGHT

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

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

POLICEMAN

ROTATING CAMERA. The policeman holds the light.

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

DISSOLVE TO:

WHITE.

DISSOLVE TO:

INT. ELLIS VISITATION AREA - BITSEY AND DAVID - DAY

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



BITSEY

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

DAVID

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

(mimicking her delivery)

'Go.'

BITSEY

There's not enough time.

The guard approaches.

DAVID

You'll find time.

BITSEY

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

DAVID

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

A beat.

BITSEY

You're going to let them kill you.

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

DAVID

We live to stop death. Eating,  
inventing, loving, praying, fighting,  
killing -- choose a verb. All to  
stall this evil, Job's 'king of  
terrors.' But what do we really know  
about it? Nobody comes back. There's  
a point, when your mind out-lives  
its obsessions, when your habits  
survive your dreams, when your  
losses... You wonder, maybe death is  
a gift. All I know is that by this

time tomorrow, I'll be better off.  
What I don't know is why.  
(exits the cage)  
Goodbye, Bitsey.

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

BITSEY  
(softly)  
Goodbye, David.

EXT. ELLIS UNIT DRIVE GUARDHOUSE - DAY

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

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

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

BITSEY  
No thanks.

She turns and walks toward the highway.

The parade tape has been replaced with crowd barriers.

The drive's left side now overflows with abolitionists:

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 looking out the window. Rain shadows run down their faces. The room phone is on the table, as is Zack's watch: 10:17.

EXT. MOTEL SIX AND KETTLE - LONG SHOT - FROM ACROSS

INTERSTATE - NIGHT

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

INT. BITSEY'S MOTEL SIX ROOM - NIGHT

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

EXT. MOTEL SIX - NIGHT

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

INT. BITSEY'S MOTEL SIX ROOM - INSERT - BITSEY'S

NOTEPAD - NIGHT

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

BITSEY

has her shoes off, sits on the floor with her back against a bed. She's still watching the tape, tired, exasperated.

Finally, she turns the TV OFF, rubs her eyes. She stands, looks at the radio alarm clock on the nightstand: 11:33.

INT. BATHROOM - NIGHT

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

INT. BEDROOM - NIGHT

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

He starts to pull himself awake.

BITSEY  
Did you throw the towel on the floor?

ZACK  
What?

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

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

BITSEY  
Do you do that at home?

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

BITSEY  
Get up.

She disconnects the VCR.

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

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

ZACK  
What?

BITSEY  
We're taking a tour.

ZACK  
Where?

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

BITSEY  
Austin. Get the T.V.

She opens the door, exits.

INT. HOUSE 3307 ENTRY HALL - NIGHT

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

Bitsey barrages past carrying the VCR, Zack follows with the  
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 MUSIC  
DOWN.

SAME SCENE - MINUTES LATER

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

ZACK (O.S.)  
Move those index cards, too.

She picks up the index cards.



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

BITSEY

Zoom in a hair.

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

BITSEY

Put the gloves on a dish rack.

GOTH GIRL

I don't have one.

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

BITSEY

Turn them inside out.

He does so.

BITSEY

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

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

BITSEY

Come check this, Zack.

(to the Goth Girl)

Could you... what's your name?

GOTH GIRL

Nico's cool.

BITSEY

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

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

ZACK

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

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

BITSEY

That's fine. Just straighten her legs.

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

BITSEY

What's this?

ZACK

Towel or something.

BITSEY

Okay, look at this.

She plays the tape of Constance for eight seconds.

BITSEY

I noticed this back at the hotel.  
See?

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

The foot moves ever so slightly. She hits pause.

BITSEY

She moves her foot. Why?

ZACK

Fucking good question.

BITSEY

It's another fifteen seconds before she comes to. If she had passed out

once, without fresh air she wouldn't come back. There was no head trauma, her blood tested normal --

ZACK

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

BITSEY

Or...

Bitsey looks up at Nico.

BITSEY

We've got to bag her.

ZACK

Woa. Not a good idea.

BITSEY

All right, I'll do it.

SAME SCENE - MINUTES LATER

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

NICO

I found it.

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

BITSEY

(to Zack)

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

ZACK

Bitsey, I'm not so sure about this.

BITSEY

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

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

with some difficulty.

CLOSEUP - KEY

is on the sink counter while she does this.

BITSEY (O.S.)  
(through the bag)  
Have you started?

BACK TO SCENE

ZACK  
Twenty-two seconds.

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

ZACK  
Thirty seconds.

NICO  
Fuckin' wicked.

Bitsey lies perfectly still.

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

NICO  
Maybe she shouldn't...

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

Bitsey starts to pull slightly at the cuffs.

ZACK  
Fuck. Twenty... twenty-five...  
thirty...

NICO  
This isn't cool.

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

Bitsey panics, fights like hell against the cuffs.

BITSEY  
(through the bag)  
Zack!

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

ZACK  
(ripping at the tape)  
Jesus fucking Christ, Bitsey. You  
okay? What if I'd've waited?

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

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

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

She takes his arm, looks at him.

BITSEY  
(still breathing  
heavily)  
She... she did it herself.

SAME SCENE - MINUTES LATER

Zack sits on the couch holding the handcuffs and smoking.

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

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

ZACK

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

BITSEY

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

NICO

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

BITSEY

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

ZACK

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

A beat. Bitsey contemplates.

BITSEY

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

ZACK

Why, Bitsey? Why fake your own murder?

BITSEY

I don't know.

ZACK

Motive's like a major issue here.

BITSEY

Thanks, Zack.

ZACK

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

BITSEY

What'd you say?

ZACK

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

BITSEY

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

ZACK

Get the fuck out of here.

BITSEY

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

ZACK

A dead woman put the tape in your room?

BITSEY

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

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

ZACK

(mimicking Belyeu)

Thick as thieves.

INT. DUSTY WRIGHT'S CABIN - NIGHT

Dusty looks up at a wall clock: 4:23. He sits fully dressed

in his living room, listening to an OPERA. He closes his eyes.

CAMERA PULLS BACK OUT of his window and into:

EXT. WOODS BESIDE WRIGHT'S CABIN - NIGHT

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

ZACK

Hairy.

BITSEY

Come on.

She turns back into the woods.

EXT. DIRT ROAD - NIGHT

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

They walk and speak quickly in the light rain.

BITSEY

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

ZACK

She was in love with him.

BITSEY

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

They come to the car, get in.

INT. RENTAL CAR - NIGHT

Bitsey drives.

BITSEY

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

ZACK



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

BITSEY

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

ZACK

Which would only prove the system  
works.

BITSEY

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

ZACK

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

BITSEY

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

INT. WRIGHT'S CABIN - NIGHT

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

DUSTY

Hello?

EXT. GAS STATION - NIGHT

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

Closed, dark. By the road, a single light pole illuminates  
the area -- its light catching the drizzle.

Directly beneath the pole is a phone booth, where Bitsey

waits by the rental car.

INT. PHONE BOOTH - NIGHT

Zack is on the phone with the booth door open. Bitsey stands just outside.

ZACK

Let's talk about your tape... No,  
meet me at the station down the hill,  
in fifteen minutes.

Zack hangs up before Dusty can respond. He stops out of the booth and gives Bitsey a tentative look.

INT. WRIGHT'S CABIN - NIGHT

Dusty hangs up, thinks.

EXT. GAS STATION - NIGHT

Bitsey sits in the car's driver seat. Zack stands by the 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

Bitsey is in the woods, watches Dusty pull away in the pickup. She hurries to the front door, enters.

INT. WRIGHT CABIN - NIGHT

Bitsey turns on the lights and begins searching. She sees 11 videos on a bookshelf. Some are labeled, three aren't.

She takes the cassettes to the TV/VCR. Puts one in (her hands are wet). Nothing. She searches for the right AV channel.

INT. PHONE BOOTH - NIGHT

Zack anxiously waits. His eyes check the road.

INT. WRIGHT CABIN - NIGHT

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

She starts to fast forward, realizes she won't be able to do so with each tape, hits eject. She checks the clock: 5:04. She takes another unlabeled tape. It's a home video of a city council meeting.

BITSEY  
(hitting eject)  
Shit!

She grabs the next unlabeled tape.

EXT. GAS STATION - NIGHT

Zack paces in front of the booth, checks his watch.

INT. WRIGHT CABIN - NIGHT

Bitsey has an old "I Love Lucy" episode. Ejects, looks at the label: "Lucy." She grabs another, labeled "Unforgiven." The credits from Unforgiven roll on screen.

BITSEY  
Shit!

EXT. GAS STATION - NIGHT

Zack sees lights coming toward him. Gets into the phone booth, drops two coins, dials six numbers. He hesitates to punch the seventh, checks the road. The approaching lights belong 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

Bitsey has what looks like an office Christmas party. She goes for another tape -- the last. Cheyenne Autumn comes up on the screen. She hits eject.

She gets up, unsure what to do next. She goes back to the bookshelf, pulls books out to look behind them for more tapes, indifferent to the mess. She goes to a filing cabinet, quickly rifles it. She looks around the room, sees something.

She goes to a large oak desk with an old typewriter on it.

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

It's empty except for large padded envelope addressed to "Bitsey Bloom/News Magazine/40 W. 43rd St./New York, New York 10036." A beat as she stares in disbelief. She rips it open, pulls out a VHS cassette and checks the label: "Constance." The PHONE RINGS, startling her. She looks at the phone, then at the clock: 5:14. The phone doesn't ring again. A beat of absolute silence.

Bitsey goes quickly to the VCR and puts in the tape -- hands shaking. After a few seconds, Constance appears standing in her kitchen by the sink, dressed in a bathrobe. She's wearing 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 her lower lip. In one quick movement she takes the key from

the handcuffs and swallows it with the water. It goes down with difficulty; she coughs, then signals she's okay. She puts the glass in the sink.

She takes the duct tape roll, rips off a long section, sticks one end to the back of her gloved hand. She tears off another 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 a beat. Constance turns toward camera, mouth taped, eyes watering. She nods once, and turns back. She quickly puts the bag over her head. After she has smoothed the excess air out with one hand, she takes the packing tape from the other. She seals the bag around her neck.

She smoothly takes off the gloves. They're inside out and she snaps them so that the fingers extend. She drops them upside down on the dish rack. She removes her robe -- she's nude beneath -- and tosses it aside. It lands in the bottom right hand corner of the screen.

She feels for the handcuffs on the counter, takes them.

She sits on the floor, cuffs herself. She rolls onto her side, perfectly still, waiting.

ON BITSEY

Engrossed, trembling. The spell breaks as she comes to the part of the tape she's seen before. Averting her eyes, she fast-forwards past where Constance struggles to where she 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

Dusty goes to Constance, kneels and, removing a glove, checks her pulse. He looks briefly up into the camera, then stands.

He picks up her robe and comes back past the tripod. A beat.

We see only Constance's dead body -- then black.

ON BITSEY

A hand grabs her shoulder. She screams and spins around.

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

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

EXT. TWO-LANE HIGHWAY - SUNRISE

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

INT. RENTAL CAR - SUNRISE

The overheat light is still on. Bitsey looks down, then turns on the RADIO. A COUNTRY AND WESTERN SONG is on.

She punches scan.

BITSEY  
(to the radio)  
Give me the time. Give me the goddamn  
time.

EXT. HIGHWAY JUNCTION - SUNRISE

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

INT. RENTAL CAR - SUNRISE

Bitsey smells something.

EXT. HIGHWAY TO ELLIS UNIT - SUNRISE

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

She doesn't close the door. Starts running.

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

She runs, and runs.

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

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

She runs, and runs.

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

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

She runs. Sees something. Stops cold.

Coming toward her in the distance are small flashing lights. They rise on hill and then fall behind another.

They appear again. Soon, she can make out the form of an ambulance, and its highway patrol escort. The vehicles move slowly toward her, without sirens, as deathly quiet as their cargo. She stands to the side of the road as they approach. The highway patrol vehicle and the ambulance -- marked "Texas Department of Corrections" -- pass silently in SLOW MOTION. She watches as they disappear back into the mist. In SLOW MOTION, she screams, falls to her knees wailing, but we cannot hear her. We HEAR NOTHING.

INT. WRIGHT'S CABIN - SUNRISE

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

FADE TO:

BLACK.

FADE IN:

INT. DALLAS/FT. WORTH AIRPORT - DAY

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

ON TV

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



ROBERTS (V.O.)  
(to camera)  
Here's what we know so far. Last  
night, News Magazine posted on their  
web site a video obtained by reporter  
Bitsey Bloom...

Light applause. The TV is mounted on the wall in:

INT. NEWS MAGAZINE'S EDITORIAL FLOOR - DAY

Bitsey watches the report with about a dozen colleagues.

Kruger stands beside her. A few people congratulate her.

She attempts a smile and nods, though she doesn't look away  
from the TV. Kruger shushes the others to hear the story.

ROBERTS (V.O.)  
The footage appears to show Constance  
Harraway commit suicide.

ON TV

ROBERTS (V.O.)  
Bloom reports she received the tape  
Friday morning at a motel in  
Huntsville, where she was staying  
while conducting Gale's last  
interview.

ON FLOOR

Zack watches Bitsey from the other side of the room. She  
looks over at him, then quickly looks back at the TV.

ROBERTS (V.O.)  
The tape apparently had been in the  
possession of a former DeathWatch  
Director...

ON TV

Camera pulls back to reveal that Roberts is standing in front  
of Wright's cabin. Other journalists and gawkers can be seen  
out front. Police vehicles are also visible.

Suits and officers move in and out of the cabin.

ROBERTS (V.O.)

(reading the name off  
a card)

...Dustin Emil Wright. As you can see, police and officials from the State Attorney's office have been in and out of his cabin all morning, looking for clues to his whereabouts.

INT. DALLAS/FT. WORTH AIRPORT - DAY

Belyeu enters a men's room.

INT. MEN'S ROOM - DAY

Belyeu walks to a row of sinks. He sets the case on the floor and starts to wash his hands. A businessman combs his hair to Belyeu's left. Belyeu looks in the mirror and sees Dusty approach from a stall.

INT. NEWS MAGAZINE - EDITORIAL FLOOR - DAY

The room watches Roberts.

ROBERTS (V.O.)

...a fanatic in the movement to stop the death penalty.

ON TV

ROBERTS (V.O.)

It appears Wright withheld the tape to make an obscure political point about the potential for error in capital cases.

ON BITSEY

She watches, trying to contain her emotions.

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

INT. DALLAS/FT. WORTH AIRPORT - MEN'S ROOM - DAY

Dusty washes his hands, looks down at the case. The businessman leaves.

DUSTY  
All there?

BELYEU  
Passport and ticket as well.

INT. NEWS MAGAZINE - EDITORIAL FLOOR - ON TV - DAY

Governor Hardin is on the steps of the capital, journalists around her.

GOVERNOR HARDIN (V.O.)  
Well, it's a tragedy for all of us.  
As to whether this will change policy,  
the people of Texas will have to  
decide. Right now, the prudent course  
is to put things on hold pendin' a  
procedural review, allow ourselves  
time to mourn.

Kruger leans toward Bitsey.

KRUGER  
You bet she'll review. Capital  
punishment approval rates dropped 17  
points.

Bitsey just looks at the TV, trying to make it through.

INT. DALLAS/FT. WORTH AIRPORT MEN'S ROOM - DAY

Dusty picks up the case. Belyeu straightens his tie.

BELYEU  
What are you going to do?

DUSTY  
(walking past him)  
Go to the opera.

INT. NEWS MAGAZINE - EDITORIAL FLOOR - ON TV - DAY

Old footage of David being led in chains from an Austin jailhouse to a waiting van. He wears the clothes he was wearing the day Constance died.

ROBERTS (V.O.)  
Of course, the ultimate irony is  
that David Gale, a man who became an

unwitting martyr, may achieve in death what he worked for in life.

ON BITSEY

She bites her lower lip in a manner reminiscent of Constance.

FADE TO:

BLACK.

FADE IN:

EXT. STREET (BARCELONA) - DAY

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

INT. BARCELONA APARTMENT HOUSE - DAY

Dusty ascends a staircase onto hallway. He walks a few steps to door number six. An OLD SPANISH WOMAN passes him.

DUSTY

Senorita Gale esta viviendo aqui?

OLD WOMAN

Si. Si.

DUSTY

Gracias.

The old woman moves down the stairs. Dusty puts the aluminum suitcase on the doormat. From the duty-free bag he takes out David's Yale sweatshirt, lays it over the case. He RINGS the DOORBELL, turns and walks back down the hall.

He stands at the top of the stairs, waiting for someone to answer before descending. Sharon (older than we've seen her) 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

Bitsey sits at her neurotically neat desk, looking out the window. It's a sunny day in New York. For the first time, we see her wearing something besides a business suit. Framed on her cubicle wall is the latest News cover page: a picture of

David with the headline "The Executed Innocent."

A MAIL GUY drops a Fed Ex package on her desk.

MAIL GUY

This just came.

It's from "Belyeu & Crane/420 Congress Ave./Austin, Texas, 78710." She opens it, pulls out Cloud Dog and a handwritten note on Belyeu & Crane stationery.

INSERT - NOTE

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

At the breakfast table, a Spanish yuppie male sits with a newspaper in front of him. He watches Sharon open the case. Inside: money, stacks and stacks of money. On top is an unsigned note: "I'm sorrier than you can know."

INT. NEWS MAGAZINE - EDITORIAL FLOOR - DAY

Bitsey holds the stuffed sheep. puzzled.

Looks at the note,

BITSEY

Key to your freedom? Key to your...

Suddenly, she understands. She squeezes the sheep, shakes it, hears something. She cuts the sheep open with scissors. A Hi-8 tape is in the stuffing. It's hand labeled: "Off the record." She jumps up.

TRACKING SHOT

Bitsey hurries THROUGH the cubicles. She goes DOWN a hall and INTO the "MultiMedia" room.

INT. NEWS - MULTIMEDIA ROOM - DAY

Bitsey locks the door, puts the tape into a Hi-8 deck.

ON VIDEO

The tape is cued to where Dusty picks up Constance's robe

and walks past the tripod out of frame. We see only Constance's body. We hear the sliding door to the patio open 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.

David walks into frame. He goes a couple of steps toward Constance's body and stops, facing her. We see him only from 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.

David goes to Constance, kneels. He reaches down and with his thumb gently strokes her face through the plastic. He stands, turns and walks back to the camera. He reaches behind the lens to turn it off. A beat. Half his face fills frame,

his watery eyes looking directly at us. In the other half,  
we see Constance's body.

Black.

INT. BARCELONA OPERA HOUSE - NIGHT

Dusty sits watching a performance of Puccini's Turandot.

On stage is the scene where Liu martyrs herself.

CLOSEUP - DUSTY

He closes his eyes.

FADE OUT:

THE END

Life of David Gale, The

Writers : Charles Randolph

Genres : Drama Crime Thriller